

**U.S. Environmental Protection Agency - Region 7**  
**901 North 5<sup>th</sup> Street**  
**Kansas City, KS 66101**

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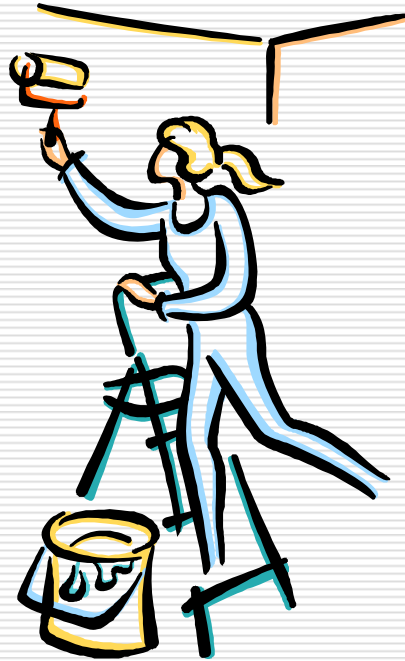


- <http://www.epa.gov/region7/citizens/lead.htm>
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# EPA Renovation, Repair and Painting Rule

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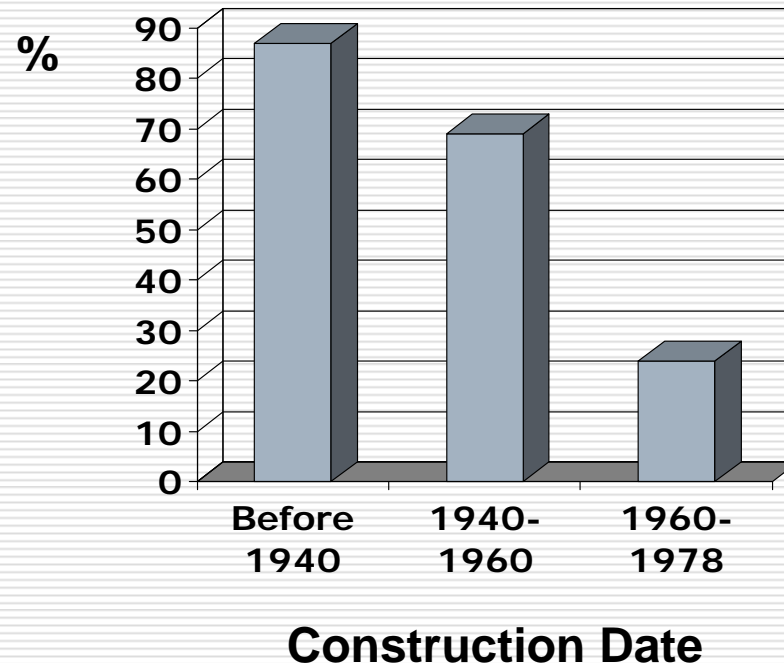
**Will it Apply to Me ?**

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# Percentage of Homes Likely to Contain Lead By Construction Date

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**Almost 38 million homes built prior to 1978 still contain some lead-based paint.**



**In 1978, the Consumer Product Safety Commission banned lead-based paint for residential use.**

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# Small amounts of lead can be hazardous

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Lead dust particles created during repairs/renovations can be too small to be seen with the naked eye.



As little as 10 micrograms per deciliter of blood can harm a child.

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# How much lead dust is hazardous ?

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One package of artificial sweetener is about 1 gram (or 1 million micrograms).

Divide the contents of one package of sweetener into 1 million piles. Take one pile and add it to  $\frac{1}{2}$  cup of liquid. This is all it takes to poison a child. This simulates 10 micrograms per deciliter.

To simulate how little lead dust can create a hazard, spread the contents of one package of sweetener over an area equal to one half of a football field (not including the end zone).



# RRP: Purpose of the Rule

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**Ensure that**

- **Owners/occupants/parents/guardians receive information on lead hazards before renovations begin**
  - **Individuals performing renovations are properly trained**
  - **Renovators and firms are certified**
  - **Safe work practices are followed**
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# RRP: Does it Apply to Me ?

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EPA's Renovation, Repair and Painting Rule applies to all renovations performed for compensation in target housing and child-occupied facilities.

Examples:

- *work performed by paid contractors*
  - *work performed by school custodians and maintenance staff*
  - *work performed by apartment building maintenance staff*
  - *work performed by rental property owner*
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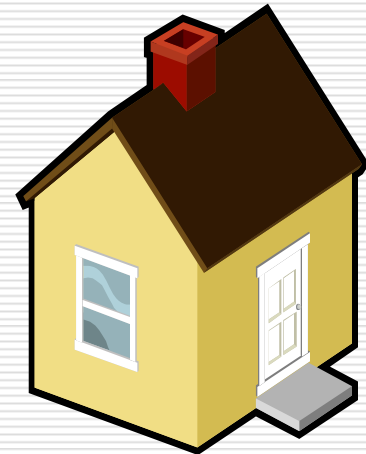
# What is target housing ?

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**Target housing:** housing built before 1978  
(e.g., houses, apartment buildings, mobile homes)

exceptions:

- Housing for the elderly or persons with disabilities (unless any child under age 6 resides or is expected to reside in such housing)
- Any zero-bedroom unit (e.g., studio apartment, dormitory room)



# What is a child-occupied facility ?

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**Child-occupied facility:** a facility built before 1978 in which one or more children under the age of 6 regularly spend time (e.g., day care, pre-school, kindergarten)

*Same child under 6,  
at least two visits per week,  
each visit at least 3 hours,  
at least 6 hours per week,  
at least 60 hours per year.*



# What is a repair or renovation?

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## Renovation:

modification of any existing structure, or portion of structure that results in disturbance of painted surfaces; these activities can generate dust (e.g., sanding, cutting, sawing, drilling, scraping, etc.)



# Examples of repair/renovation

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- *Modification of painted doors*
  - *Surface restoration*
  - *Window repair*
  - *Surface preparation (e.g., sanding/scraping)*
  - *Removal of building components (e.g., walls, ceilings, plumbing, windows)*
  - *Weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping)*
  - *Interim controls that disturb painted surfaces*
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# Conversion of Commercial Property

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*A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under EPA's RRP rule.*



# What is not 'Renovation'

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- **Abatement**

- **Minor repair and**

**maintenance:** activities such as minor heating, ventilation or air conditioning work, electrical work, or plumbing work that disrupts 6 square feet or less of painted surface area per interior room or 20 square feet or less of painted exterior surface area **where none of the prohibited work practices are used** and where the **work does not involve window replacement or demolition** of painted surface areas



# Exceptions

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**Certified Lead-Based Paint Inspector or risk assessor has made a written determination that the components affected by the renovation are lead free.**

Renovation firm must obtain and maintain a copy of the written determination.

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# Exceptions

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**Certified renovator, using an EPA recognized test kit, has tested each component affected by the renovation and determined that it is lead free.**

Two test kits are currently recognized by EPA:

- LeadCheck® manufactured by Hybrivet Systems
  - State of Massachusetts lead test kit (available only to certified Massachusetts inspectors and risk assessors)
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# Partial Exception for Emergencies

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**Emergency renovations:** unplanned activities resulting from a sudden, unexpected event such as non-routine failures of equipment that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment and/or property with significant damage.

Includes interim controls performed in response to a lead-poisoned child.

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# Partial Exception for Emergencies

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## What doesn't apply to emergencies:

- Pamphlet distribution requirement
  - **To the extent necessary to respond to the emergency**, warning signs, containment, waste handling, training and certification requirements
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# Partial Exception for Emergencies

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## What does apply to emergencies:

- **Cleaning** requirements of 745.85(a)(5), which must be performed by certified renovators or individuals trained in accordance with 745.90(b)(2)
  - **Cleaning verification** requirements of 745.85(b), which must be performed by certified renovators
  - **Recordkeeping** requirements of 745.86(b)(6) and (b)(7)
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# Exception available **ONLY** for owner-occupied housing:

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## **Owner/occupant provides renovator with signed statement that**

- No children under 6 live there
  - No pregnant women live there
  - It is not a child-occupied facility
  - Owner acknowledges that renovation firm will not be required to use safe work practices required in EPA's RRP rule
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# What is a building component?

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## Examples of interior building **components**

### Ceilings

- Crown molding
- Walls
- Chair rails
- Doors
- Door trim
- Floors
- Fireplaces
- Radiators & other heating units
- Shelves
- Shelf supports
- Stair treads

- Stair risers
  - Stair stringers
  - Newel posts
  - Railing caps
  - Balustrades
  - Windows & trim (sashes, headers, jambs, sills, stools, troughs)
  - Built-in cabinets
  - Columns
  - Beams
  - Bathroom vanities
  - Counter tops
  - Air conditioners
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# What is a building component?

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## Examples of exterior building **components**

- Painted roofing
  - Chimneys
  - Flashing
  - Gutters & downspouts
  - Ceilings
  - Soffits
  - Fascias
  - Rake boards
  - Cornerboards
  - Bulkheads
  - Doors & door trim
  - Fences
  - Floors
  - Joists
  - Lattice work
  - Railings & railing caps
  - Siding
  - Handrails
  - Stair risers & treads
  - Stair stringers
  - Columns
  - Balustrades
  - Windowsills or stools & troughs
  - Casings
  - Sashes & wells
  - Air conditioners
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# Where are the federal RRP regulations ?

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## 40 Code of Federal Regulations (CFR) Part 745

Subpart D: Lead-Based Paint Hazards (TSCA §403)

## **Subpart E: Residential Property Renovation\*** **(TSCA §406(b) and §402(c))**

Subpart F: Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property(TSCA §1018)

Subpart L: Lead-Based Paint Activities (TSCA §402)

Subpart Q: State and Indian Tribal Programs

\*Final Rule published in the Federal Register on **April 22, 2008.**

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# Toxic Substances Control Act (TSCA)

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## Lead is a toxic substance.

When ingested or inhaled, lead can cause a wide variety of serious health problems. The greatest risk is for children under the age of six and pregnant women.

Renovation, repair and painting activities that disturb lead-based paint can create lead dust hazards.

The new regulation requires safe work practices that will ensure that lead-contaminated dust does not remain in the work area following completion of the work.

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# New Pamphlet for Renovators

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Effective December 22, 2008, the new pamphlet, **Renovate Right** must be made available prior to start of renovations.



# When to provide pamphlet

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Pamphlet must be provided no more than 60 days before work starts.

If pamphlet is mailed instead of being provided in person, the mailing receipts must be dated at least 7 days prior to the work start date.

For child-occupied facilities and common areas in multi-family housing, signs may be posted where parents and/or residents will see them explaining how to obtain a free copy of the pamphlet.

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# Safe Work Practices

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**Following safe work practices is always encouraged** (whether required or not) to ensure that occupants are not exposed to hazardous lead dust, during or after the work is complete.

The new regulations do not apply to individuals remodeling their own residences. Homeowners are encouraged to follow safe work practices.

Safe Work Practices are simple and inexpensive:

- **Set up work areas so that occupants will not be exposed**
  - **Minimize the dust**
  - **Leave work area clean**
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# SAFE WORK PRACTICES

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## WHAT TO DO INSIDE:

- **Post signs; keep occupants and pets out of work area**
  - **Remove furniture and belongings, or cover them securely with heavy plastic sheeting**
  - **Use heavy plastic sheeting to cover floors and other fixed surfaces like large appliances in work area**
  - **When appropriate, use heavy plastic sheeting to separate work area from rest of facility**
  - **Close and seal vents in work area, and if necessary, turn off forced-air heating and air conditioning systems**
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# Federal Lead Hazard Regulations

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## After April 2010

Only certified firms and certified renovators may perform renovations.

### Renovators' responsibilities:

- Must perform post-renovation cleaning verification activities specified at §745.85(b)
  - Must perform or direct workers to perform all tasks specified at ↑§745.85(a) – (occupant protection, work area containment, ensure no prohibited practices are employed, contain and manage waste, clean the work area)
  - Must train workers on the work practices they will be using
  - Must be physically present when signs are posted, when work area containment is established, and while work area is cleaned
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# Federal Lead Hazard Regulations

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## Renovators' responsibilities:

- Must regularly direct work being performed by other individuals to ensure that work practices are being followed
  - Must be available, either on-site or by telephone, at all times that renovations are being conducted
  - Must have with them at work site copies of their initial course completion certificate and most recent refresher completion certificate
  - When requested by the party contracting for renovation services, must use an acceptable test kit to determine whether components to be affected by renovation contain lead-based paint
  - Must prepare records required by recordkeeping and reporting requirements in the regulations
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# SAFE WORK PRACTICES

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## WHAT TO DO OUTSIDE:

- Mark off work area to keep non-workers away
  - Cover ground and plants with heavy plastic sheeting
  - Close windows and doors near work area
  - Move or cover play areas near the work area
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# SAFE WORK PRACTICES

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## MINIMIZE DUST:

- Mist areas before sanding, scraping, drilling, and cutting
  - Score paint before separating components
  - Pry and pull apart components instead of pounding and hammering
  - Always use a shroud with HEPA vacuum attachment when using power tools and equipment.
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# UNSAFE WORK PRACTICES

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## DO NOT USE THESE DANGEROUS PRACTICES WHEN WORKING WITH LEAD-BASED PAINT:

- Open flame burning or torching
  - Sanding, grinding, planing, needle gunning, or blasting with power tools unless equipped with a shroud and HEPA vacuum attachment
  - Using a heat gun at temperatures greater than 1100°F
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# CLEANING VERIFICATION

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- Remove plastic sheeting carefully, mist with water, fold dirty side in, tape shut, dispose of it
  - HEPA vacuum all surfaces including walls
  - Wash work area with general purpose cleaner
  - Re-clean if any dust remains visible.
  - Perform a final clean-up check. Use disposable cleaning cloths to wipe the floor of the work area and compare them to a cleaning verification card to determine if the work area was adequately cleaned.
  - To order a cleaning verification card and detailed instructions call **1-800-424-LEAD (5323)**.
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# Compliance and Recordkeeping

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- Each renovation project must have a certified renovator and a certified firm
  - Certified renovation firm must maintain all records documenting compliance for a minimum of three years from the end of the renovation work
  - Penalties for failing to comply can be up to \$37,500 per violation
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# **SOME STATES HAVE MORE STRINGENT REQUIREMENTS**

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**IOWA DEPARTMENT OF PUBLIC HEALTH**  
Bureau of Lead Poisoning Prevention  
Des Moines, IA  
1-800-972-2026

**KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT**  
Healthy Homes & Lead Hazard Prevention Program  
Topeka, KS  
1-866-865-3233

**MISSOURI DEPARTMENT OF HEALTH & SENIOR SERVICES**  
Bureau of Environmental Regulations & Licensure  
Lead Licensing Program  
Jefferson City, MO  
1-888-837-0927

**NEBRASKA DEPARTMENT OF HEALTH & HUMAN SERVICES**  
Office of Environmental Health Hazards & Indoor Air  
Asbestos and Lead-Based Paint Program  
Lincoln, NE  
1-888-242-1100 ext 1 (in NE only)

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# What if I have additional questions?

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**Call:**

- **EPA's National Lead Information Center (NLIC) – 1-800-424-LEAD**
- **EPA Region 7 at 1-800-223-0425**

**Log on:**

**[www.epa.gov/region7/citizens/lead.html](http://www.epa.gov/region7/citizens/lead.html)**

**or**

**[www.epa.gov/lead](http://www.epa.gov/lead)**

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# **Additional Information Available at:**

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**U.S. Environmental Protection Agency**

**[www.epa.gov/lead](http://www.epa.gov/lead)**

**Consumer Products Safety Commission**

**[www.cpsc.gov](http://www.cpsc.gov)**

**Centers for Disease Control**

**[www.cdc.gov](http://www.cdc.gov)**

**Department of Housing and Urban Development**

**[www.hud.gov](http://www.hud.gov)**

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# Contact Information

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