

Summary of EPA's Renovation, Repair and Painting Rule

EPA issued a new rule to protect children during renovation, repair and painting activities that disturb lead based paint. The new rule was signed into law on March 31, 2008.

Total implementation will take two years. During the first year, individual states will adopt and implement this new program. If a state opts out of overseeing the program then EPA becomes the administrator for the rule. No decision has been made whether Washington will accept the designation or not. Rule adoption requires support of the legislature and Governor.

During the second year, either the state or EPA begins to accredit the training providers. The training providers will start holding classes and the first generation of renovators will be ready to work in compliance with the rule.

This rule is scheduled to be enforced after April 1, 2010. It applies to housing and child occupied facilities (daycares and schools) built before 1978. The standards apply to those who conduct renovation for money, including contractors, maintenance workers in large apartment complexes, and specialty trades.

This is for a rental or owner-occupied home built before 1978 that

- houses a child with elevated blood lead levels,
- serves as a rental, or
- houses a child under age six.

This rule does not include the following:

- Owner occupied housing with no children or children over age six.
- Minor maintenance and repairs disturbing six square feet or less of painted surface per component on interior surfaces or twenty square feet on exterior surfaces.
- Renovations where specific methods have been used to determine the areas affected by the renovation are free of lead-based paint.
- Do-it-yourselfers.

All renovation projects subject to this rule would be done by a firm certified to perform renovations. That firm must employ a certified renovator.

Both the firm(s) and the individuals doing the renovation work must apply for certification and re-apply every five years.

An individual can become a certified renovator by completing an accredited training course. Certified abatement supervisors or workers already meet the requirement.

Many of the work practices outlined in the rule will be familiar. They are:

- Posting signs
- Isolation of work area from occupants or other uninvolved people
- Containing visible dust and debris to the work site
- Waste would be contained to prevent releases of dust and debris.

New practices introduced in this rule are:

- Certified renovators can provide on-the-job training for uncertified workers.
- A certified renovator would verify the cleanliness of work area using disposable dust cloths.
- Firms performing renovations must make sure that all workers are certified renovators or have received on-the-job training.

Firms performing renovation must assign a certified renovator to each project, and

- renovations must use applicable work practices,
- renovations must provide certified renovators that are on-site during key stages of a project but otherwise may be available by phone, and
- renovations may use acceptable test kits to determine if lead-based paint is present in affected areas.