

Lead-Based Paint Renovation, Repair, and Painting

RRP Overview and Enforcement



Rule Scope

- As of April 22, 2010, the RRP rule covers renovation, repair and painting activities that disturb painted surfaces in:
 - Target housing, which is housing constructed before 1978 except
 - Housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing)
 - Any 0-bedroom dwelling
 - Child-occupied facilities
 - Buildings built before 1978 that are frequented by children under age 6
 - Includes kindergartens and child care centers

Rule Exclusions

Excludes:

- Renovations affecting only components that are free of lead-based paint
 - Determination by certified inspector/risk assessor or certified renovator using an EPA-approved test methods
- Minor repair and maintenance
 - 6 ft² or less per room interior, 20 ft² exterior
 - Except prohibited practices, window replacement or demolition of painted surfaces
- Renovations performed by homeowners in their own homes
- Emergency renovations, but only to the extent necessary to respond to the emergency

What does it require?

- Accreditation of training providers
- Certification of firms, renovators, and dust sampling technicians
- Work practice standards
- Changes to 1999 pre-renovation education requirements



Pre-Renovation Education Changes

- “Renovate Right” developed specifically for renovations
- “Protect Your Family” brochure is still available for other purposes like general outreach
- Existing rule expanded to cover child-occupied facilities
- For renovations in common areas, renovation firms may post signs instead of delivering information directly to each unit



Certification

Firms

- All covered renovations must be performed by certified renovation firms, using certified renovators and other trained workers
- To become certified, firms must submit an application and a \$300 certification fee to EPA
- Certifications will be good for 5 years
- Certification allows the firm to perform renovations in any non-authorized State or Indian Tribal area

Certification

Individuals

- Covered activities must be performed and/or directed by a certified renovator
- To become a certified renovator, an individual must take an 8-hour training course from an accredited training provider
- Refresher training is required every 5 years
- Certification allows the renovator to perform renovations in any non-authorized State or Indian Tribal area
- Other workers do not need certification, they may receive on-the-job training from a certified renovator

Work Practice Standards

Containment and Prohibited Practices

- Post signs defining the work area
- Contain the work area so that no visible dust or debris can leave the area
 - HVAC ducts, countertops, floors, and objects left in the work area must be covered with taped-down protective sheeting
 - Windows and doors in the work area must be closed or covered
 - For exterior renovations, the ground must be covered with plastic sheeting that extends a sufficient distance to collect falling paint debris
- Certain practices are prohibited or restricted:
 - Open-flame burning or torching
 - Power tools for sanding, grinding, or sandblasting, unless used with HEPA exhaust control
 - Operating a heat gun above 1100 degrees Fahrenheit

Work Practice Standards

Cleaning and Waste

- After the renovation has been completed, the work area must be cleaned until no visible dust, debris or residue remains
- Ensure that all personnel, tools, and other items including waste are free of dust and debris when leaving the work area
- Waste must be sealed in bags or plastic sheeting
- Dispose of waste in accordance with Federal, State, and Local requirements



Work Practice Standards

Cleaning Verification

- A certified renovator must use wet disposable white cleaning cloths to wipe windowsills, countertops, and uncarpeted floors in the work area
- These cloths must be compared to a cleaning verification card
- If the cloth matches or is lighter than the card, that surface has passed the cleaning verification
- Surfaces that do not pass must be re-cleaned
- Dust clearance testing may be performed instead

Recordkeeping and Enforcement

- Documents demonstrating compliance with the rule must be retained for 3 years following the completion of a renovation
- EPA may suspend, revoke, or modify a firm's certification if firm is found to be in non-compliance
- Non-compliant contractors may be liable for civil penalties of up to \$37,500 for each violation
- Contractors who knowingly or willfully violate this regulation may be subject to criminal sanctions under TSCA Section 16.

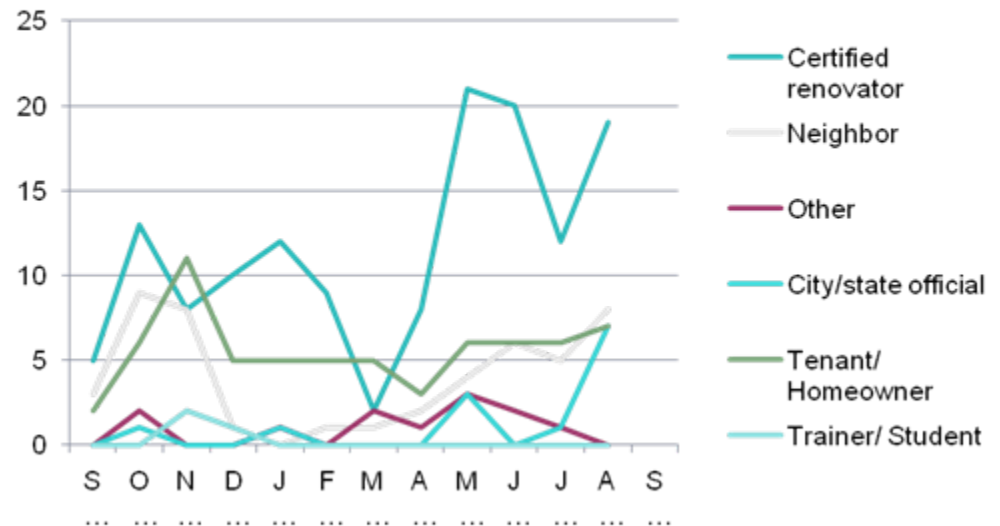
RRP Compliance Monitoring

- EPA performs inspections:
 - “For cause” (such as inspections based on tips and complaints)
 - Neutral scheme inspections, which have been targeted based on specific criteria
- Inspections for RRP take place for training providers as well as renovators

Tips and Complaints

- EPA receives tips and complaints from a variety of sources about renovators and training providers
- EPA follows up on all tips/complaints based on the provided information

R5 Source of RRP Tips/Complaints
FY 2011



Enforcement Process

- EPA takes enforcement actions as appropriate and in accordance with our Enforcement Response and Penalty Policy (ERPP)
 - Civil Administrative Complaints
 - Notices of Noncompliance
 - Civil Judicial Referrals
 - Criminal Proceedings
- ERPP may be found at:
<http://cfpub.epa.gov/compliance/resources/policies/civil/tsca/>

State/Tribal Program Authorization

- RRP is a delegable program
- Programs must be at least “as protective as” EPA requirements, and have “adequate enforcement”
- Reciprocity will be encouraged
- To date 12 states are authorized to administer and enforce an RRP program

Information Resources

National Lead Information Center (NLIC)

- Contact NLIC with questions, to receive a general information packet, or to order documents
 - By Phone: call and speak with a specialist Monday through Friday, 8:00 am to 6:00 pm eastern time (except federal holidays) at 1(800) 424-LEAD
 - On the web at www.epa.gov/lead/nlic.htm
 - Use the online form to send your comments and questions
 - Use our online document request to order documents electronically

Information Resources

Lead Website

- www.epa.gov/lead
 - Main site for information regarding lead and lead hazards
- www.epa.gov/getleadsafe
 - Information specific to the RRP program
- www.epa.gov/lead/pubs/lscp-renov-materials.htm
 - RRP brochures and materials
- http://toxics.custhelp.com/cgi-bin/toxics.cfg/php/enduser/std_alp.php
 - Searchable frequent questions page
 - May ask questions

Information Resources

Compliance Guide

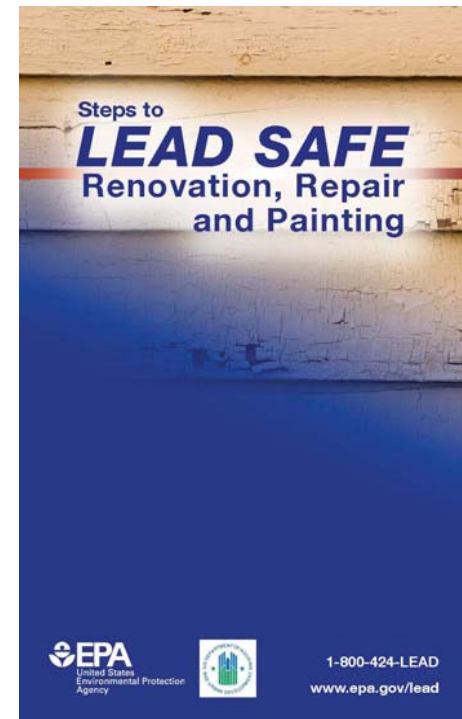
- Handbook for contractors, property managers, and maintenance personnel working in homes, child care facilities, and schools built before 1978
- Contains detailed information and flow charts outlining the RRP requirements



Information Resources

Steps Brochure

- A guide to lead-safe renovation, repair and painting
- Covers basic lead-safe practices
- Can be used as a training guide for on-the-job training



Thank you for your time!

- Tips/complaints contact:
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