



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

**AUG 27 2010**

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Michael Fry  
Director of Conservation Advocacy  
American Bird Conservancy  
1731 Connecticut Ave., N.W.  
Washington, DC 20009

Dear Mr. Fry:

We received your August 3, 2010, petition requesting that the EPA take action under the Toxic Substances Control Act (TSCA) to prohibit the manufacture, processing, and distribution in commerce of lead shot, bullets, and fishing sinkers.

After careful review, EPA has determined that TSCA does not provide the Agency with authority to address lead shot and bullets as requested in your petition, due to the exclusion found in TSCA § 3(2)(B)(v). Consequently, we are denying that portion of your petition.

We are reviewing the request in the petition regarding lead fishing sinkers and will respond to you when we have made a determination on that matter.

Sincerely,

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

Stephen A. Owens  
Assistant Administrator