

→ correspondence with Mr. Kelly, separate copies?

The Hon Ros Kelly
Minister
DASETT
GPO Box 787
Canberra ACT 2601

2nd February 1993

Dear Ms Kelly,

RE: RAPID PHASE-OUT OF LEADED PETROL AND COMMUNITY REPRESENTATION
AT THE OECD JOINT MEETING IN MAY 1993

Thankyou for the letter from John Whitelaw on your behalf (14 Oct 1992) in response to my letter of the 14 May 1992.

Since discovering, in September 1991 that my then one-year old child had a blood lead level significantly higher than the National Health and Medical Research Council's (NHMRC's) "level of concern" and more than three times higher than the US level of concern, it has been my aim to reduce his blood lead level to below the US level of concern. I hoped to achieve this before his second birthday but by then his level had only dropped by 35%, despite hundreds of extra hours of housework and hygiene, thousands of dollars spent on replacing carpets with moppable floorcoverings, and strict attention to diet and iron supplements, not to mention six blood tests. The stuff just keeps falling out of the sky and my child's blood lead level remains at around twice the American level of concern.

If I achieve my aim well before his fourth birthday and preferably before his third, there is hope that he will not lose all of the possible 10-15 IQ points he would have lost if he had maintained his elevated blood lead level (personal communication with Dr Tony McMichael, 9-10-92). Time is of the essence.

I have come to the conclusion that there is a way that we can remain living here (we can't afford to move anyway) and I can achieve my aim, and that is to ask you to take the necessary steps to get the lead out of petrol fast.

But I'm not just asking you to do this for my child. Every Australian and the rest of the biosphere will benefit, now and in the future, from a decision to rapidly phase out leaded petrol.

The Organisation for Economic Cooperation and Development (OECD) draft 'Risk Reduction Strategies for Lead', states:-
'The most dramatic widespread impact of risk reduction measures is associated with the decline in the use of leaded gasoline in certain Member countries...Finally, because the

phasing out of leaded gasoline has led to dramatic decreases in atmospheric lead levels, it is clearly the most important single measure for lead risk reduction.' (Nov 1992, p 12)

It is outrageous that Australia is one of the four Clearinghouse countries involved in the development of the OECD Cooperation on Lead Risk Reduction Strategies and yet Australia is the country with the highest permissible levels of lead in petrol out of all the OECD countries. Australia is already up to seven years behind other nations in leaded petrol phase-down and the community is expected to believe that by funding international scientific consensus meetings on lead in Australia, the government is 'working to reduce the health and environmental risks of lead in Australia.' (Whitelaw, 14 Oct, 1992). While state and federal government departments are busy contributing to an international consensus on the best way to control lead, they are overlooking the powerful opportunity to make recommendations to the states to actually 'reduce the health and environmental risks of lead in Australia' by the acknowledged most important single measure - rapid phase-out of leaded petrol. Australian state and territory governments are not it seems capable of making the required legislative changes (though hopefully NSW will be the exception) without the appropriate recommendations from powerful bodies such as the NHMRC, the Australian and New Zealand Environment and Conservation Council (ANZECC) or the National Environment Protection Authority (NEPA). Recommendations from less powerful (but clearly better informed) bodies must not continue to go unheeded. E.g. see the accompanying SMH newspaper report and note the following:-

'Policy Statements' of the Public Health Association of Australia (PHAA) says:-

'The PHAA believes that:

Reducing the amount of lead added to fuel is an effective and overdue mechanism to reduce the mean blood lead of Australian children...

'The PHAA resolves to:

Recommend...that the amount of tetraethyl lead added to fuel in all Australian States be reduced from its present level of 0.3-0.8 g/L to 0.15g/L.' (1992, p 6)

Having myself been supposedly 'consulted' by the NHMRC throughout the design of the brief and the inception of its Research Project (assessing the impact of changes to guidelines for lead in blood and air, including public consultation procedures) I have absolutely no confidence that the process is actually designed to produce strategies for lead control which can then be recommended to the states. So what gives the other states any confidence in either the national or international processes which are ostensibly going to help them work out lead risk reduction strategies? They would be better off following the example of NSW where we have an Issues Paper before Cabinet which probably contains some useful strategies for reducing lead risks, such as accelerated phase-out of leaded petrol.

At present there are several powerful forces working against the accelerated phase-out of leaded petrol in Australia:-

1. The Australian petrol industry lobby;
2. Certain bureaucrats within the National Health and Medical Research Council (NHMRC);
3. The international lead industry lobby, and especially the manufacturers of lead additives for petrol.

I see a role for you in overcoming each of these three obstacles:-

1. The Australian petrol industry lobby. I trust that you will listen less to them and more to the community, environment groups, motoring associations, toxicologists and public health experts, etc, in short, the informed voting public.
2. Certain bureaucrats within the NHMRC. These bureaucrats have lost sight of the fact that the NHMRC's foremost objective is to 'raise the standard of individual and public health throughout Australia'. The objective is not to use community consultation as a means of delaying the achievement of the foremost objective. Though I understand that the NHMRC is not within your portfolio, I am also aware that the Commonwealth Environment Protection Authority (CEPA) is jointly funding the Research Project currently being undertaken by the NHMRC.

As the Minister in charge of CEPA you may wish to spend the money now being used to partly fund the NHMRC Research Project in more cost effective ways which are not likely to be suspected of delaying urgently required action. E.g. on assisting each state in carrying out a cost benefit analysis or regulatory impact assessment of accelerated leaded petrol phase-out.

Or you may simply wish to pressure the NHMRC to take the option available to it, under Clause 13 of the Draft NHMRC Bill 1992, which allows the Council to take 'interim action as a matter of urgency'. In other words, the Council has the power to issue interim guidelines recommending a maximum lead level in petrol of, say 0.15 g/L and the states would be able to start to change their legislation 6 months earlier than if the Research Project were the only thing CEPA was getting for the money it has invested in the NHMRC process.

If the NHMRC won't budge, (I have not found them very responsive though of course, you carry more weight) perhaps you could use your influence within ANZECC or NEPA, to convince ANZECC or NEPA to recommend that each state set a maximum level of lead in petrol of 0.15 g/L.

3. The international lead industry lobby, and especially the manufacturers of lead additives for petrol. This group would appear to have undue influence over the revision process being

undertaken on the Draft OECD Lead Risk Reduction document quoted above; such a huge influence in fact, that statements such as that quoted have been entirely edited out. (Has the OECD been infiltrated by the powerful lead lobby? [Will the World Health Organisation, suffer the same fate in their revision of the 'Environmental Health Criteria for Inorganic Lead' document, the findings of which are supposed to feed into the NHMRC Research Project?]) Has CEPA spent taxpayers money wisely by investing in the OECD process instead of getting the lead out of petrol? How can community groups have any faith that our extensive contributions to such international documents will be incorporated into the documents, if no community representatives go to the next Joint Meeting in May 1993? Can the community have any faith at all in a body (CEPA) which allows an Australian delegation to comprise 50% industry representatives (2 men of the 4 man delegation) and the rest (2) government representatives? It's our turn now. It is time to redress the balance and to plan to send two (female) community representatives to the next Joint Meeting.

It would be more worthwhile for CEPA to stop throwing money at the industry-infiltrated OECD and to start assisting community groups to have their say. Ideas which spring to mind are:-

- * CEPA could fund an international consensus teleconference of community groups from OECD countries. This kind of thing is what the lead industry lobby can afford to do any day, but about which the lead-affected community can only dream.
- * CEPA could follow-up by making a faxing allowance available to one coordinating community group and to other Australian community groups who wish to contribute to a 'Position Paper on the OECD Lead Risk Reduction Strategy Document' by community groups within OECD Countries.
- * Finally CEPA could help with printing and distribution costs of the 'Position Paper', so that its publication would coincide with the derestriction and publication of the OECD document.

This letter is far too long for you to be able to address all the points at once, so please reply in stages. I trust your response will not be just more words on a page in five months time, but rather action now, when it is needed so that my little child and everyone else's can reach their IQ potential and truly justify the name 'The Clever Country'.

Yours Sincerely,

Elizabeth O'Brien
National Coordinator
The Lead Education and Abatement Design (L.E.A.D.) Group

PS Can you please ensure that the process recommended by the OECD