

REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS FOR LEAD: ADVANCE NOTICE OF PROPOSED RULEMAKING

ACTION

- On December 5, 2007, the Environmental Protection Agency (EPA) released an Advance Notice of Proposed Rulemaking (ANPR) as part of its review of the National Ambient Air Quality Standards (NAAQS) for lead.
- The ANPR is not a proposed rulemaking. The purpose of the ANPR is to invite comment from the Clean Air Scientific Advisory Committee (CASAC) and all interested parties on a wide variety of issues, including policy options, related to the agency's ongoing review of the lead NAAQS - *before* the agency issues its proposal. The ANPR is part of the new NAAQS review process.
 - The ANPR invites comment on:
 - scientific evidence concerning the health and welfare effects of current and past air emissions of lead that may be found in ambient air, indoor dust, and outdoor soil;
 - current lead exposures and health risks associated with such exposures; and
 - policy options for addressing lead air-related exposures and associated risks.
 - Specifically, EPA is seeking comment on the adequacy of the current lead NAAQS, on potential revisions to the standard, and on questions raised with regard to maintaining a NAAQS for lead.
 - In addition, the ANPR invites comment on issues regarding ambient air quality monitoring for lead including sampling and analysis methods, network design, sampling schedule, and data handling methods.
- EPA will consider CASAC recommendations and comments received from the public on the ANPR in developing the agency's proposed decision on the adequacy of the current standards and on any revisions to the lead NAAQS that may be appropriate.
- EPA will propose whether to revise or retain the current lead standards no later than May 1, 2008, with a target date of March 2008, and take final action by September 1, 2008, pursuant to a court order.
- The ANPR can be found at http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_index.html
- EPA will accept comment on the ANPR for 30 days after publication in the Federal Register.

- The U.S. has made tremendous progress in reducing lead concentrations in the outdoor air.
 - Since 1980, national average concentrations of lead have dropped nearly 96 percent. Since the late 1970s, blood lead concentrations for children ages one to five have dropped significantly, from about 15 micrograms per deciliter ($\mu\text{g}/\text{dL}$) to less than 2 $\mu\text{g}/\text{dL}$.
 - Much of this dramatic improvement occurred as a result of the phase-out of lead in gasoline, which EPA plans to maintain.

ANPR: Part of the New NAAQS Review Process

- EPA has been transitioning to a new NAAQS review process during the lead NAAQS review.
- The ANPR is a key feature of the new NAAQS review process and this rulemaking marks the first time EPA has issued an ANPR as part of a NAAQS review.
- The ANPR pulls together the information the agency is now considering as it reviews the lead NAAQS, and invites broad public input on the policy options for several aspects of the review.
- The new process will enable broader participation by interested parties earlier in the NAAQS review by providing to the public the scientific information, exposure and risk assessments and several policy options, and by seeking comment on that information and those options before EPA issues a proposal.
- Historically, rather than an ANPR, EPA has issued a Staff Paper that evaluates the policy implications of the science and the exposure and risk information. The Staff Paper is prepared by the staff in the EPA's Office of Air Quality Planning and Standards.
- Since EPA initiated the lead NAAQS before the institution of changes in the NAAQS process, the agency has produced a Staff Paper and an ANPR. For future NAAQS reviews, the EPA will prepare an ANPR and not a staff paper.

CASAC and Staff Paper Recommendations

- CASAC sent two letters to EPA concerning the lead NAAQS standard following public meetings in February and August of 2007. The CASAC letters can be found at http://www.epa.gov/sab/panels/casac_lead_review_panel.htm.
- On November 1, 2007, EPA's Office of Air Quality Planning and Standards released the final Staff Paper and final Human Exposure and Health Risk Assessment for lead. The final Staff Paper can be found at http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_cr_sp.html . The final Human Exposure and Health Risk Assessment for lead can be found at http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_cr_td.html.

BACKGROUND

- The Clean Air Act requires EPA to set National Ambient Air Quality Standards for "criteria pollutants." Currently, lead and five other major pollutants are listed as criteria pollutants. (The others are ozone, nitrogen oxides, carbon monoxide, sulfur oxides, and particulate matter.) The law also requires EPA to periodically review the standards to ensure that they provide adequate health and environmental protection, and to update those standards as necessary.
- In response to a case filed by the Missouri Coalition for the Environment, the U.S. District Court for the Eastern District of Missouri, Eastern Division, issued a decision in September 2005 that a review of the lead NAAQS should be completed by September 1, 2008. The court-ordered schedule requires EPA to propose whether to revise the standards by May 1, 2008, and issue a final rule by Sept. 1, 2008.
- Lead is a metal found naturally in the environment. Also, it is emitted from some industrial processes and is present in some manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Motor vehicle emissions have been dramatically reduced with the phase-out of leaded gasoline in the nation's motor vehicle gasoline supply. Lead is currently only used as a fuel additive for aviation gasoline in some general aviation aircraft but not in commercial jet aircraft
- Larger industrial sources of lead emissions currently include metals processing, particularly primary and secondary lead smelters, among others. EPA's lead air quality monitoring strategy generally focuses on areas surrounding these industrial sources.
- Only two areas, the East Helena, Mont. Area (including Lewis and Clark counties), and part of Jefferson County in Herculaneum, Mo. are designated nonattainment for the current National Ambient Air Quality Standards for lead. The industrial facility contributing to the lead problem in the East Helena area closed in 2001.
- In addition to dramatically decreased airborne lead concentrations, another indicator of progress in the reduction of airborne lead in the environment is the drop in children's blood lead levels over time. Since the late 1970s, blood lead concentration for children aged one to five have dropped significantly, from about 15 micrograms per deciliter ($\mu\text{g}/\text{dL}$) to less than 2 $\mu\text{g}/\text{dL}$.

HOW TO COMMENT

- EPA will accept comment on the ANPR 30 days after publication in the Federal Register. Comments, identified by Docket ID No. EPA-HQ-OAR-2006-0735, may be submitted by one of the following methods:

- www.regulations.gov: follow the on-line instructions for submitting comments.
- E-mail: Comments may be sent by electronic mail (e-mail) to a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2006-0735.
- Fax: Fax your comments to: 202-566-1741, Attention Docket ID. No. EPA-HQ-OAR-2006-0735.
- Mail: Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 6102T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460, Attention Docket ID No. EPA-HQ-OAR-2006-0735.
- Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, D.C. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information

FOR MORE INFORMATION

- To download the Staff Paper, "Review of National Ambient Air Quality Standards for Lead: Policy Assessment of Scientific and Technical Information" go to http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_index.html. Click on "Staff Papers."
- To download the Risk Assessment Document, "Lead: Human Exposure and Health Risk Assessments for Selected Case Studies," go to http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_index.html. Click on "Technical Documents."