

ACKNOWLEDGEMENTS

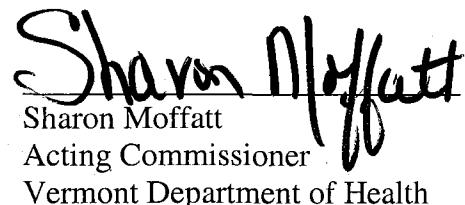
Over the past year, dozens of Vermonters donated their time, energy and expertise to recommend a myriad of steps to "Get the Lead Out of Vermont." Some steps have been taken over the course of this initiative, others are being worked on as this report is being released, and still others will have to wait until we have the wherewithal to tackle them. The value of this report lies not only in the recommendations that are within our ability to implement in the near future, but also in the vision and choices it presents for us to consider long-term.

We gratefully acknowledge the creative and enthusiastic contributions of numerous dedicated participants in this initiative. They represented many public and private agencies and organizations, bringing their experience and concerns to the table. We asked them to commit to six months of working on this topic, but most worked far beyond that time. To each of them, our sincerest thanks and appreciation.

In particular, we wish to recognize the six members of our staffs who together led this initiative: Co-chair Wendy Morgan, Public Protection Chief of the Attorney General's Office, and Co-chair Kevin Doering, Environmental Health Program Chief, as well as Elliot Burg and Mark Sciarrotta of the Attorney General's Office, and Jenney Samuelson and Vernon Nelson of the Vermont Department of Health. We also thank Bonnie Boardman, Marcia Gustafson and Lori Cragin for their invaluable contributions and assistance in completing this project.



William H. Sorrell
Vermont Attorney General



Sharon Moffatt
Acting Commissioner
Vermont Department of Health

Table of Contents

OVERVIEW

Introduction.....	1
Process, Participants and the Report	1
Underlying Principles	2
Summary of Recommendations.....	2
Increase prevention through expansion and enforcement of Vermont's housing laws ...	3
Increase prevention by reducing sources of exposure to lead.....	4
Increase prevention through increased public awareness of the dangers of lead	4
Increase identification of and interventions for lead-poisoned Vermonters	5
Decrease lead exposure and the effects of poisoning by increasing human and financial resources devoted to this effort	5
Background Information.....	6
Known Lead Exposure in Vermont	6
Health Effects of Lead	7
Cost of Lead Poisoning in Vermont.....	10
Vermont's Lead Laws and Their Implementation	10
Programmatic Activities	12
Programmatic Resources	13
Areas of Concern	14
Conclusion	15
Endnotes.....	16
APPENDIX	
A Participants List.....	Overview Appendix A

HOUSING

Introduction.....	1
Housing Committee Report	1
I. Background on Vermont's lead paint problem.....	1
A. Lead dust from paint in housing is the primary cause of lead poisoning in Vermont children.	1
B. Vermont's housing stock is saturated with LBP.....	2
C. LBP risks and hazards	2
D. Rental housing and owner-occupied housing.	3
E. Temporary and permanent risk reduction.....	4
II. Overview of existing lead hazard law	4
A. Federal law	4
B. Vermont law	5
III. EMP Compliance and Enforcement.....	10
A. Few landlords comply with the EMP law.....	10
B. Enforcement	11
IV. Recommendations.....	14
A. Summary of Recommendations	14
B. Recommendations.....	14
C. Measures considered, but not adopted	23

APPENDICES

A Recommendations	Housing Appendix A - 1
B Participants List.....	Housing Appendix B - 1
C EMP Cost Estimates.....	Housing Appendix C - 1
D Lead Poisoned Children Rule	Housing Appendix D - 1
E AODs from 1994	Housing Appendix E - 1
F Maine's lead paint hazard disclosure.....	Housing Appendix F - 1

CONSUMER PRODUCTS AND OTHER EXPOSURES

I. Introduction	1
A. Organization of This Report	1
B. Extent and Nature of the Problem	1
C. First Principles.....	2
D. Approaches to Reducing or Eliminating Lead Exposure.....	4
II. Consumer Products	5
A. Children's Products.....	5
Recommendations.....	9
B. Imported Cosmetics and Folk Remedies	10
Recommendations.....	12
C. Food and Food Vessels	12
Recommendations.....	15
D. Other Products	16
E. The Problem of Exported "e-Waste".....	26
Recommendations.....	29
III. Lead in the Environment.....	29
A. Lead in Soil	29
Recommendations.....	30
B. Lead in Water	30
Recommendations.....	33
C. Lead in Air	33
Recommendations.....	36
IV. Occupational/Take-Home Lead.....	36
Recommendations.....	40
V. Responses of Other Jurisdictions	40
A. Federal Regulation and Preemption	40
B. State Regulation	43
C. International Regulation.....	45
VI. Other Topics	45
A. A Precautionary Approach to Lead.....	45
B. Lead and Other Persistent Bioaccumulative Toxins (PBTs).....	46
Recommendations	47

IDENTIFICATION AND INTERVENTIONS

Process	1
Health Effects of Lead Poisoning	1
Identification of and Interventions for Vermonters with Elevated Blood Lead Levels	5

Identification of Children with EBLLs	5
Interventions for Vermont Children with EBLLs: The CLPP Program	7
Identification and Interventions for Vermont Adults with EBLLs.....	8
Recommendations.....	8
Goal 1: Ensure that all Vermonters with lead poisoning are identified.....	9
Recommendations regarding identification of children.....	9
Recommendations regarding identification of adults	10
Other recommendations to enhance identification	11
Goal 2: Raise awareness that no level of lead in blood is a safe level.....	12
Recommendations regarding education	12
Goal 3: Ensure that effects of an elevated blood lead level are minimized.....	14
Recommendations regarding interventions for children and adults	14
Other recommendations to enhance interventions:.....	16
Goal 4: Eliminate exposure to lead.	16
Recommendations regarding prevention	16
End Notes.....	19
APPENDICIES	
A Participants List.....	Indetification and Interventions Appendix A
B Glossary.....	Indetification and Interventions Appendix B
C VDH Action for EBLLs	Identification and Interventions Appendix C

RESOURCES

Introduction.....	1
The state of Vermont should appropriate annual funds to address childhood lead poisoning.....	1
Fees and fines should follow the principle that the polluter pays.....	1
Failure to act will engender costs.....	2
Funding Mechanisms	
I. State-Generated Revenues	2
A. State bond for lead poisoning prevention activities	2
B. Appropriation from the state general fund	2
C. Tax check-off on the annual state income tax form for a Child Health Lead Fund	3
D. Real estate transfer tax earmarked for window replacement	3
II. Fees.....	3
A. Fee of 25 cents per gallon of paint sold wholesale in Vermont.....	3
B. Fee of one penny per gallon of gasoline sold in the state	3
C. Licensing fees for all professionals related to housing	4
D. Remodelers/contractors licensing fee	4
E. Housing registry fee for landlords	4
F. Support from insurance industry to fund EMP training	5
III. Enforcement Revenues	5
A. Civil penalty for property owner failure to perform EMPs.....	5
B. Civil penalty for failure to follow the state disclosure rules (under Lead Poisoning Act Title 18 section 1751 through 1765)	6
C. Civil penalty for failure to follow the federal Lead-Based Paint	

Pre-Renovation Education Rule (406b)	6
D. Civil penalty for unlicensed or uncertified contractors.....	6
E. Civil penalty for a job site without a certified worker.....	6
F. Civil penalty for unsafe renovation of lead-based paint surfaces.....	6
G. Civil penalties for prohibited work practices.....	6
H. Reimbursements for required case management	6
IV. Grants.....	7
A. Explore new federal grant opportunities, especially with HUD and EPA.....	7
B. Dedicate funds from existing Maternal Child Health Block Grant to lead activities	7
C. Other.....	7
V. Litigation	8
A. Settlements procured from lawsuits with property owners and/or contractors over cases of lead-poisoned children	8
B. Settlement of suit against paint and coating manufactures	8
VI. Other Funding Sources	8
A. Revolving loan fund for lead hazard control	8
VII. Incentives.....	9
A. Income tax credit	9
Sources of funding considered but not recommended at this time	9
APPENDIX	
A Massachusetts Funding	Resources Appendix A - 1