Questions and Answers on the Lead Ban Petition to the EPA

What is the action requested? Conservation groups petitioned the Environmental Protection Agency for a nationwide ban on the production and sale of lead bullets, shotgun pellets and fishing sinkers. The change is being sought under the Toxic Substances Control Act, which regulates dangerous chemicals in the United States.

Who filed it? The petition was filed by the Center for Biological Diversity, American Bird Conservancy, Public Employees for Environmental Responsibility, Association of Avian Veterinarians, and Project Gutpile (a hunters' group).

What is the problem with lead? Lead is an extremely toxic substance that is dangerous to people and wildlife, even at extremely low levels. Lead exposure can cause a range of health effects, from acute poisoning and death to long-term problems such as damage to reproduction, growth and neurological development. The government has wisely mandated removal of lead from water pipes, gasoline, paint, cooking utensils and even wheel weights. Spent lead from hunting and fishing activities poses a grave and widespread danger to wildlife.

What are the human health risks? Humans who accidentally ingest lead shot pellets or lead bullet fragments in meat risk lead poisoning, which is especially dangerous for children. Lead bullets fragment in shot game can spread throughout the meat that humans eat. Radiograph studies of animals shot with lead ammunition show that numerous imperceptible, dust-sized particles of lead can infect meat up to a foot and a half away from the bullet wound.

What bird species are at risk? At least 75 bird species have been poisoned by lead ammunition, including bald eagles, golden eagles, mourning doves (from 9 to 15 million may be killed each year, based on a peer-reviewed study), common ravens and endangered California condors. There may be population-level effects from lead poisoning on sensitive species such as condors, cranes, eagles and swans. Many scavengers are poisoned after consuming the carcasses of animals shot with lead ammunition. In water, lead-based fishing weights that sink to the bottom are often mistaken for food or grit and ingested by swans, ducks, geese, loons and other waterfowl.

Weren't some of those birds already protected from lead? A federal requirement in 1991 banned lead shot for hunting waterfowl – including ducks, geese and swans – but similar protections to get the lead out of terrestrial habitats have been sporadic and only at a local level.

Does the EPA have the authority to enact the kind of ban the groups are seeking? Yes. The Toxic Substances Control Act gives the EPA broad authority to regulate chemical substances that "present an unreasonable risk of injury to health or the environment." The lead in bullets and sinkers clearly falls within the definition of a "chemical substance." Specific steps the EPA can take include regulating the manufacture and use of certain substances. The EPA has already declared that lead is a

toxic substance and taken steps to remove it from other areas. EPA is permitted to regulate the toxic components of ammunition, but is not allowed to regulate firearms or the manufacture and sale of ammunition.

Do we know that lead from ammunition and fishing sinkers is the source of lead harming wildlife? Yes. The science linking lead ammunition and fishing tackle to lead poisoning in numerous wildlife species is clear and extensive. In 2007, 44 prominent scientists joined to state their support for the "robust chain of evidence" linking lead ammunition to lead exposure in California condors. A 2008 Blue Ribbon Panel convened by the American Ornithologists' Union reached the same conclusion, and forensic evidence since then has solidified the link. Other scavengers face similar exposure, and studies continue to show lead poisoning in a wide range of birds and even mammals.

If the evidence is so clear on this issue, why is there opposition to it? Unfortunately, naysayers will remain for whom no amount of scientific evidence will be sufficient, who will continue to dispute good science and propose other possible sources of lead that have been disproven. One misleading argument has been that regulating lead is a backdoor method to ban guns (which it is not), rather than getting the toxic lead out of the environment.

Aren't voluntary measures and hunter education enough? Hunters who already shoot nontoxic ammunition should be given credit for helping to reduce lead poisoning of wildlife, but voluntary efforts and local bans on lead have major limitations: Lead ammo remains readily available and is still cheaper than non-lead alternatives; even low amounts of noncompliance have been shown to cause major harm; and different requirements between hunting zones and states complicate enforcement and compliance.

Won't this impede hunting and fishing and hurt local economies? No! The costs of ammunition and fishing tackle are typically a tiny fraction of the total that hunters and anglers spend on their sport. States that have already banned shotgun ammunition for hunters and lead fishing gear for anglers have successfully made the transition to nontoxic products and continue to have active hunting and fishing communities. A full line of nontoxic replacement products is available. Regulatory action will spur increased demand and availability, and as subsequent production costs fall, nontoxic ammunition and fishing tackle will likely become less expensive.

Will this action inhibit my ability to hunt or fish? No! You will hunt or fish the way you always have, but with nontoxic ammunition or tackle. You will be able to purchase guns and ammunition from the same places and in the same way, and use them in the same manner. You will have the same access to your traditional hunting and fishing areas, and experience no change in your ability to hunt or fish.

Are effective, nontoxic bullets, shot and fishing weights available?
Yes, and ammunition in .22 rimfire is now even available. In two recent post-hunt surveys in Arizona, 90% of hunters approved of the use of copper bullets and 88% of successful hunters who used non-lead ammunition said it performed as well as or better

than lead bullets. At least 10 ecologically sound alternatives to lead fishing weights made from non-poisonous materials such as tin, bismuth, steel, tungsten, and recycled glass are available. Most fishing tackle stores in the U.S. already carry alternatives to lead fishing tackle and sinkers.

The California Department of Fish and Game has certified nontoxic ammunition from 24 manufacturers for hunting big-game and non-game species in the range of the California condor: http://www.dfg.ca.gov/wildlife/hunting/condor/certifiedammo.html

The Arizona Game and Fish Department publishes a list of non-lead rifle ammunition available for big game hunters, including 120 bullets in various calibers produced by 13 ammunition manufacturers, as well as 7 manufacturers who provide custom-loaded non-lead rifle ammunition: http://www.azgfd.gov/pdfs/w_c/condors/Non-LeadAmmo.pdf

The federal Fish and Wildlife Service has approved 12 nontoxic shot types for hunting waterfowl: http://www.fws.gov/migratorybirds/CurrentBirdIssues/nontoxic.htm

What about bullets for shooting ranges, the police and military, and for personal handguns? The petitioners support exceptions to allow continued use of lead pistol ammunition for home defense and non-hunting activities. This petition will not affect law enforcement or the military. The petition does not address the use of lead at either indoor or outdoor shooting ranges. Indoor and outdoor shooting ranges are already regulated by the Occupational Safety and Health Administration and State agencies. This petition addresses lead issues that impact wildlife.