

EPA Lead Rule Creates Challenges for Contractors

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Beginning April 2010, all contractors performing work that disturbs lead-based paint in homes, childcare facilities and schools built before 1978, must:

- Be EPA certified
- Provide notifications and record keeping
- Follow specific work practices to prevent lead contamination
- Perform a cleaning verification after completion of the work

The new regulation is called the Renovation, Repair and Painting Rule (RRP Rule) and applies to any renovation work in pre-1978 homes and child-occupied facilities. A child-occupied facility includes schools, child care facilities, day-care facilities and other buildings where children under the age of 6 attend.

Effective April 22, 2010:

- Lead training providers must be EPA accredited
- Renovation firms must be EPA certified
- Renovators and Dust Sampling Technicians must be trained and certified
- Non certified workers must be trained on the job by a Certified Renovator
- Notification/Education of Owner/Occupants is required
- Special work practices must be employed
- A specific cleaning verification must be performed by a Certified Renovator



There are very few exclusions to the RRP Rule. If testing concludes that no lead-based paint is present in the renovation area, then the regulation does not apply. In addition, a homeowner performing work in their own home is exempt. The rule also excludes minor repair and maintenance below a designated size threshold.

In order to become a Certified Renovation Firm, a contractor must submit an application to the EPA after October 22, 2009. The EPA is currently establishing fees for this application process.



After October 2010, the Certified Firm must designate a Certified Renovator to each job. The responsibilities of the Certified Renovator includes:

- Conduct set up activities
- Train all non-certified workers
- Verify work and cleanup activities
- Be physically present on site while posting signs, establishing work areas and cleaning
- Implement cleaning verification

In order to become a Certified Renovator, an individual must attend an 8-hour training course. The training provider must be EPA approved. The renovator is not required to submit an application to the EPA, but must have their training certification card when supervising on job sites.

More complex regulations apply for renovations in target housing which is owned or assisted. This would include all Public Housing Authorities as well as most public assisted housing.

Violations of the RRP rule are subject to fines up to \$32,500 per violation. In addition, knowing or willful violations are subject to criminal prosecution.

As with all activities involving any known quantity of lead, the OSHA construction standard 29 CFR 1926.62 or the OSHA general industry standard 29 CFR 1910.1015 applies.

For further information concerning the RRP Rule:

Visit the EPA website at <http://www.epa.gov/oppt/lead/pubs/renovation.htm>

Visit GLE's website at <http://www.gleassociates.com/News/IndustryNews/EPALeadRulesCreatesChallengesforContractors.aspx>

Contact a lead paint expert at GLE at 888-453-4531.



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