

Implications of the New Lead Renovation Rules

EPA's Renovation, Repair and Painting (RRP)
40 CFR Part Subpart E



Overview of RRP Requirements

- Applicability and Scope
- Training and Certification
- Disclosure
- Pre-Work Identification
- Post-Work Cleaning Verification



What is the RRP Program?

- RRP= Renovation, Repair and Painting
- Federal regulatory program affecting contractors, property managers and others who disturb painted surfaces
- Includes pre-renovation education, training, certification and work practices
- State of North Carolina is also developing regulations (<http://www.epi.state.nc/epi/lead/lhmp.html>)



What is the RRP Program?

- Applies to houses, apartments, child occupied facilities such as schools and day care centers **built before 1978**
- Becomes Applicable in **April 2010**



What is a Renovation

- Broadly defined
- Any activity that disturbs painted surfaces
- Includes most repair, remodeling and maintenance activities
- Includes window replacement and component removal
- **<6 ft² inside or 20 ft² outside**



745.82 Applicability

- Rule applies to renovations in

<1978

1. Target housing

- Pre-1978 housing
- Excludes housing for elderly unless child <6 lives there
- Excludes 0-bedroom dwellings (living area not separate from sleeping area – dorm rooms, barracks, efficiency and studio apartments)

3-6-60

2. Child-occupied facilities

- Pre-1978 buildings with children <6 present 3hrs/day, 6 hrs/week (2 different days), 60 hrs/year
- Examples: day care centers, pre-schools, kindergarten classrooms

745.80 Purpose

- In target housing and child occupied facilities:
 - LBP **hazard information** provided to owners and occupants before renovations done
 - Individuals performing work have proper **training**
 - Renovators and firms obtain **certification**
 - Required **work practices** are followed



745.82 Applicability

- Exceptions:

1. Certified Inspector/Risk Assessor (free of LBP)
2. Emergencies (weather, fire, etc)
3. EBLs' (child poisoning, emergency)
4. Signed Statement from Owner (less than action level or type of facility)
5. **Not exempt from Cleaning Requirements**



745.89 Firm Certification

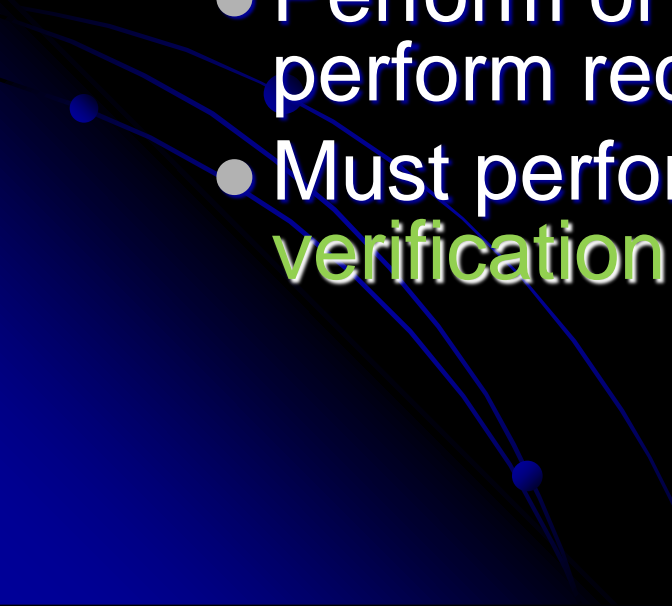


- Duties of Certified Firm (fee)
 - Must ensure individuals performing renovations are either certified renovators or have been trained by certified renovator
 - Renovations are performed with mandatory work practices
 - Pre-renovation activities have been performed
 - Recordkeeping/Disclosure requirements are met

745.90 Renovator certification and dust sampling certification

- Duties of certified **renovator**
 - Be physically present at work site when signs are posted, work area containment is being established, work area cleaning is performed
 - Regularly direct work performed by uncertified persons
 - Be available at all times (on site or by phone)
 - Have initial and refresher certificates at work site
 - Prepare required records

745.90 Renovator certification and dust sampling certification

- Duties of certified **renovator**
 - Use acceptable test kits to **determine if components contain LBP** when requested by person contracting for renovation
 - Provide **training** to uncertified workers
 - Perform or direct uncertified workers who perform required **work practices**
 - Must perform post-renovation **cleaning verification**
- 

Recognized Test



5.0% -----> 10.0%
High Lead Concentration Range
(5.0% to 10.0% lead)



0.5% -----> 3.0%
Medium Lead Concentration Range
(0.5% to 3.0% lead)



0.0% -----> 0.3%
Low Lead Concentration Range
(0.0% to 0.3% lead)



www.leadcheck.com

745.84 Information Distribution

- Renovations in these facilities
 - Within 60 days of renovation
 - **FIRM** or **Owner** (if they hire a firm) give pamphlet and get **written acknowledgement**
 - Provide **each parent or guardian** with pamphlet and renovation information (if no response keep copies of certified mail - 7 mailing days before can start)
 - Post informational signs during renovation
 - Prepare written statement

745.86 Recordkeeping and Reporting

- 3-year Record Retention Requirement
- Required records include:
 - Inspector report certifying LBP not present
 - Signed/dated acknowledgements of receipt of pamphlet
 - Certifications of attempted delivery of pamphlet
 - Records of notification attempts for common areas and child-occupied facilities
 - Signed/dated statements from owner saying work practices do not apply
 - No children, no pregnant women, not a COF
 - Written in same language as rental contract

745.85 Work Practices

- **Standards for Renovation Activities**
 - Must be performed by certified firms using certified renovators
- **Occupant Protection (Firms must...)**
 - Post signs to define work area and warn occupants/other persons to stay of work area
 - Signs in same language as occupants
 - Signs posted before beginning renovation and until post-renovation cleaning verification is completed



745.85 Work Practices

- Standards for Renovation Activities
 - Containing the Work Area (**Firms must...**)
 - Isolate work area before beginning renovation to contain dust/debris
 - Maintain integrity of containment
 - Ensure plastic is not torn or displaced
 - Do not interfere with occupant/worker **emergency egress**

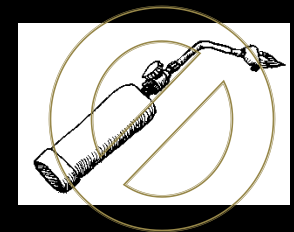
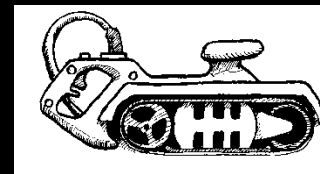






745.85 Work Practices

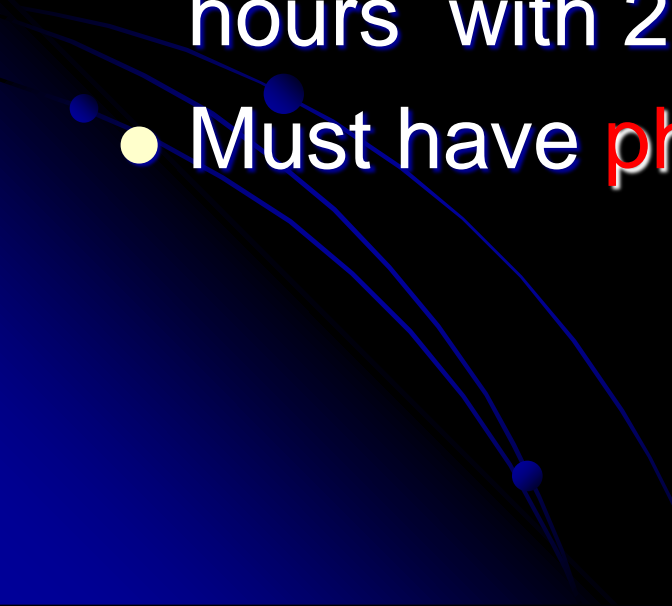
- **Prohibited** and **Restricted** Practices
 - No open-flame burning/torching
 - Using machines with “high speed operations” such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting require HEPA exhaust control
 - Heat gun permitted only if operated <1100 degrees F
 - Must contain lead waste





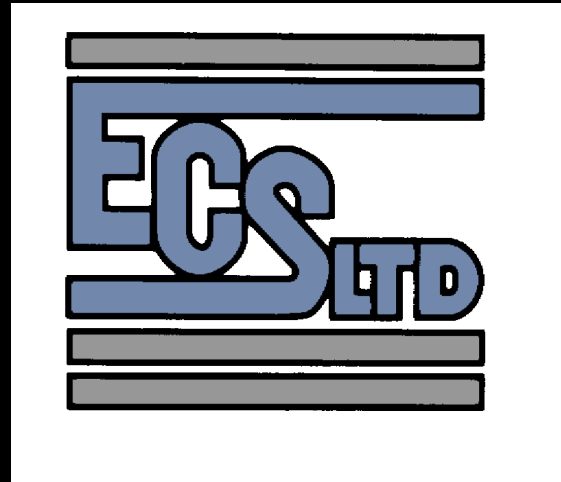
HEPA Attachments

745.225 Accreditation of training programs

- Enforced with Training April 2010
 - Certified Renovator – 8 hours with 2 hours hands-on
 - Certified Dust Sampling Technician– 8 hours with 2 hours hands-on
 - Must have **photograph** of individual
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For More Information

QUESTIONS?



Contact ECS

336-856-7150