



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

AUG 26 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

Tom Neltner
Sierra Club, National Toxics Committee
85 Second Street, 2nd Floor
San Francisco, CA 94105

Dear Sirs:

On May 29, 2009 EPA received your petition under Section 21 of the Toxic Substances Control Act (TSCA) requesting the Agency initiate a proceeding for the issuance of a rule to prohibit the manufacture, processing and distribution in commerce of lead wheel balancing weights. Your petition is granted.

The Agency will promptly commence an appropriate proceeding under TSCA. EPA anticipates commencing this proceeding through either an Advance Notice of Proposed Rulemaking or a Proposed Rule. Please note that the Agency cannot commit to a specific rulemaking outcome or to a date certain for a final rule, nor does TSCA section 21 provide the ability to petition for such commitments. Thus your final request that a ban take effect by a certain date is beyond the scope of TSCA section 21, and beyond the scope of the commitment arising from the Agency's decision to grant your petition.

Thank you for your continued interest in the Agency's efforts to reduce lead exposures.

Sincerely,

A handwritten signature in black ink, appearing to read "S. A. Owens".

Stephen A. Owens
Assistant Administrator