

Congress of the United States
Washington, DC 20515

May 1, 2013

Mr. Robert Perciasepe
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Room 3130
Washington, D.C. 20460

Dear Acting Administrator Perciasepe:

It has come to our attention that on December 31, 2012, the Environmental Protection Agency (EPA) published a notice in the Federal Register announcing a public hearing on June 26, 2013, and requesting information on renovation, repair, and painting activities on and in public and commercial buildings. While we support the goal of reducing lead exposure – especially to children and senior citizens – we want to fully understand the purpose of this rule and the process EPA is taking to obtain relevant data.

The Toxic Substances Control Act (TSCA) authorizes EPA to address renovations in public and commercial buildings only “to the extent such renovations create lead-based paint hazards.” Furthermore, under TSCA, EPA is required to develop a Section 403 rule to identify “dangerous levels of lead” in public and commercial buildings. With these standards in mind, we submit the following questions for your response:

- Has EPA developed a Section 403 rule for public and commercial facilities?
- Since daycare and child facilities in public and commercial buildings are already covered under other EPA rules, who is the target population EPA is working to protect?
- Are there academic studies that have identified a hazard resulting from lead exposure in public and commercial buildings?
- Given that public buildings are included in this rulemaking, what steps has EPA taken to obtain input from the General Services Administration or other federal departments, including the Architect of the Capitol about their renovation and remodeling activities?

Prior to acting on such a rule, we trust that EPA will follow all regulatory and legal procedures necessary to ensure such a rule is warranted. We look forward to your response to our inquiries.

Sincerely,


Rep. Blaine Luetkemeyer (MO-03)


Rep. Bill Owens (NY-21)

Pete Olson

Rep. Pete Olson (TX-22)

Tim Walberg

Rep. Tim Walberg (MI-07)

Bill Johnson

Rep. Bill Johnson (OH-06)

Bill Huizenga

Rep. Bill Huizenga (MI-02)

Denny Heck

Rep. Denny Heck (WA-10)

Bill Cassidy

Rep. Bill Cassidy (LA-06)

Billy Long

Rep. Billy Long (MO-07)

Dennis A. Ross

Rep. Dennis A. Ross (FL-15)

Bill Foster

Rep. Bill Foster (IL-11)

Steve Stivers

Rep. Steve Stivers (OH-15)

Andy Barr

Rep. Andy Barr (KY-06)

Ken Calvert

Rep. Ken Calvert (CA-42)

Jeff Miller

Rep. Jeff Miller (FL-01)

Ann Wagner

Rep. Ann Wagner (MO-02)

Lynn Westmoreland

Rep. Lynn Westmoreland (GA-03)

Jim Matheson

Rep. Jim Matheson (UT-04)

Peter King

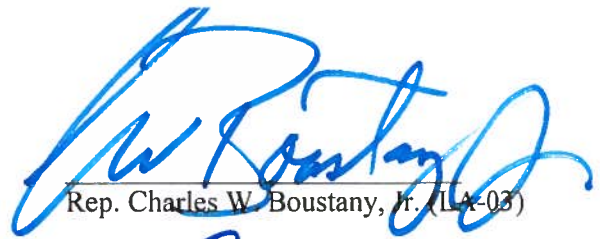
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Gary Miller

Rep. Gary Miller (CA-31)



Rep. Walter Jones (NC-03)



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Rep. Mo Brooks (AL-05)



Rep. Spencer Bachus (AL-06)



Rep. Stephen Fincher (TN-08)



Rep. Charles Rangel (NY-13)



Rep. Kerry Bentivolio (MI-11)



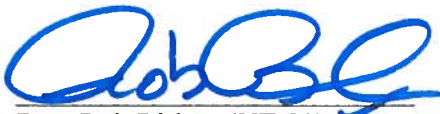
Rep. Bob Gibbs (OH-07)



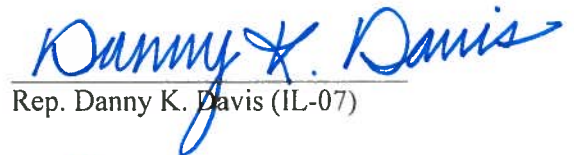
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Rep. Robert E. Latta (OH-05)



Rep. Ted Poe (TX-02)



Rep. Todd Rokita (IN-04)



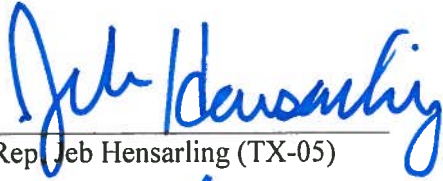
Rep. Corrine Brown (FL-05)



Rep. Steve Pearce (NM-02)



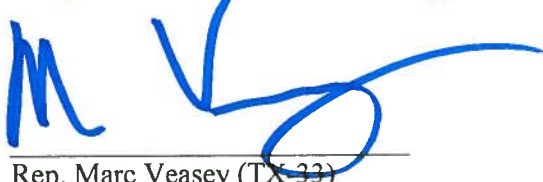
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Rep. Jeb Hensarling (TX-05)



Rep. Marsha Blackburn (TN-07)



Rep. Marc Veasey (TX-33)



Rep. Brett Guthrie (KY-02)



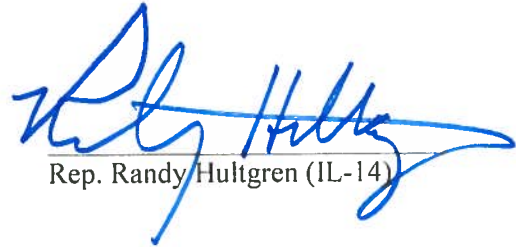
Rep. Adrian Smith (NE-03)



Rep. Erik Paulsen (MN-03)



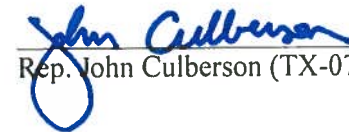
Rep. Frederica Wilson (FL-24)



Rep. Randy Hultgren (IL-14)



Rep. Thomas Petri (WI-06)



Rep. John Culberson (TX-07)



Rep. Paul Gosar (AZ-04)