



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

AUG 8 2005

Mr. Jeff Gearhart  
Ecology Center  
117 N. Division  
Ann Arbor, MI 48104

Re: Petition to Prohibit the Manufacturing, Processing, Distribution in  
Commerce, Use, and Improper Disposal of Lead Wheel Balancing  
Weights

Dear Mr. Gearhart:

Thank you for your petition, dated May 13, 2005, requesting that EPA initiate a rulemaking under TSCA section 6(a)(1)(A) to prohibit the manufacturing, processing, distribution in commerce, use, and improper disposal of lead wheel balancing weights. The Agency has carefully considered your request and hereby denies the petition for the reasons that follow.

EPA finds that there are insufficient data available for the Agency to initiate a TSCA section 6 rulemaking at this time. EPA has reviewed the supporting information included with the petition, as well as other available information on lead wheel balancing weights. The petition contains very limited, uncertain evidence on the potential environmental releases from lead wheel balancing weights to the air, surface water, ground water, and soil (particularly regarding potential releases in the proximity of roadways and potential releases to particularly sensitive environments or human and ecological populations). Some estimates of potential releases of lead from lead wheel balancing weights to the environment are available within references noted within the petition, or within other sources available in the literature. However, EPA needs additional, verifiable data in order to develop an adequate understanding of the environmental and human exposure associated with releases to the environment from lead wheel balancing weights.

While the hazard of lead and the fate and transport of lead in the environment are well-characterized, without additional information EPA cannot adequately estimate potential exposures and, thus, potential risks. A literature search conducted by the Agency identified little data beyond that cited by the petitioner. In particular, EPA is interested in the following data:

- The number of sites and number of workers involved in the manufacture,

processing, recycling, use, and disposal of lead wheel balancing weights, and any associated exposure of workers to lead.

- Quantities and releases of lead from the point of manufacture of lead wheel weights to the point of deposition on roadways.
- Whether abrasion of lead wheel balancing weights occurs on the road, and if so, the extent of the abrasion and the mass of lead lost from the abrasion.
- The contribution of lead from wheel balancing weights to the overall levels of lead near roadways.
- The quantity of lead from lead wheel balancing weights deposited on roadways that subsequently enters various environmental pathways.
- The percentage of deposited lead that enters each pathway (to determine which pathways are of concern).
- The number of salvage yards, automobile shredders, steel mills, and secondary smelting sites and the quantities of lead that are released from recycling and disposal of lead wheel weights.
- Exposures to hobbyists who melt lead wheel weights to manufacture other items such as fishing sinkers, toy soldiers, and bullets.

While the Agency does not believe information in all of these areas would be necessary, the data currently available are not adequate in any of these areas to support granting the petition or initiating the requested rulemaking; there is insufficient information to adequately estimate potential risks for any one exposure pathway.

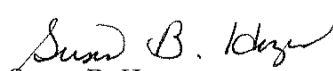
In addition, the data that are available have significant uncertainties and limitations. The analyses provided in the petition in support of statements regarding potential exposure raise several concerns, including: (1) limitations in scope, both geographically and temporally; (2) potential limitations in the calculated lead wheel balancing weight releases during the weekly surveys that supported these analyses; (3) lack of data on potential routes of exposure from roadways to humans and the environment; and (4) lack of data on lead in soil, dust and water near the test area to help establish a link between lead wheel balancing weights and measured lead in the environment.

Consequently, the Agency concludes that there are currently not enough data on human or environmental exposures to adequately assess the risks from the manufacturing, processing, distribution in commerce, use, or improper disposal of lead wheel balancing weights, and to initiate a TSCA section 6 rulemaking to prohibit these activities, as the petition requested. In addition, due to the data limitations, the Agency has no basis to determine how significant the contribution of lead to the environment from wheel weights is and whether a rulemaking to address lead wheel weights would be an effective use of Agency resources.

However, while EPA cannot at present initiate a rulemaking under TSCA section 6, the Agency is concerned about the potential contribution of lead wheel weights and other products that contain lead to elevated blood lead levels in children. Nationally, the primary source of

elevated blood lead levels in children is lead-based paint used before the product was banned in 1978. There are other sources, however, which contribute to elevated blood lead levels, often significantly. These sources include certain products that contain lead, historical contamination of soil, certain foods and folk remedies that contain lead, and releases from stationary sources. (For more information, see <http://www.cdc.gov/nceh/lead/faq/about.htm>.) As part of the Federal Government's effort to meet its goal to eliminate lead poisoning in children by 2010, EPA is working with the Centers for Disease Control and Prevention and other Federal Partners to characterize and address these other sources of lead exposure in children. As part of its focus on children's exposure to lead, EPA is developing an approach to prioritize for further analysis and action the variety of products containing lead, that would be subject to TSCA and/or voluntary initiatives, such as lead wheel weights. We would welcome the opportunity to discuss potential partnership approaches to data collection and product stewardship.

Sincerely,



Susan B. Hazen,  
Principal Deputy Assistant Administrator