

Lead Prevention THE UNIVERSITY of TENNESSEE Extension

and Healthy Housing Newsletter

Family and Consumer Sciences

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Enforcement Bonanza



NEED COPIES
of . . .

*Protect Your
Family from Lead
in Your Home?*

Call or e-mail
Bonnie!

Questions?
Comments?
Assistance Needed?

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Increasingly, violators of the federal Lead Disclosure Rule are finding themselves faced with significant fines and other forms of restitution as the Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) take action. In place since 1996, the Lead Disclosure Rule requires that sellers and landlords inform prospective buyers and tenants of lead hazards associated with properties constructed before 1978. Prospective inhabitants must be able to examine any lead documentation that exists and must be provided with copies of the booklet *Protect Your Family from Lead in Your Home*. The rule also grants sellers the right to seek a lead evaluation on any property.

Enforcement vigor is in evidence in two separate geographical locations this spring. A Boston real estate corporation and its subsidiaries sustained \$200,000 in fines in March for having neglected to disclose lead hazards in 7,700 housing units in Massachusetts and Connecticut. In addition, the violators have been ordered to undertake lead abatement procedures, at a cost of more than \$2 million.

Likewise, a Tallahassee, Florida firm was assessed \$7,700 in fines and ordered to perform more than \$69,000 in lead renovations at a single apartment complex.

The EPA and HUD are committed to partnering with local and regional agencies to ensure that enforcement measures are pursued.

An enumeration of the complete requirements of the Lead Disclosure Rule can be accessed online at www.hud.gov/leadlibrary/enforcement/fs-disci.pdf.

Allergy ALERT

2007 data indicate that almost 17 million American adults and 7.4 million children suffer from hay fever, which peaks in the summer months. The proliferation of other pollens and allergens also escalate between April and August, while, during the same time period, ozone levels soar, leaving air quality at its unhealthiest levels.



To see the Summer Sky

To see the Summer Sky
Is Poetry, though never
in a Book it lie -
True Poems flee -

by Emily Dickinson



A few basic strategies can render those gesundheit days a bit less troublesome.

- Seek refuge indoors when pollen counts are at their highest. Pollen counts reach their zenith between 5:00 and 11:00 AM. Evening hours make for a better time to enjoy Mother Nature.
- Close windows, allowing pollen to remain outdoors. Air conditioning will help reduce indoor humidity, avoiding the growth of mold.
- Keep air conditioning systems clean, installing new filters frequently.
- Dust mites are more prevalent during the summer. Vacuum and mop often. Cover pillows in dust-free cases, and launder bedclothes in hot water.
- Resist the temptation to dry clothes outdoors, as pollen and other irritants will collect on fabric.

For further information on handling seasonal allergies, visit the website of:
The American Academy of Allergy, Asthma, and Immunology
at **www.aaai.com**

CPSIA Update: Children's Motorized Vehicles



U.S. Consumer Product
Safety Commission



"Therefore, during the pendency of a stay of enforcement, ATVs and motorized bikes appropriately sized for children twelve and under can again be available and the Commission will not seek penalties for violation of Section 101 and related provisions of the CPSIA against those who sell them."

**Nancy Nord,
Acting Chair,
Consumer
Product Safety
Commission**

In this newsletter's last edition, the basic tenets of the Consumer Product Safety Commission's latest legislation, the Consumer Product Safety Improvement Act (CPSIA), were outlined.

CPSIA regulates—and severely restricts—the percentage of lead and phthalates allowable in products designed for children under the age of twelve. While some exclusions to the Act do exist, they are few, and, once the entirety of the Act is in place, America's children will enjoy much safer interaction with consumer items.

Recognizing the complexities of the new regulation, the CPSC recently granted a stay of enforcement (until May 1, 2011) to one family of products: children's recreational vehicles, designed specifically for riders aged 12 and under. The lead content in batteries powering these vehicles clearly surpasses new maximum lead levels; however, the CPSC, through its discussions with manufacturers, learned that product design cannot be adequately adapted to meet CPSIA regulations in a timely fashion. Moving forward with enforcement at this time would shut down the manufacture of vehicles sized and designed for younger children, and younger children would seek their recreational outlet on ATVs and other vehicles meant for elder siblings or adults. The dangers inherent in this scenario prompted CPSC Commissioner Moore's comments (quoted below) and the stay of enforcement that subsequently ensued:

"It is ironic that I am defending vehicles that I consider to be dangerous for children under 12 to ride and which contain accessible parts with excess levels of lead. However, the alternatives appear to be more dangerous. American parents seem to be willing to accept the risk for their children riding these vehicles, so it is the agency's task, at this stage, to ensure that the vehicles are as safe as possible. One safety rule the agency has stressed is keeping children off of adult-sized ATVs."

Anyone can follow the progress of CPSIA by subscribing to the online list serve, located at:

<http://www.cpsc.gov/about/cpsia/cpsialist.aspx>