

Lead Paint Alliance: Minutes of Regional Calls

Asia Pacific: 10 August 2018

Participants

Desiree Raquel Narvaez , UNEP -Meeting Organizer)
Kakuko Nagatani-Yoshida , UNEP ROAP
Su Ying, UNEP ROAP
Bandemehr, Angela, USEPA
Leonard, Darlene, USEPA
Shanti Pathmarajah-Laurijissen, UNEP
Wenjia Fan, UNEP
Juan-Manuel Barbeito, UNEP
Evelyn Kortum, WHO
Sara Brosche, IPEN

Notes

WHO and UNEP noted the differences in the regional groupings of their respective organizations. For UNEP, Bangladesh and India are part of the UNEP Asia Pacific region and considered to be in South Asia. For WHO, Bangladesh and India are in the WHO SEARO. ASEAN countries belong to WHO WPRO. Differences in other regions were noted as well and will need to be taken into account when sending out the GEF project invitation letter and planning GEF Project workshops.

Later in the call, Desiree announced the approval of the GEF Project and that she will send the final project document to everyone.

Country-specific updates:

Vietnam: EPA, UNEP and WHO have had multiple calls with Vietnam. An initial call involved both the SAICM Focal Point, Mr. Thang of the Vietnam Chemicals Agency, and Dr. Dong of the Health Ministry. After the first call, Mr. Thang obtained approval from his Director General for Vietnam to pursue becoming a partner of the Alliance, joining the GEF Project and establishing a lead paint law. Vietnam is updating its chemical law and could consider adding lead paint to this law. This week was the third call with Mr. Thang, during which it was agreed that Vietnam would meet with an EPA official, who is visiting Vietnam in September. EPA will follow up with Vietnam, UNEP and WHO to plan this meeting. Vietnam plans to invite multiple agencies to the meeting, including the Ministries of Industry, Health and Environment and also the paint association. IPEN indicated that they have a strong NGO partner in Vietnam, which has already been working closely with the government and industry on lead paint. It was agreed that EPA could gently suggest involving this NGO in the meeting as well. Mr. Thang also indicated the importance of guidance from UNEP on what is expected of GEF Project government partners and requested more information about the GEF Project activities. Desiree will resend the GEF Project summary and develop a short version for the EPA meeting. EPA will share the draft presentation for guidance on messaging on the Alliance and the GEF Project. IPEN will share the name of the NGO partner in Vietnam.

Malaysia: The Ministry of Environment has approached UNEP expressing interest in the GEF Project and would like more information on expectations and project steps. Desiree has written to the representative in the Ministry with information about the GEF Project. IPEN noted that the Malaysian paint industry association made an announcement in the spring that it would phase lead out of paint. IPEN also has an NGO partner in Malaysia - the Consumer Association of Penang. UNEP suggested that because IPEN is going to be conducting BAT/BEP work for the GEF Project in Indonesia, they might reach out to Malaysia to provide assistance, if appropriate.

Cambodia: Cambodia removed lead paint provisions from its draft Environmental Decree, which EPA had helped craft over the past year. EPA reported that it has provided comments over the summer on the Environmental Decree asking why lead paint was removed and suggesting it be put back in. EPA has not received any more information. Kakuko noted that UNEP's Law Division (Andy) had written to the contractor working on the law, who reported it had never been added to the draft at all, but there was no indication why not. Kakuko reported that the Environmental Decree has not been finalized, possibly due to the recent change in government, but she will check on the status. Desiree indicated it would be important to make sure the lead paint provisions are added back in.

China: EPA reported that it is continuing to engage bilaterally and will mention lead paint at an upcoming meeting in China. EPA is also reaching out to the US Consumer Protection Safety Committee counterpart in China (SAMS, formerly AQSIQ) to learn more about the existing standard and its implementation. Desiree noted the importance of having the China NCPC as part of the GEF Project and explained that China is part of the GEF Project, because its standard is 90 ppm soluble instead of total lead. China is also the biggest provider of lead paint and lead additives globally.

Laos: EPA is setting up a meeting with the World Bank for the end of August to obtain an update on their work in Laos on lead paint laws.

Pakistan: EPA reported that in bilateral outreach Pakistan had indicated an interest in becoming a partner and in having lead paint data. They are going to follow to provide the IPEN study from 2017 and information on how to become a partner. In 2016 Pakistan reported to WHO that there were not measures on lead paint. In 2017 IPEN had heard Pakistan has a standard. IPEN will follow up to confirm the status.

Tuvalu: WHO reported that Tuvalu requested technical and financial resources to work on lead paint. They only have a few SMEs and are worried mainly about imported paint. UNEP agreed that they can be added to the list of GEF Project countries.

Afghanistan: [WHO] reported that Afghanistan is in the process of developing legally binding controls and is not a paint producer, except for some SMEs. Desiree will contact them to see if they need support.

Upcoming meetings:

ICCA/UNEP global conference in China, 11-13 September: . This meeting on the “circular economy” will bring together the industry sector and discuss ways of promoting

circular economy. EPA and IPPIC were invited to participate on behalf of the Lead Paint Alliance. EPA will not be able to attend

SAICM workshops in India: Open invitation was received from the government of India and Indian Chemical Council to organize workshops at national and local level in India on SAICM 2020 and beyond. India is requesting a proposal for a meeting. Kakuko sent a request for a proposal to Jacob and the Chemicals and Health Branch. Desiree will check on this.

Health and Environment Regional Forum: Kakuko reported that a road map and responsibilities of the Thematic Working Groups (TWG) are being finalized; TWGs are meeting in the lead up to the 2020 Ministerial (air quality, health impact assessment and chemicals) Forum. Next April a Task Force will meet to prepare for the Ministerial meeting in the second half of 2020, possibly in Mongolia. Kakuko agreed to work toward ensuring that lead paint is on the agenda.

Africa: 12 July 2018

Participants:

Desiree Raquel Narvaez , UNEP (Meeting Organizer)
Bary Abdouraman, UNEP ROA
Eva Cappuccilli
Ellie McCann

Upcoming Meetings

- African Ministerial Conference on the Environment
 - **Date:** September 17th-20th
 - **Location:** Nairobi, Kenya
 - **Audience:** Environment ministers
 - **Frequency:** Regular meeting that happens every two years
- Ministerial Conference in Health and the Environment
 - **Date:** October 9th-12th
 - **Location:** Libreville, Gabon
 - **Audience:** Health ministers and environment ministers combined
 - **Frequency:** Not a regular meeting, this is the third one to happen
- Note that UNEP is co-organizing both of these meetings
 - There is currently a work group that has been formed to prepare background documents and agenda for both
 - EPA offered to assist if given more details by sharing documents that have previously been developed and giving input on new document
 - There were side events held at previous African Ministerial Conferences on the Environment--Prof. Bary proposed hosting another this year
- **Proposed Follow-Up Actions:**
 - EPA/UNEP Geneva to share the English and French version of the campaign resource package to support the organization of a side event
 - EPA/UNEP Geneva to share English and French versions of the model law to share at the side event

EAC Regional Harmonization

- EAC is holding a meeting to convene technical experts and ministers to conduct the public participation process for harmonizing towards regional standards.
 - **Date:** November
 - **Location:** Arusha, Tanzania
- Notes/updates on harmonization
 - Uganda, Burundi and Sudan are planning to go through the harmonization process (since they are not producing paint in country)
 - The public participation process for harmonization is starting now--anticipating a one-year timeline to complete
 - Countries want to follow the Kenyan and Tanzanian standards according to Prof. Bary. Note that the standards are different. While both countries set standards at 90 ppm, Kenya's standards are preferred as a model, since there are only two and are implementation would be simpler and more straightforward

ECOWAS Updates

- Cote d'Ivoire has a draft decree ready and submitted to the Minister of Health
 - Known details so far is that it's 90 ppm and should that 4-5 months to finalize

Latin America and the Caribbean: 16 August

Participants:

ABA ROLI- Jay Monteverde and Ha (intern)

UNEP - Jordi Pon, Alexandra Karekaho, Desiree Narvaez

IPEN - Sara Brosche

EPA - Shayna Sellars, Glenn Harrington, Angela Bandemehr

1. CARICOM Standard
 - a. Standard covers water-borne paints - uses 90 ppm
 - b. Combined comments from ABA/UNEP/IPEN/EPA were submitted:
 - i. What about oil-based paints, is this mandatory, is it going to be adopted by CARICOM countries, what is the process?
 - c. At a chemicals/waste meeting Vincent met with **Stephen Farquharson** from CROSQ (CARICOM regional organisation for standards and quality) and discussed lead in paint issues, including toys
 - i. CROSQ Technical Officer for Standards is **Fulgence St Prix**, and would be useful to speak with. His contact is fulgence.stprix@crossq.org or 1 (246) 622-7682. The CARICOM comments were submitted to him and Alexandra confirmed he is the right person to follow up with.
2. Jamaica (*please see additional notes about lead paint activities in Jamaica*)
 - a. Alexandra - talked to Norman Manley law school about assisting with draft legislation and they have questions, which include is this just for Jamaica or the region, what kind of support is there? Folks are on holiday so things are on hold.
 - i. Have asked for a formal request, but who/where would this come from?
 - ii. EPA noted that the request to the Norman Manley law school was to look only at Jamaican laws and came as a follow up to the December workshop. No resources were ever offered; it was expected that the work would be done in-kind.

- b. Jordi has meeting 7 September in Jamaica with Gillian, which can be an opportunity to follow-up on the status of government initiatives.
 - c. IPEN working with NGO (CARPIN) on test lead paint samples and report should be out ILPPW
 - d. Government also doing its own testing - status unknown
- 3. IWECO project
 - a. Asking for someone from Alliance to be a part of the project. They have \$ in their GEF project for lead paint (Angela forwarded email)
 - i. Contact from Lyndon Forbes Robertson (project planning manager) with CARPHA (Caribbean Public Health Agency)
 - b. Jay had discussion with Joan Norville who mentioned including lead paint in IWECO work
- 4. Haiti
 - a. Responded to US State Department cable they are interested in joining the Alliance
- 5. Ecuador
 - a. Interested in joining the Alliance so Jordi has shared information with them
- 6. Bolivia
 - a. Responded to US State Department cable - They have no law and “PRONACOP officials are interested in receiving technical assistance on implementing a lead paint regulation, and they plan to reach out to GEF about the pilot project as they already have several GEF-funded projects in other areas. The plan was to brief their Vice Minister and then US State Department would follow up with them.
- 7. Colombia
 - a. EPA has reached out to ask for assistance in getting more information on their plan to join the Alliance as a partner, however due to issues with their email server and then swearing in a new president there has been no response. UN Environment representative in Colombia (Juan Bello) to be copied in communications so that he can assist as necessary.
 - b. IPEN has a partner in Colombia they can also get in touch with
 - c. A work plan for lead paint legislation was mentioned in previous Advisory Council meetings, but no one remembers seeing a copy
- 8. Mexico
 - a. We have a copy of the almost-final draft NOM-003-SSA1-2018 (revision of earlier standard that lowers labeling requirements from 600 ppm to 90 ppm). Once this is finalized there will be a 60-day comment period and EPA has been given contact information for submitting comments (we think they will be due end of September)
 - b. ABA has found a law firm to do an analysis of Mexico’s laws that cover lead paint and then using this analysis comments will be made on the draft norma
 - c. IPEN (CASA CEM) lead paint report is almost done, trying to figure out when to release it
- 9. Panama
 - a. ABA has done an analysis on Panama's current laws - focuses on other forms of pollution more heavily and lead paint is addressed in terms of product labeling requirements (with no articulated penalties) and registration of imported paint to Panama. This continues the trend in Panamanian practices of not providing for prosecution or sentencing requirements.
 - b. UNEP ROLAC has offered to approach Panama's Ministry of Health and share this analysis with them

10. Paraguay
 - a. There has been confusion regarding whether their technical standard was voluntary or required
 - i. Jordi confirmed it is voluntary and they are interested in promoting a regulation
 - b. US State Department cable response they said they would “likely join the alliance and seek technical assistance on drafting national laws against lead-based paint.” (just swore in new president)
 - c. IPEN has a partner that was involved in the standard
11. Argentina
 - a. Responded to Leo Heileman's letter (that shared the guidance/model law with LAC countries) acknowledging and congratulating on the release of the guidance.
 - b. The Ministry of Environment has confirmed that work has been initiated to lower the lead paint limits in coordination with the Ministry of Health. This may take some time due to the complex regulatory system in Argentina.
12. Brazil
 - a. No updates on the 90 ppm law, it is still in process
 - i. Industry may be having issues with the law
 - b. Webinar for region on lead in paint led by Brazil to be held Oct/Nov
13. CCAD
 - a. Discussed lead in paint with Council of Ministers
 - i. UNEP ROLAC offered their support
14. OECS Ministerial Forum
 - a. Focus was on climate change, but raised waste management/chemicals issues including lead in paint
15. Intergovernmental Network on Chemicals and Waste for Latin America and the Caribbean
 - a. Lead (lead in paint and lead batteries) was included in the last version of their Regional Action Plan, expected to be adopted in October in Argentina (Meeting of the LAC Forum of Ministers of Environment).

FOLLOW-UPS

- CARICOM Standard - Angela will check-in with Ellie to see if she got a response after comments were submitted
- Jamaica - Alexandra and Jordi will follow-up with Gillian
- IWECO - Need to follow up with UNEP to discuss next steps.
- Haiti - US State Department will send their contact Alliance partner information
- Colombia - Shayna will email Juan Bello to find out if there is any news about new contacts in the Colombian government - keeping Jordi, Evelyn and IPEN in the loop
 - Need to follow up with UNEP to see who will try to get a copy of their work plan
- Mexico - Shayna will get in touch with CASA CEM to find out if there is an update on the Norma and public comment period and updating them about the law firm
- Panama - Shayna will email analysis to Jordi and they will be in touch regarding next steps
- Paraguay - US State Department will send their contact Alliance partner information
 - Shayna will follow-up with Jay to identify experts to do research
- Argentina - Jordi will follow-up to find out if there is any initiative to lower the limit
- Brazil - Angela will follow-up with IPPIC regarding possible industry issues

- Shayna will follow-up with Jordi regarding Oct/Nov webinar to see how EPA can assist

Additional Notes about Lead Paint Activities in Jamaica from the USEPA:

Events:

- Jamaica held a workshop to present the new Model Law and Guidance in December 2017 with a wide-ranging group of government stakeholders and NGOs. As a result of the workshop, GoJ affirmed that they wanted to pursue further discussions about how to develop a lead paint law and that the Norman Manley Law School would be interested in assisting
- In June 2018, Jamaica held a follow-up stakeholders' meeting to discuss developing a lead paint regulation. Participants identified issues relating to testing and legal analysis which are outlined below. The meeting had the following participants:
 - o Ministry of Health
 - o International Centre for Environment Nuclear Science (UWI)
 - o Private Sector Organization of Jamaica
 - o Sherwin Williams
 - o UN Environment/Caribbean Office
 - o National Environmental Planning Agency
 - o Representative from Jamaica Customs Department
 - o And the Host Ministry (The Ministry of Economic Growth and Job Creation)

Testing:

- There are currently 2 lead paint testing initiatives happening in Jamaica concurrently
 - o IPEN in conjunction with CARPIN (Caribbean Poison Information Network) is conducting lead paint testing. Expect to publish report during ILPPW in October.
 - o GoJ is financing its own testing through the International Center for Environmental and Nuclear Sciences of the University of the West Indies

Legal Analysis:

- Jamaica needs to analyze how a lead paint restriction could be fit into their legal framework. There are two main options: 1) A new regulation could be written into an existing law or 2) New legislation (would require Parliamentary approval)
- The Norman Manley Law school has previously expressed interest in conducting such an analysis
- Alexandra Karekaho of UNEP reached out to the Principal of the Norman Manley Law School, Carol Aina to discuss next steps. Ms. Aina remarked that she would need more information on what would be required to conduct such an analysis and wanted to check-in with the head tutor before making any decisions (head tutor currently on holiday)
- Ms. Aina mentioned that sending some type of formal correspondence may be a next step
- ABA/ROLI has also reached out to Norman Manley Law School to ask about their interest in doing this legal analysis, but no response. Jay has subsequently explored finding a Jamaican lawyer for pro bono assistance, but no response yet.

Other Outstanding Issues:

- GoJ is weighing the advantages/disadvantages of a 600ppm standard vs. 90 ppm standard
- GoJ is also considering whether a law should cover just decorative paints or all paints
- According to Gillian Guthrie of the Jamaican Ministry of Economic Growth and Job Creation, there is a general sense that the population is not sensitized to the health risks associated with lead in paint

