



BEST News

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Gottesfeld Receives Award at American Industrial Hygiene Association



On June 2, 2014 Perry Gottesfeld, Executive Director of Occupational Knowledge International, will receive the **Social Responsibility Award** from the **American Industrial Hygiene Association (AIHA)** <http://www.aiha.org>. The award, cosponsored by Bureau Veritas, recognizes leadership among environmental health professionals for social responsible actions in environmental and occupational health. It acknowledges leaders in the field who have made significant contributions to advance environmental health and safety in communities most at need around the world. The monetary honorarium for this award will be contributed to the recipient's nonprofit organization – Occupational Knowledge International.

The AIHA is the largest international association of environmental health and safety professionals with 10,000 members working in industry, government, labor, academic institutions, and nonprofit organizations. The award will be presented at the opening session of the AIHA annual conference on June 2, 2014 in San Antonio where the organization will be celebrating its 75th anniversary.

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OK International in the News

In March 2014, OK International was quoted in an article in the Huffington Post emphasizing the need to stop the production of lead paint around the world. The article, "Toxic Lead Widespread In World's Largest Paint Market" by Lynne Peeples, quotes Gottesfeld as saying: "We know these paint markets are growing exponentially. If they continue to sell lead paint, it's going to create a huge legacy issue down the road," (see http://www.huffingtonpost.com/2014/03/25/lead-paint-asia_n_5029272.html)

In April 2014, Environmental Health Perspectives, the most widely read journal in the environmental health field, published a cover story on "Lead-Based Decorative Paints: Where Are They Still Sold—and Why?". The article outlines the widespread use of lead paint for consumer applications around the world. Our success in encouraging the largest paint company in Cameroon to reformulate their products was featured. The article quoted Gottesfeld as saying that this is the first case where we have documentation that a paint company actually took lead paint off store shelves to



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dispose of it. (see <http://ehp.niehs.nih.gov/122-a96/>) In addition, the company held back lead compounds in their warehouse from use in new paints. See the last story in this issue for more details.

California's Billion Dollar Verdict Against Lead Paint Manufacturers

A California Superior Court Judge ordered lead paint manufacturers to pay \$1.15 billion to abate lead paint in millions of homes in a case brought by 10 California cities and counties. The public-nuisance lawsuit had gone on for over a dozen years before the final order was issued in January of this year. Perry Gottesfeld, Executive Director of Occupational Knowledge International testified as an expert witness in the litigation.

The judge's order notes that more children in California are identified with elevated blood lead levels than contract pertussis, tuberculosis, hanta virus, and other communicable diseases each year. He also quoted Gottesfeld's testimony stating that "lead paint" disproportionately impacts low income and minority kids – and these are kids who can least afford to take the hit."

Superior Court Judge James Kleinberg in San Jose held that defendants [Sherwin-Williams Co. \(SHW\)](#), [NL Industries Inc. \(NL\)](#) and ConAgra Grocery Products LLC were liable for promoting the use of lead paint after they knew it was harmful. The trial uncovered evidence that published accounts of children poisoned by lead paint appeared in medical literature as early as 1878. Sherwin-Williams, one of the world's largest paint manufacturers, still makes and sells lead paint in developing countries.

The Judge's decision can be downloaded here: http://www.scefilings.org/filingdocs/721/69858/170373e_ATTACHMENTxxxSTATEMENTxOFxDECISION.pdf

Report on Lead in New Paints in Nepal

OK International, in cooperation with our partners at Society for Legal and Environmental Analysis and Development Research (LEADERS) Nepal, published our findings from lead paint testing conducted in Nepal in the journal Environmental Research (July 2014). The report summarizes the test results from 75 paints that were purchased from paint stores in major cities in Nepal and tested for their lead content.

We found that 76% of the samples tested contained lead in excess of U.S. regulatory limits. Lead concentrations in the paints ranged up to 200,000 ppm (20%) lead by weight.

Our report concluded that Nepal needs to adopt regulations to limit the concentration of lead allowed in paints. We are also asking for improved container labeling to better inform consumers and protect public health. The article can be found at the link below:

[Lead in new paints in Nepal.](#)

Perry Gottesfeld, Dhiraj Pokhrel, and Amod K. Pokhrel, (Environmental Research, v. 132, 2014) <http://www.sciencedirect.com/science/article/pii/S001393511400088>

U.S. EPA Notice on Lead Battery Exports

The U.S. Environmental Protection Agency (EPA) announced in late 2013 that it planned to tighten agency requirements for providing notices before allowing exports of used lead batteries to comply with OECD guidelines. OK International had pointed out to EPA that there were serious shortcomings in the current regulations allowing used lead batteries to be exported from the U.S. without any system for tracking these shipments.

Mexico and Canada require waste manifests to accompany used lead battery shipments but the U.S. has not. We noted that the lack of such a requirement in the U.S. makes the tracking of this waste stream nearly impossible and helps facilitate illegal shipments going to Mexico. The U.S. has failed to implement this requirement despite its legal obligation to follow the OECD guidelines on the environmentally sound management of waste that requires manifests for shipping lead batteries and other hazardous waste.

These discrepancies were then noted in the Commission for Environmental Cooperation's (CEC) 2013 report "Hazardous Trade" that relied heavily on research and inputs provided by OK International. No further action is expected until later this year when EPA anticipates that it will formally issue its notice of proposed rulemaking.

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India stone quarries are exporting 1,000 trucks of rock per day to Bangladesh raising concerns of a silicosis epidemic.

An estimated 2.34 million people die each year from work-related accidents and diseases. The vast majority of these deaths are a result of work-related diseases.

Exide Lead Battery Recycling Facility Shut by California Regulators

The Los Angeles area lead battery recycling facility owned by Exide has been ordered closed by the South Coast Air Quality Management District in March 2014 due to violations of air emissions. The Los Angeles Superior Court also denied the company's request to continue its operations while installing new pollution controls. Regulators have sued the company for \$40 million dollars in penalties related to air emissions from the plant. More recently U.S. EPA also informed the company that they were also in violation of federal airborne emission limits for lead.

The company has also been ordered to investigate soil contamination in neighborhoods surrounding the plant. Although excessive levels of arsenic were not found, all of the 39 homes tested had soil lead levels that exceeded California's screening level of 80 parts per million (ppm). Additional soil testing is ongoing in the area.

Cal-OSHA Revising Occupational Lead Standard

The California Occupational Safety and Health Administration (CAL-OSHA) is moving forward with regulations updating the key provisions of the occupational lead standard for the first time in 30 years. This action follows the long awaited report issued by the California Department of Public Health (CDPH) calling for revisions to the Permissible Exposure Level (PEL) for airborne lead and the Medical Removal Protection level for worker's blood lead levels in a report issued in September 2013. Cal-OSHA announced it was moving forward with a meeting on proposed changes to the standard scheduled for June 2014.

Opinion

Dismantling Scientific Independence at the Centers for Disease Control: The demise of the ACCLPP Committee

By Perry Gottesfeld

Ten years ago during the Bush Administration 9,000 scientists including 49 Nobel laureates signed a petition criticizing the dismantling of scientific advisory committees and the shuffling of appointments to obtain more favorable advice. Sadly, the Obama Administration is now repeating history by shutting down a key federal advisory committee that has provided independent advice and leadership to the Centers for Disease Control and Prevention (CDC) on lead poisoning prevention since the 1970s.

The agency's decision in late 2013 to close down the Advisory Committee on Childhood Lead Poisoning Prevention (ACCLPP) appears to have come in response to the Committee's vocal call for a renewed push to prevent childhood lead poisoning made just as the CDC was cutting the budget for this program. Ironically, Congress has since re-instated most of the budget cuts for the lead poisoning prevention program.

In 2012, after a review of the scientific evidence, the ACCLPP committee forwarded a historic recommendation to the CDC calling for major changes in the federal response to address childhood lead poisoning. The Agency adopted the committee's recommendations and agreed to eliminate the "level of concern" and instead adopt a reference value to prioritize children with blood lead levels greater than 5 ug/dl.

In the past, the ACCLPP committee has provided objective scientific guidance that has been used in every pediatrician's office and helped guide a wide range of federal and state programs addressing housing, consumer products, cosmetics, drugs, environmental cleanup, and pollution controls. Furthermore, with leadership from this committee, the World Health Organization (WHO) and ministries of health in other countries have issued similar guidance that has impacted the lives of millions of children around the world. In fact, WHO is expected to issue revised guidelines this Fall.

To dismantle this important scientific body at this time is short sighted and serves only to raise questions about the political motives behind this interference with objective scientific input at the agency. Moreover, it seems to send the message that children living in poverty in particular, where blood lead levels tend to be highest, do not matter. For this reason over 200 member of the American Academy of Pediatrics and 12 members of Congress had sent letters to the President and the head of the CDC, Thomas Frieden, asking the agency to reconsider.

Ironically as the administration has prioritized education and funded public health prevention programs under Obamacare, it is dismantling efforts to address one of the most well recognized environmental risk factors. Lead is linked to lower school performance, behavior disorders, and heart disease among a long list of additional health effects. A recent study funded by the Gates Foundation concluded that lead exposure accounts for 674,000 deaths each year due to cardiovascular disease around the world.

In the past, the CDC has touted the lowering of blood lead levels since the 1970s as one of their greatest

successes. Now they want to abandon the effort and do away with any conflicting scientific advice on how to best finish the job. It is time for CDC to focus on protecting children at the low, but still harmful, exposure levels that millions of children now face.

Success in Cameroon: Lead Paint Removed from Markets

Occupational Knowledge International (OK International) has worked collaboratively with our NGO partners at CREPD (Research and Education Center for Development) since 2010 to eliminate lead in paint in Cameroon. During a visit earlier this month, Perry Gottesfeld had a chance to meet with key government ministries, paint companies and others and made a presentation at a national workshop on lead paint elimination in Yaounde on May 14th. Several government ministries attended the workshop and reaffirmed their commitment to establish national mandatory regulations on lead in paint.

At the workshop, the largest paint company in Cameroon, Seigneurie – a subsidiary of PPG (the second largest globally), made a presentation outlining the progress they have made in reformulating all architectural and industrial paints in Cameroon and four additional African Countries. Our recent testing conducted earlier this year in Cameroon verified this report. In addition, the company stated that it has taken back more than 3.7 Metric Tons of paint products and held back 8.4 Metric Tons of lead-containing pigment from production in their warehouse for “decommissioning” or eventual disposal. This is the first time that any paint company has provided documentation indicating the quantity of lead-containing products that have been taken off the market and raw materials that have been set aside as hazardous waste.

SMALTO, another local paint manufacturer, also reported during the workshop on their efforts and claimed that all their decorative paints manufactured starting in 2014 are non-lead. This positive news needs to be confirmed through paint sample analysis.



Left: Gilbert Kuepouo of CREPD addressing the workshop in Yaounde.
Right: Paint and Chemical Waste Storage at Cameroon Paint Factory

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