

Great News on the LEAD Bill: It Is Dead!

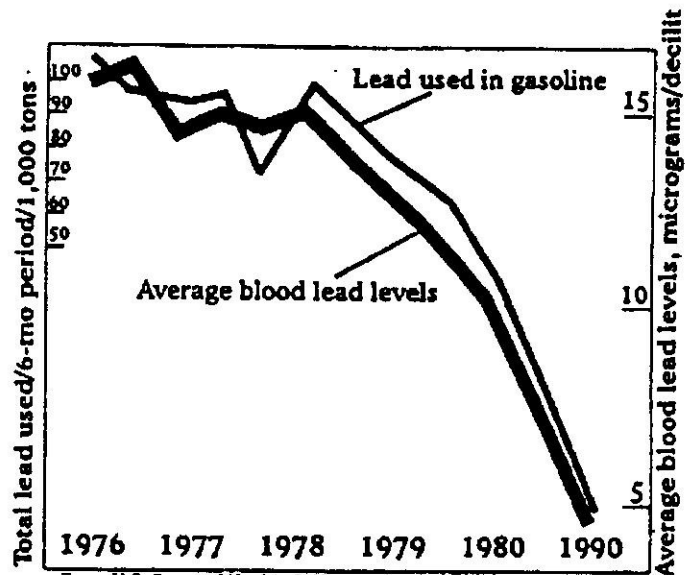
But Its Ghost Can Come Back To Haunt Us

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Our intensive lobbying campaign has paid off. AB 481, the lead bill, has been put on inactive status by its author Sheila Keuhl. AB 481 is a horrible bill. However, it will be back and we need to be prepared. We need to educate homeowners, landlords, tenants, our legislators and the Real-Estate Industry that the Lead issue is a country wide success story and not a toxic threat (lead poisoning of children has fallen dramatically in the last 25 years.)

It is important that we understand this issue and let our representatives in Sacramento know what we think. The draconian measures in AB481 would have drastically devalued homes built before 1978, put many Rental Property owners out of business and wasted billions of dollars in private and tax payer funds chasing a problem that simply does not exist. A little rudimentary investigation reveals the following:

1. Blood lead levels in children have fallen dramatically in the last 20 years with the lead level in gasoline as shown in the figure below¹.
2. The majority of lead in homes is tracked in from outside² and researchers comparing blood lead levels in children before and after removing interior lead paint have found no reduction in interior lead levels³ although the authors cling to the belief it is because they did not remove every square



inch of paint. It should be noted that subsequent studies by the same authors where all the interior and exterior paint is removed and the occupants are requested to do extensive interior cleaning did significantly reduce interior lead levels. However, a thorough interior cleaning alone would almost certainly have produced the same result; a study control the authors were not about to undertake with funding dollars at risk if they came up with the wrong answer. The notion that lead dust evolves from lead based paint buried below several layers of paint without lead is absurd. Even around sliding wood windows, the lead based paint that used to exist at wear locations has long since worn off and been replaced by paint without lead (based on tests conducted by the authors).

3. The acceptable blood lead level set by the Center for Disease Control (CDC) has been lowered 3 times in the last 20 years. At three times the current level of 10 $\mu\text{g}/\text{dl}$ (10 millionth of a gram per one tenth of a liter), there is no evidence of detrimental effects on

children despite the large number of studies specifically looking for problems caused by lead. The current level is based primarily on a study published in 1979 by Professor Herbert Needleman at the University of Pittsburgh. The CDC and EPA still cite Dr. Needleman's work even after other researchers reported Professor Needleman to the Federal Office of Scientific Integrity for a host of problems with his research and a University of Pittsburgh Inquiry Panel reported: there were "*deliberate misrepresentation of the procedures actually used in the study*", "*Dr. Needleman was deliberately misleading in the published accounts of the procedures used in the study*", and his findings, "*certainly should not have been a basis for federal policy*"^{4,5}. Apparently the CDC is not about to let the truth get in the way of a good self justifying health scare that has the potential to rival the asbestos panic.

4. Most of the significant sources of lead in the environment have already been removed. Removing lead from gasoline and the solder used to seal tin cans was the major contributor to the 70% drop in blood lead levels in people of all ages over the past twenty five years according to the CDC⁶. Today's children are exposed to 10 times less lead in the environment than that which you or I were exposed.

In summary, we should be declaring victory in the war on lead, not hysterically reducing our housing stock with money that could be used in other ways to actually help children. Homeowners, rental property owners and the real-estate industry in general must band together and let Sacramento know that any new legislation must (1) acknowledge that lead poisoning is on the decline, (2) target resistant pockets of poisoning: inner city, low-to-moderate income properties occupied by young children, (3) allow voluntary compliance and testing using chem-test kits readily available today in any hardware store and (4) ban lead lawsuits against property owners based on "Junk-Science". "Lead Based Paint" is defined as any paint or other coating that contains lead in excess of 1.0 milligrams per square centimeter, 0.5 percent by weight or 5,000 parts per million.

THE TRUTH ABOUT THE LEAD SCARE SCAM

AB 481 is called the Childhood Lead Poisoning Prevention Act. However, it applies to all pre-1978 rental housing whether they are occupied by at risk children or not. We have been surprised by what we have learned once we took a hard look at AB 481. A group of politicians and tenant activists have, either deliberately or through a misunderstanding of the facts, frightened many Californians into believing that old, lead-based paint is a major health hazard.

AB 481 would have required anyone repairing or working on pre-1978 housing to assume that all painted surfaces and soil are lead contaminated, to maintain records of work site certification, to treat any material removed as hazardous waste, and to equip all scappers, sanders and many other tools with HEPA particulate filters. Have you ever seen a scrapper with a filter system?

The bill would have further required all owners to ensure that their pre-1978 home or property passed a clearance examination and an annual visual examination by local lead police. Local agencies would have been allowed to enter, inspect, carry out testing or sampling, order an owner to perform a risk assessment and require clearance tests by certified agents, whether or not