Lead Action Levels—Dr. John W. Ray

On Wednesday, May 16, 2012, the CDC (Centers for Disease Control) toughened the standard for "acceptable" blood lead levels in children below the age of six. The new lead level standard is 5 micrograms of lead per deciliter of blood. The old standard, which is the standard used in Butte's lead abatement program (part of the EPA's Superfund cleanup for Butte) for children below the age of six, was 10 micrograms of lead per deciliter of blood. The current EPA blood "action levels" for Butte are based on the old 10 micrograms of lead per deciliter of blood standard. That old standard is no longer protective of children's health based on the conclusions of the CDC. In other words, the current EPA action level for lead cleanup in Butte is based on an outdated and non-protective blood lead level standard. (When it suits their purposes, the CDC is revered by EPA. For example, last year the EPA relied on CDC information to attempt to discredit Stacie Barry's health study which did not reach the conclusions EPA wanted about Superfund's protectiveness. Now when the CDC undermines EPA's position, the CDC's conclusions are, at least until now, ignored.)

An article entitled: "Lead Poisoning Toll Revised to one in 38 U.S. Children" (*Montana Standard*, April 9, 2013) concluded that the new CDC standard doubled the number of children in the U. S. that are believed to have lead poisoning. Children in low-income families are particularly impacted by lead poisoning. (Hence, this is also an environmental justice issue that EPA has largely ignored.) The point is that the old standard was not protective according to the CDC. According to the article, lead exposure can reduce IQ and "harm a child's brain, kidneys and other organs. High levels in the blood can cause coma, convulsions, and death. Lower levels can reduce intelligence, impair hearing and behavior .. . ." The point is the new standard should make a difference in terms of what EPA is doing in Butte. That has yet to occur. It is still "business as usual."

On May 18, 2012, I sent EPA an email asking whether or not the Butte lead action level would be changed to accommodate the CDC's tougher, more protective, standards. I was assured on May 18th that EPA was "looking at" the Butte lead action levels in light of the CDC's position. I guess EPA is still "looking." Nothing has been announced. All we hear is wait. All I hear today is wait.

Whether or not the current lead action levels are protective of human health is important. Assuming that there was "good science" behind the current blood lead action levels for Butte and these action levels were "tailor made" to achieve the protectiveness goal and given that these action levels were based on a standard twice as permissive as the new CDC recommendations and given that the CDC has deemed that the old blood lead level standards are not protective of children's health, one could logically assume that the current lead action levels need to be changed to reflect the new, tougher standard.

Why hasn't EPA changed the current lead action levels to reflect the new tougher standard? Why is EPA dragging its feet? Why has EPA been dithering around with this for almost a year? Is it because a more protective action level might cost the PRPs more money? Is this another example of cost driving cleanup?

Not to change the action level is ludicrous. It is somewhat of a stretch of credibility to believe that an action level based on a standard that was twice as permissive as the current standard from the CDC will be effective in achieving the new, tougher level. Do the current action levels afford such leeway that they will also achieve a protectiveness factor of 5 micrograms of blood lead? Will an action level designed to achieve no more than 10 micrograms of lead per deciliter of blood also achieve no more than 5 micrograms of lead per deciliter of blood? Are these current action levels a "one size fits all" example? Is there that much flexibility in the efficacy of these action levels? Are these current action levels that "magical"?