

Attention All Landlords & Contractors!
New EPA Rule on Renovation, Repair and Painting
Will YOU Be Ready by April 2010?
By HomeSafe Training

It's the Law!

A new Federal regulation called the Renovation, Repair, and Painting Rule (RRP) will go into effect in April, 2010. It requires all kinds of contractors who work in pre-1978 housing and who might disturb painted surfaces to become Lead Certified Renovators by taking a one-day course about using "Lead Safe Work Practices" on the job. Since then, Senator Obama was one of those behind the original legislation, EPA enforcement is expected to be well funded. A summary of the RRP Rule follows.

Why is the RRP Rule important?

When lead paint is sanded or scraped or disturbed, microscopic particles of the metal mingle with the dust that is created. That "lead-containing" dust is what can hurt people, especially children and pregnant women.

Lead is extremely toxic and causes a long list of problems, including learning and behavioral problems, kidney disease, high blood pressure, miscarriage and birth defects. Lead can even cause depression and aggressive behavior. The problems caused by lead, even very tiny amounts of it, would fill an encyclopedia. Lead doubles the number of children in special education classes and is thought to play a major role in our crime rate. There is no safe level of lead in the body. Any is bad for you.

There has been a lot of publicity lately about toys and other consumer products containing lead and manufactured in China. But, the problems caused by all of those products put together is a drop in the bucket compared to the number of people harmed when contractors disturb old paint in pre-1978 buildings without taking some simple precautions. Since there is no cure for lead poisoning, prevention is the key. That's why EPA and the State of California require contractors to protect the people they work for.

NOTE: *The California regulation is already in effect. The Federal Renovation, Repair and Painting Rule (or RRP) will start being enforced as of April, 2010.*

To Whom does the RRP Rule apply?

The rule applies to jobs in pre-1978 housing (i.e. "Target Housing") and child occupied facilities and where more than 6 square feet per room or 20 square feet outside will be disturbed by someone who is being compensated for their work.

The RRP rule covers millions of jobs: renovation, remodeling, painting, window replacement, plumbing, electrical work, heating and air-conditioning, demolition, plus jobs performed by many other trades like carpenters, electricians and handymen. The rule applies to the people who work for rental property owners, schools, and day care providers. It also applies to non-profits and governmental agencies.

Where does the RRP Rule apply?

The rule applies in Target Housing and Child-Occupied Facilities.

Target Housing

Target housing is a house or apartment (including mobile homes) built *before January 1, 1978* except for:

- 1) 0-bedroom units (like dorm rooms or studio apartments)
- 2) housing that is officially designated for the elderly or the handicapped
- 3) housing that has been tested by a State Certified Lead Inspector and found to be free of lead-based paint.

Child-Occupied Facility

This is a building, or portion of a building, constructed prior to 1978, visited by the same child, six (6) years of age or under, on at least two different days within any week, provided that each day's visit lasts at least three hours, the combined weekly visit lasts at least 6 hours, and the combined annual visits last at least 60 hours. Such facilities may include, but are not limited to, day-care centers, preschools and kindergarten classrooms.

What does the RRP Rule Require?

1. **Pamphlet Distribution** - Contractors must give clients a pamphlet called "Renovate Right" and get a signed receipt before beginning a job. *(FYI, this part of the regulation is in effect NOW!)* Contractors can call (800) 424-5323 and ask for free copies of "Renovate Right" and the "Small Entity Compliance Guide to Renovate Right" or both pamphlets can be downloaded from the EPA website at www.epa.gov.

2. **Individual Certification** - At least one RRP Certified Renovator is required at each job site. Certification involves taking a 1-day class from an EPA Accredited Training Provider. **Note:** *Lead Abatement Supervisors and Workers who are already state certified also have to become RRP certified, but they only need to take a 1/2 day "refresher" class.*

3. **Firm Certification** - In addition to individual certification, each firm, agency or non-profit must also become RRP certified. To do so, firms or entities must submit an application and pay EPA a fee (\$300) which is good for five years. The EPA Firm Certification Form can be downloaded at <http://www.epa.gov/lead/pubs/firmapp.pdf>. Firms may apply to EPA to become certified after October 22, 2009.

After April 22, 2010, "... no firm working in target housing or child-occupied facilities, where lead-based paint will be affected by the work, may perform, offer or claim to perform renovations without EPA Firm Certification." Firm certification is not the same as the personal certification attained by successful completion of an RRP course.

Note: *Lead Abatement firms also have to become RRP Certified if they ever do non-abatement jobs.*

4. **On-the-Job-Training** - RRP Certified Renovators must train all non-certified people at the job site. **NOTE:** *Contractors who wish to do business with cities/counties receiving Federal money for housing rehabilitation must have everyone trained in the classroom.*

5. **Paint Testing** - The rule requires contractors to either test all the paint they will

disturb BEFORE beginning a job, or assume that it is lead-based. The testing is done by the contractor, using EPA-approved test kits. **Note:** *In California, contractors will not have to test the paint. Instead, they must assume that all surfaces in all structures built before 1978 contain lead-based paint. The only people in California allowed to test paint for lead are State Certified Lead Inspector/Risk Assessors and Sampling Technicians.*

6. Use Lead Safe Work Practices - The RRP Rule requires that "Lead Safe Work Practices" be used in Target Housing and Child-Occupied Facilities when disturbing 6 square feet per room or 20 square feet outside. **NOTE:** *California already requires that "Lead Safe Work Practices" be used in all structures (not just Target housing and Child-Occupied Facilities) when disturbing any amount of known lead-based paint or pre-78 paint. "Lead Safe Work Practices" aren't difficult or costly. Buying a good HEPA vacuum is probably the biggest expense for a contractor. No shop vacs. HEPA vacuums are the only type of vacuum allowed in pre-78 buildings.*

7. Cleaning Verification - At the end of each job, contractors are required to do a "cleaning verification" to make sure they cleaned up properly. They wipe a cleaned area with a white cloth and then compare the cloth against a picture on a laminated card given to them during training. If the cloth is lighter than the picture on the card, the area is considered to be clean. **NOTE:** *This is the most controversial part of the regulation. Many people feel this is like having the fox guard the chicken coop. How many contractors will fail themselves, one wonders? Another consideration is the test itself. Standard procedure after most lead jobs is to hire an independent third party State-Certified Lead Inspector who samples the dust in several locations and sends the samples to a laboratory for evaluation.*

What do Contractors Need to Do?

1. Sign up for an EPA Accredited RRP class. **NOTE:** *Lead Abatement Workers and Supervisors who are already State certified should sign up for the 1/2-day RRP Refresher class.*
2. Call 800-424-5323 and ask for a free copy of "Renovate Right" and "Small Entity Compliance Guide to Renovate Right" or, download them from the EPA.
3. Purchase a HEPA vacuum (if you don't already own one). They are available from many specialty suppliers with competitive pricing.
4. Provide a copy of your EPA or state lead training certificate to your clients.
5. Tell clients what lead-safe methods you will use to perform the job.
6. Ask your clients to share the results of any previously conducted lead tests.
7. Keep records to demonstrate that you and your workers have been trained in lead-safe work practices and that you followed lead-safe work practices on the job.
8. Read about how to comply with EPA's rule in the EPA Small Entity Compliance Guide to Renovate Right. (See #2 above)

EPA-Accredited Renovation, Repair, and Painting Program (RRP) Training Provider

The below training provider has been accredited by EPA to provide training for renovators under EPA's Renovation, Repair, and Painting Program.

HomeSafe Environmental, Inc.

24662 Redlands Blvd.

Loma Linda, CA 92354

Phone: 909-796-7565

www.homesafetraining.com – to register or learn more

Locations: Loma Linda, CA

Santa Fe Springs, CA

*Van Nuys, CA

Fee: \$185.00 for the 8 hour class

If already abatement certified – 4 hour class - \$95

***Special Discounted Class Fee for AOA Members
and AOA Advertisers: Only \$175 at the AOA Main Office in Van Nuys**

- Thursday, December 10, 2009
- Saturday, January 9, 2010
- Saturday, February 13, 2010
- Saturday March 13, 2010
- Monday, April 19, 2010

Classes are limited and advance reservations are required. Please call (818) 988-9200, extension 114 and start to prepare yourself today!

For more information about this law and the requirements, please visit the U.S. Environmental Protection Agency at www.epa.gov/lead/pubs/renovation.htm.