



CITY OF HOUSTON

Department of Health and Human Services

Bill White

Mayor

Stephen L. Williams, M.Ed., M.P.A.
Director
Health and Human Services
Department
8000 N. Stadium Drive
Houston, Texas 77054-1823

T.713.794.9311
F.713.798.0862
www.houstonhealth.org

January 16, 2008

Stephen L. Johnson, Administrator
U.S. Environmental Protection Agency Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 1101A
Washington, DC 20460
E-mail: Johnson.stephen@epa.gov

Cc: National Ambient Air Quality Standards for Lead
Docket ID No. EPA –HQ-OAR-2006-0735
U.S. Environmental Protection Agency
Mail Code 6102T
1200 Pennsylvania Ave., NW
Washington, DC 20460
E-mail: a-and-r-Docket@epa.gov

Dr. Deirdre Murphy
Health and Environmental Impacts Division
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
Mail Code C504-06
Research Triangle Park, NC 27711
E-mail: Murphy.deirdre@epa.gov

Re: National Ambient Air Quality Standards for Lead; Advance Notice of Proposed
Rulemaking
Docket ID No. EPA-HQ-OAR-2006-0735
Comments

Via e-mail: Johnson.stephen@epa.gov
a-and-r-Docket@epa.gov
murphy.deirdre@epa.gov

Via U.S. Mail, to the addresses noted above

Dear Administrator Johnson:

The above advance notice of proposed rulemaking (ANPR) was published in the Federal Register on Monday, December 31, 2007. (72 FED. REG. 71487). The deadline for filing comments is January 16, 2008. Lead is a heavy metal that is pervasive in our environment. Lead is persistent and a well-known neurotoxin, that is, lead has been proven to lower the IQ's of our most vulnerable citizens, our children. Because of these and other well-known effects, lead has been the subject of many regulations such as removing lead from gasoline and paint. In addition, in 1978, the USEPA issued National Ambient Air Quality Standards (NAAQS) for lead. The possible changes to these standards are the subject of the ANPR. The City provides its comments below.

Although EPA Staff and the Clean Air Scientific Advisory Committee (CASAC), the panel of experts assembled by EPA to advise it in these matters, have consistently recommended that the standards be lowered, the standards have remained unchanged for 30 years. In that time the Centers for Disease Control has lowered the standard for levels of lead in the blood that require intervention **twice**. Most recently, the CDC concluded that there is **no** safe level of lead in the blood.

Not only has EPA ignored the advice of its own expert staff and CASAC to significantly lower the standard, but in this advanced notice of proposed rulemaking (ANPR), EPA has suggested that one possible option is to abolish the standard altogether, even though the data show that the detrimental effects of lead are evident at lower and lower levels. EPA just does not have any data to support abolishing the standard.

Instead of abolishing the standard, the USEPA should:

1. Follow the science. EPA's own staff paper and CASAC recommend significantly lowering the lead standard based on data that has been gathered in the 30 years since the original NAAQS was promulgated. Lowering the NAAQS standard is necessary to meet the legal criteria in the Clean Air Act that requires that a NAAQS must be protective of human health and provide an ample margin of safety.
2. Ensure that adequate monitoring data is collected by placing monitors near well-known sources of lead such as smelters, battery recycling plants, and power plants.
3. Promulgate and implement these standards on a timely basis. Although EPA is required to review these standards every 5 years, EPA does not meet this goal.

Page 3 of 3

Comments: Ambient Air Quality Standards for Lead
Docket No. EPA-HQ-OAR-2006-0735

Invariably, EPA wastes time and resources in Court defending delays. EPA must change its NAAQS process so that these most important standards undergo timely revision.

Thank you for the time to participate in the early stages of this rulemaking. The City endorses the more detailed comments of the National Association of Clean Air Agencies (NACAA) in which the support for lowering the standard and locating monitors, among other things, is clearly articulated. The City hopes that the rule that will be proposed by EPA is consistent with the requirements of the Clean Air Act, does not ignore the recommendations of the CASAC and its own staff experts to lower the standards, and provides protection for our most vulnerable citizens, our children.

Sincerely,

A handwritten signature in cursive script that reads "Michael Terraso". The signature is written in black ink and includes a long horizontal flourish extending to the right.

Michael Terraso, Ph.D.
Assistant Director

Cc: Elena Marks
Karl Pepple
Paulette Wolfson
Lakisha McKay
Arturo Blanco
Brenda Reyes, MD, MPH