



March 27, 2018

Robert Niblock  
Chairman, President and CEO  
Lowe's Companies, Inc.  
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Dear Mr. Niblock,

No one believes they are putting their lives at risk by shopping at Lowes. But for Drew Wynne - just the latest shopper we know of who died from methylene chloride exposure - a routine decision to purchase paint stripper at Lowe's tragically became one of the last decisions he made.

As one of the nation's largest environmental organizations, with three million members and supporters - many of whom shop at Lowe's - we have a responsibility to protect them and the rest of the public.

For years, we have urged retailers to disclose, reduce and eliminate from consumer products many chemicals that have serious long-term effects on human health. But the extreme danger posed by the acute health effects of methylene chloride carries a special urgency. This solvent turns to carbon monoxide in the body and can threaten consumers with rapid asphyxiation and heart attacks (it is also a probable human carcinogen). That's why EPA proposed to ban it in January 2017 from all consumer and most types of commercial paint removal, and to prohibit commercial use.

Drew Wynne's death was entirely preventable. The Safer Chemicals, Healthy Families coalition had urged Lowe's to remove methylene chloride paint strippers many months prior to Drew Wynne's death. The European Union pulled methylene chloride paint strippers from general use in 2011. And at least 56 individuals since 1980 have died in the U.S. from accidental exposure to methylene chloride between 1980-2015, according to a 2015 Center for Public Integrity Analysis. After all these warnings, it's high time for Lowe's to take action.

Our organization has worked for many years to strengthen and reauthorize the Toxic Substance Control Act (TSCA). We and many observers expected the EPA to ban methylene chloride for paint stripping under the 2016 TSCA amendments. But recently, after it proposed the ban in

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January 2017, EPA abruptly announced a reversal of their efforts to issue a new rule for this deadly chemical.

Since by all indications we cannot count on the EPA to ban methylene chloride anytime soon, it's even more important that retail industry leaders step up and meet their responsibility to protect the public.

Previously, Lowe's has shown a willingness to protect the public from dangerous chemicals, such as when you responded to consumer requests and worked with your supply chain to ban phthalates from flooring materials. Your website states that "Lowe's is committed to providing a safe environment for our customers, employees and vendors," that "your safety and satisfaction are our first priorities," and that "safety is a core value of our company." The presence of methylene chloride in your inventory is a glaring exception that undercuts your stated commitment to safety.

In addition to the obligation of Lowes to protect the public from a safety hazard, Lowes has an interest in minimizing potential risk to its business. We would like to draw your attention to several business risks identified in your 2016 Annual Report that will be exacerbated by the continued sale of paint strippers that contain methylene chloride at Lowes.

**Reputational Risk:** Lowe's 2016 Annual Report states that "Positively and effectively managing our public image and reputation is critical to our business success, and, if our public image and reputation are damaged, it could negatively impact our relationships with our customers, vendors and store associates and specialists and, consequently, our business and results of operations." Drew Wynne's poisoning has already impacted Lowes reputation and public image. Subsequent injuries and deaths that could be caused by these products could generate more adverse coverage, thus further impacting the reputation of the Lowe's brand. The work of public health groups to educate the public around the dangers of methylene chloride-containing paint strippers may also impact the public image of retailers that sell these products.

**Product Service and Quality Risk:** The Lowes 2016 Annual Report states that "Failure to achieve and maintain a high level of product and service quality could damage our image with customers and negatively impact our sales, profitability, cash flows and financial condition." Continued sale of a product that directly caused the death of a Lowe's customer, as well as dozens of other contractors and do-it-yourselfers is the very definition of a 'failure to achieve and maintain a high level of product quality.' Continued placement of this dangerous product on Lowe's shelves could thus exacerbate this risk.

**Regulatory Risk:** The Lowes 2016 Annual Report reports that the company "must comply with various and multiple laws and regulations that differ substantially in each area where we operate. Changes in existing or new laws and regulations or regulatory enforcement priorities, or our inability to comply with such laws and regulations, could adversely affect our business, financial condition and results of operations." Methylene chloride paint strippers are currently

subject to a variety of international, federal and state regulations. As noted above, the European Union has already banned methylene chloride from paint strippers. The District of Columbia and eleven states have also prohibited the use of methylene chloride in graffiti removal. In the coming months, California -- home to 111 Lowes' stores -- will consider a ban on methylene chloride in paint strippers and coatings thru its Department of Toxic Substances Control. Furthermore, although a national ban has been delayed by the current U.S. EPA, this ban could be quickly adopted if the regulatory environment were to change. In the context of this rapidly shifting regulatory environment, a need to comply with national, international, state and local laws around this product exacerbates the risk of compliance failure identified by the company in your most recent annual report.

**Litigation Risk:** Poisonings caused by products sold on Lowe's shelves could create legal exposure. According to your Annual Report: "Future litigation or governmental proceedings could result in material adverse consequences, including judgments or settlements, negatively affecting our business, financial condition and results of operations." Thus, continued sales of methylene chloride paint strippers could exacerbate this risk.

Given the public health and business risks posed by methylene chloride paint strippers, Lowe's should act immediately to:

1. Remove all paint stripping products with methylene chloride and NMP (which EPA also proposed to ban in January 2017) from your shelves and website.
2. Announce your voluntary recall of methylene chloride paint stripping products, and use all your communications channels to inform your customers, subscribers, social media followers, credit card holders, stockholders, employees, contract installers and the rest of the public about its dangers.
3. Use email and U.S. mail to urge your customers who may have purchased paint stripping products containing methylene chloride to return them to stores for a full refund, including containers that have been opened.
4. Work with us to encourage the rest of the retail industry to do the same.

We ask that you meet with our staff by April 27, 2018 to discuss these and your ideas to protect your customers.

Thank you for your attention.



Erik D. Olson  
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