

Erik Baptist Comments on EPA's Proposed New Clearance Levels for Post-Renovation Lead Dust

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Erik C. Baptist, a partner in Wiley's Environment & Product Regulation Practice, was quoted yesterday in a *Bloomberg Law* article about the U.S. Environmental Protection Agency's (EPA) proposal to reduce the maximum amount of lead allowed in floor and windowsill dust after contractors complete lead-paint abatement projects.

According to the article, these "clearance levels" would drop to 10 micrograms per square foot for floor dust and 100 micrograms for windowsill dust under a proposed rule released by the agency on June 17. The proposed clearance levels are consistent with the reduced dust-lead hazard standard set by the EPA last year.

Mr. Baptist said the clearance levels were not revised at the same time as the dust-lead hazard standards because the EPA faced demanding deadlines.

Although "in an ideal world, with luxury of time, both standards would have been set as single task," Mr. Baptist noted that in 2019, the EPA was working to meet a court-mandated deadline for the dust hazard standard while simultaneously addressing statutory deadlines set by the 2016 Toxic Substances Control Act amendments.

Mr. Baptist served as Deputy Assistant Administrator for Law and Policy in the EPA's Office of Chemical Safety and Pollution Prevention when the agency was developing the dust-lead hazard standard. He also served as Senior Deputy General Counsel in the EPA's Office of General Counsel.

Related Professionals

Erik C. Baptist
Partner
202.719.7540
ebaptist@wiley.law

Practice Areas

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