



Has anyone ever said to you

There is no more lead in paint – why are we still talking about it?

HOW ABOUT 2014?

Will the houses you are building today last one hundred years?

NEW YORK CITY has over a score of frame houses built before 1800.

"Well built," you say. True, but well painted, too, and almost uniformly with

Dutch Boy White Lead

and Dutch Boy linseed oil. Such paint, tinted any color, is so fine that it sinks into every joint and wood pore. It is just elastic enough to prevent cracking, to keep the wood thoroughly covered and hence perfectly preserved.

Write for
PAINT FOLDER B

Tells how to mix materials for any surface or weather condition; how to choose best and longest-lasting colors; how to estimate quantity of paint and probable cost.



NATIONAL LEAD COMPANY

NEW YORK

BOSTON

BUFFALO

CHICAGO

CINCINNATI

CLEVELAND

ST. LOUIS

SAN FRANCISCO

Uses of Lead in Paint

- Lead was added to paint, stains, and varnishes for three main reasons
 - as a pigment
 - to add durability and corrosion resistance
 - as a drying agent



Houses at Greatest Risk

- **Built prior to 1940**
 - contain paint with higher concentrations of lead
 - more coats of paint

Poorly maintained dwellings





WHITE LEAD SAILED THE SEAS 2,000 YEARS AGO

White Lead is a product of the Glidden Company, a leader in the paint industry for over 100 years. It is a high-quality, durable paint that has been used for centuries. The Glidden Company is committed to providing the best products and service to our customers. For more information, please contact us at 1-800-4-A-GLIDDEN.

GLIDDEN
A Division of The Glidden Company

Dutch Boy Painter



Put it down to good painting with new White Lead
(Dutch Boy Paints) - Amsterdam.

Copyright, 1918, by National Lead Company

ASPINALL'S ENAMEL

SURPASSES ALL OTHERS.
AVOID IMITATIONS



THE FINEST COLORS
IN THE WORLD



IS NOT MADE
WITH LEAD AND IS
NOT POISONOUS



COLOURS
PERFECT

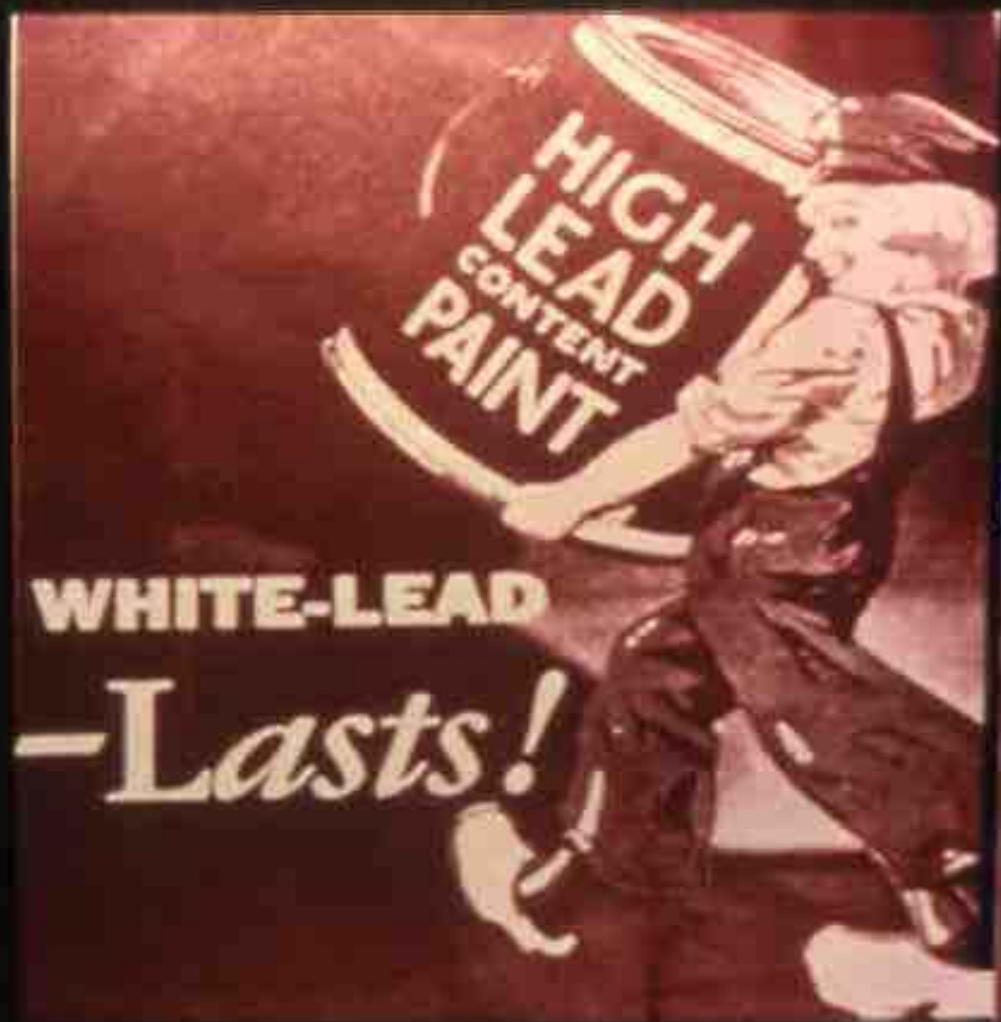
SIX YEARS
EVOLUTION
IN DECORATIVE
ART

1897

PARIS. 24 RUE ALIBERT

NEW CROSS LONDON SE -

NEW YORK 98/00 BERTMAN'S



WHITE-LEAD

-Lasts!

RRP

a quick review

Renovation, Repair and Painting (RRP)

Scope of Rule: Renovation, repair and painting activities on **target housing** or **child-occupied facility**

built before 1978 performed for compensation after April 22, 2010.

Renovation is any modification of any existing structure or portion of an existing structure that results in disturbance of painted surfaces

Target Housing:

- Housing constructed prior to 1978, ***except:***
- Housing for the elderly or persons with disabilities (unless any one or more children age 6
- years or under resides or is expected to reside in such housing for the elderly or persons with disabilities); ***or***
- Any 0-bedroom dwelling.

Child-Occupied Facility:

- Building, or portion of a building, constructed prior to 1978, visited
- regularly by the same child, under 6 years of age, on at least two different days within any week
- (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours **or**
- combined weekly visits last at least 6 hours, **or** the combined annual visits last at least 60 hours.

Child-Occupied Facility:

- Only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias, not simply passed through.
- Exteriors sides of the building immediately adjacent to the child-occupied facility *or*
- common areas routinely used by children under age 6.

Activities Exempt from Compliance with the Requirements

- **Abatement:** Activities conducted under abatement rules by certified abatement contractor.

Activities Exempt from Compliance with the Requirements

- **Minor Repair or Maintenance Activities:**
Activities that will disturb less than the following square feet of paint surfaces in 30 calendar days (counting all paint on a removed component):
- 6 square feet per room for interior activities;
(note the difference from HUD) or
- 20 square feet for exterior activities.
- ***But this exemption does NOT apply to the following:***

Activities Exempt from Compliance with the Requirements

- Window replacement.
- Demolition of painted surface areas.
- Using any of the following:
 - Open-flame burning or torching;
 - Machines to remove paint through high-speed operation without HEPA exhaust control; or
 - Operating a heat gun at temperatures at or above 1100 degrees Fahrenheit.

Note difference in Indiana rule which is more stringent

Activities Exempt from Compliance with the Requirements

- **No Lead-Based Paint Will be Disturbed:** If one of the following methods is used to determine that the paint on the component to be disturbed was not lead-based paint:
 - Written determination by certified lead inspector or risk assessor; or
 - Proper use of EPA-recognized test kit by certified renovator.
- *Note that person contracting for the renovation must be informed of results by certified renovator within 30 days after completion of the renovation*

Activities Exempt from Compliance with the Requirements

- **Do-It-Yourself:** Work performed by owners themselves in their residence that they live in.

Limits on Scope of Rule:

- **Emergency Renovations Not Due to Elevated Blood Level:**
- Exempt from information distribution, warning signs, containment, waste handling, training and certification requirements to extent necessary to respond to emergency. However, cleaning requirements, cleaning verification, and recordkeeping still required.
- An emergency renovation is one that:
 - Is a sudden, unexpected event
 - If not immediately attended to:
 - Presents a safety or public health hazard; or
 - Threatens equipment and/or property with significant damage.

Limits on Scope of Rule:

- **Emergency Renovations in Response to Elevated Blood Lead in Resident Child:**
- Interim controls are exempt from advance information distribution requirements.

And don't forget

- The Indiana the work practice standards for non-abatement activities rule still applies

Basically

- There are prohibited practices for pre-1960 housing
- Similar to HUD rules

Indiana and the RRP rule:

what can you expect and when
can you expect it?

Pre-Renovation Education Rule

- Requires Renovation firms to provide the *Renovate Right* pamphlet for projects covered under this rule
 - No more than 60 prior to the project
 - Written acknowledgement or proof of mailing at least 7 days before renovation
 - Keep for 3 years

Lead Safe work practices

- Training – different for HUD/grant projects
- Signs
- Containment
- Cleaning the work area
- Cleaning verification vs Clearance
- Waste

Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



Lead Safe work practices



What can you do locally?

Many of the same things you do now

- eliminate the “not my job” mentality
- Work with those who issue building permits
- Work with retailers
- Involve local media
- Post links on your web site
- Make literature from EPA available
- Know where to find answers to the commonly asked questions
- Know where to direct compliance issues

Commonly Asked Questions

A property management company performs most of the clerical functions of the business, and hires plumbers, electricians, carpenters, etc., for its renovation needs. Does the property management company need firm certification to comply with the Renovation, Repair, and Painting (RRP) Rule?

Answer (ID #6704) A property management company acts as an agent for the landlord and has the same responsibilities as the landlord under the RRP Rule.

Therefore, if the property management company uses its own employees to do the work, the property management company must be a certified firm and one of the employees must be a certified renovator.

If the property management company hires a renovation firm to perform the renovation, the property management company does not need firm or renovator certification, but the firm the property management company hires must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

Question

If the demolition, cleanup, and cleaning verification portion of a renovation project is performed under the direction of a certified renovator using trained workers, can uncertified workers complete the job if further disturbances of painted surfaces will not occur? For example, a certified firm establishes containment and removes wall and ceiling board to the rough framing members. Cleaning and verification take place and containment is removed and properly disposed of. At that point, can non-certified firms perform electrical, plumbing, HVAC, or drywall work?

Answer (ID# 6800)

Yes. Activities that do not disturb paint, such as applying paint to walls that have already been prepared, are not regulated by the Renovation, Repair, and Painting Rule if they are conducted after post-renovation cleaning

verification has been performed

Question If a general contractor hires a subcontractor to work at a renovation site, does the subcontractor need to be a certified firm if the subcontractor does not disturb any paint?

Answer (ID# 6797) Firms performing tasks that disturb no painted surfaces whatsoever do not need to be certified. However, since conditions at the job site may be difficult to predict, EPA strongly recommends that all firms involved in the renovation be certified and use properly trained and certified personnel. For example, a firm hired to install an HVAC system after demolition of painted surfaces has taken place may find that to complete the job painted surfaces need to be disturbed. The HVAC firm may not engage in activities that disturb painted surfaces if it is not certified.

As every renovation job is different, it is up to the firm acting as the general contractor to determine what activities are within the scope of the renovation and to ensure that other firms are properly trained and certified for the tasks they will be performing. All firms, including the firm acting as the general contractor, are responsible for making sure the renovation is performed in accordance with the work practice standards, including keeping containment intact and making sure lead dust and debris do not leave the work site. General contractors should keep in mind that if a firm hires a subcontractor that fails to follow the work practice standards or otherwise violates the Renovation, Repair, and Painting rule, the firm that hired the subcontractor is also responsible for the violation.

Question My non-profit home repair organization performs renovations using mostly volunteers. We do some painting and scraping but we do mostly roof repair and interior work (bathrooms, kitchens, etc.). Obviously, we want to be in compliance with the law and we want our volunteers, staff and homeowners to be safe. Equally, we want to make sure that we are able to continue to offer this valuable service to our community. Is my organization's work covered by the Renovation, Repair, and Painting (RRP) Rule?

Answer (ID# 6668) The RRP rule covers renovations performed for compensation. If the organization is compensating anyone for the work (for example, a paid supervisor), then the renovation is covered by the RRP Rule. This is the case even though the organization has non-profit status.

The organization may also need to become certified as a firm. Beginning April 22, 2010, an organization that performs, offers, or claims to perform renovations covered by the RRP Rule must be certified by EPA. A non-profit organization that offers to renovate the property of a third party for compensation, or that performs the renovation, must be certified as a firm. The organization must comply with all the requirements of the rule that apply to firms performing renovations. This includes having a certified renovator direct the work and provide on-the-job training to all uncertified workers, including volunteers.

Question Is an electronic version of the lead information pamphlet sent to the customer via e-mail an acceptable means of distributing the information?

Answer (ID# 5837) The distribution of the lead information pamphlet (40 CFR § 745.83) via e-mail is an acceptable means of distributing the pamphlet as long as the requirements of the Electronic Signatures in Global and National Commerce Act ("Act") (15 U.S.C. § 7001 et seq.) are met. The Act requires that the recipient of the pamphlet, among other things, consents electronically to email delivery and in a manner that demonstrates that the recipient can access the information in the form it will be provided. In addition, the recipient must be allowed to withdraw this consent and be informed of the procedures for withdrawing consent. Further, the recipient must be provided with a statement of the hardware and software requirements for accessing and retaining the pamphlet.

Question The certified renovator is required to have proof of their certification at the work site. If the certified renovator provides on-the-job training to workers, does there need to be documentation of that training at the work site too?

Answer (ID# 6811) No. Certified renovators must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate. Certified renovators are also responsible for providing training to non-certified workers on the work practices they will be using in performing their assigned tasks. The renovation firm must keep records showing what training was provided to workers, but these records need not be available at the work site.

Question Does the minor maintenance exception mean that if I drill 1-inch holes in a painted surface to blow insulation into an enclosed wall cavity, I could drill 864 holes in the interior or 2880 holes on the exterior before I had to comply with the RRP Rule? Or does it mean that the work is covered by the RRP Rule once I insulate more than 6 square feet of interior wall area (basically 1 hole) or more than 20 square feet of exterior wall area?

Answer (ID# 6674) The exception is based on the area of paint disrupted, which in this example is based on the combined areas of the holes drilled in the wall.

Question During exterior power washing, instead of plastic, can landscaping fabric or a similar material be used to capture any paint chips or other debris, but permit the water to seep through?

Answer (ID#6936) No. For exterior renovations, before beginning the renovation the renovation firm must cover the ground with taped-down plastic sheeting or other impermeable material in the work area 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater. Landscaping fabric is not an impermeable material

Question When waste from renovations has been removed from the work area and placed in on-site storage, may the waste be stored in a covered waste container or must it all be bagged for disposal?

Answer (ID# 6939)

Properly implemented, either option can meet the requirements of the RRP Rule. At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris. Storing the waste in a covered waste container is one way to meet this requirement if the waste container prevents release of dust and debris. Containing the waste in closed trash bags can also prevent release of dust and debris. Locking the dumpster and placing it behind a locked barrier are good examples of ways to prevent access to the dust and debris.

Question

DOE provides weatherization grants to states, which in turn provide grants to non-profit sub-grantees. Must these sub-grantees be RRP-certified firms?

- The sub-grantee uses its own employees to perform all the weatherization services in the home.
- The sub-grantee uses a combination of its own employees and contractors to perform weatherization services.
- The sub-grantee has no employees that perform weatherization services, instead every service is performed by a hired contractor.

Beginning April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP Rule without certification from EPA. Sub-grantees that use their own employees to perform any or all of the weatherization services in the home, such as the sub-grantees in the first two categories, must be RRP certified firms.

Continued on next slide

As to the sub-grantee in the third category, it depends on whether the sub-grantee offers to renovate the property of a specific third party for compensation. A sub-grantee that contracts out the entire renovation job to other firms must be certified as a firm if the sub-grantee has made an offer, for example, as part of a grant proposal, to renovate the property of a specific third party for compensation, in this case the homeowner. The RRP Rule requires a sub-grantee that makes such an offer to be certified as a firm. In addition, once such an offer is accepted, for example, through issuance of the grant, the sub-grantee is obligated to perform a renovation in accordance with the terms of the grant. Even if the sub-grantee chooses to fulfill its obligation to perform the renovation by contracting out the work, the sub-grantee is performing a renovation for purposes of the RRP rule and must comply with all the requirements of the rule that apply to firms performing renovations.

If the sub-grantee's funding does not obligate it to perform specific renovations, then the sub-grantee is the purchaser of renovation services when it contract out the work, and the firm it contracts with is the offeror and must be certified.

Question Are state and local government employees who often do renovation work required to be certified?

Answer (ID# 6806) If the state or local government uses its own employees to do the work, the state or local government must be a certified firm and at least one of the employees assigned to each job must be a certified renovator. If the state or local government hires a renovation firm to perform the renovation, the state or local government does not need firm or renovator certification, but the firm the state or local government hires must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

Question My school district will be performing asbestos abatement in a kindergarten classroom that was built before 1978. Do the asbestos abatement workers also need to comply with the Renovation, Repair, and Painting (RRP) Rule?

Answer (ID# 6690) Yes, if the asbestos abatement disrupts over 6 square feet of painted surface per room in an interior, or over 20 square feet of painted surface on an exterior, or involves window replacement or demolition of painted surfaces. If so, the asbestos abatement will need to be performed by a firm certified under the RRP rule. The firm will be required to assign an RRP-certified renovator to the project, and workers will need to have been trained by a certified renovator. Of course, the asbestos abatement must be designed and conducted by persons accredited in accordance with the Model Accreditation Plan.

In addition, the asbestos abatement will need to meet the RRP Rule work practice standards as well as the standards for asbestos abatement. For each element of the job, the contractor will need to determine which standards are more stringent and comply with those standards. Typically, the asbestos abatement containment and waste handling requirements are more stringent than the RRP Rule provisions, so compliance with the asbestos requirements will also serve as compliance with the RRP requirements. However, both the asbestos air clearance and the RRP cleanup and verification requirements must be performed. Because the air clearance process is performed with the critical barriers still in place, it must be performed before RRP cleanup and verification.

Question Does the Renovation, Repair, and Painting (RRP) Rule apply to demolishing and disposing of:

" An entire pre-1978 home or building?

" An entire, non-attached free-standing structure on the same property such as a garage, shed, or gazebo?

" An attached but segregated section of pre-1978 home or building such as a sunroom, addition, two-story porch, or garage attached by a breezeway?

Answer (ID# 6697) The RRP Rule covers renovations, which are defined as modifications of existing structures or portions of structures. The rule does not apply to demolitions of an entire free-standing building or structure. The RRP Rule does apply to renovation activities that modify portions of existing structures. Waste from these activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal. If a chute is used to remove waste from the work area, it must be covered.

At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris. When the firm transports waste from renovation activities, the firm must contain the waste to prevent release of dust and debris.

Question If a building contains a child-occupied facility, must all renovations in the building follow the RRP Rule?

Answer (ID# 6680) Not necessarily. "Child-occupied facility" means a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day care centers, preschools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings.

With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age 6.

Areas of a building that fall outside this definition are not "child-occupied facilities" for purposes of the RRP rule.

Question My firm is performing a renovation in an unoccupied home that will be put up for sale when work is done. Does the RRP Rule apply to this renovation?

Answer (ID# 6832) Yes. Temporarily unoccupied or vacant housing is not exempt from the requirements of the RRP Rule.

Question If a renovation is taking place in a home built in 1950, but in an addition that was built in 1980, does the RRP Rule apply to the renovation?

Answer (ID# 6871) Yes, unless you have determined that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter (mg/cm²) or 0.5% by weight. This determination must be made either by a certified inspector or risk assessor, or by a certified renovator using an EPA recognized test kit. You must keep records of any lead-based paint free determination and make the records available to EPA if requested.

Question What type of container is adequate for on-site storage of debris? Must the container be covered and locked? Must it be placed behind a locked barrier?

Answer (ID# 6819) At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris. Using a covered container is one way to prevent release of dust and debris. Locking the container and placing it behind a locked barrier are good examples of ways to prevent access to the dust and debris

Question If I rent out apartments built before 1978, in order to comply with the Renovation, Repair, and Painting (RRP) Rule, do I need to get firm and renovator certification if I do my own work on it? What if I hire a renovation firm to do the work?

Answer (ID# 6703) With respect to landlords, EPA believes that there are two circumstances where work being done in pre-1978 apartment is for compensation such that the landlord must be a certified firm and use (or be) a certified renovator. First, if the landlord does the renovation him or herself, then the landlord must have firm and renovator certification. Second if an employee of the landlord does the renovation work, then the landlord must have firm certification and the employee must be a certified renovator.

However, if the landlord hires a renovation firm to perform the renovation, the landlord does not need firm or renovator certification, but the firm hired by the landlord must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

Question Must maintenance workers at kindergartens and elementary schools become certified renovators if they perform renovations covered by the Renovation, Repair, and Painting Rule in the portions of the school that are child-occupied facilities? Are the schools or school systems then required to become certified renovation firms?

Answer (ID# 6814) On or after April 22, 2010, all renovations covered by the RRP Rule must be directed by certified renovators and must be performed by certified renovators or individuals trained by a certified renovator. The RRP rule requires any firm, including a local government agency, that performs, offers, or claims to perform renovations to be certified by EPA.

Question How will the RRP Rule affect the work of non-profit or not-for-profit groups? Will the rule apply, for example, to church groups who, as part of their missionary work, are making improvements for low-income residents?

Answer (ID# 6669) The RRP Rule applies to renovations performed for compensation. Compensation includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space. Donations, including donations of materials or of the time of volunteers, are not compensation. If the organization is compensating anyone for the work (for example, a paid supervisor), then the renovation is covered by the RRP Rule. This is the case even though the organization has non-profit or not-for-profit status.

The organization may also need to become certified as a firm. Beginning April 22, 2010, an organization that performs, offers, or claims to perform renovations covered by the RRP Rule must be certified by EPA. A non-profit organization that offers to renovate the property of a third party for compensation, or that performs the renovation, must be certified as a firm. The organization must comply with all the requirements of the rule that apply to firms performing renovations. This includes having a certified renovator direct the work and provide on-the-job training to all uncertified workers, including volunteers.

Question If a company has several legal entities, does each entity have to become a certified firm?

Answer (ID# 7016) Yes, if the corporate structure is such that the parent company is not liable for actions of the separate legal entities.

www.epa.gov/lead/new.htm

www.epa.gov/lead/pubs/renovation.htm

www.epa.gov/lead/pubs/firmapp.pdf

EPA Region 5 Enforcement

morris.julie@epa.gov

312-886-0863