



National Association of Home Builders

## What Remodelers Need to Know About the EPA's Lead Paint Rule

The U.S. Environmental Protection Agency's Lead: Renovation, Repair and Painting rule governing the work of professional remodelers in homes where there is lead-based paint was published in the Federal Register on Earth Day, April 22. The rule will take effect in April 2010.

The rule addresses remodeling and renovation projects disturbing more than six square feet of potentially contaminated painted surfaces for all residential and multifamily structures built prior to 1978 that are inhabited or frequented by pregnant women and children under the age of six.

It requires a cleaning inspection after the work is completed and grants the remodeler flexibility in determining the size of the work area, which can reduce the size of the area subject to containment.

The EPA rule also lists prohibited work practices — including open-torch burning and using high-heat guns and high-speed equipment such as grinders and sanders unless equipped with a HEPA filter.

Additionally, the rule establishes required lead-safe work practices, including posting warning signs for occupants and visitors; using disposable plastic drop cloths; cleaning the work area with HEPA vacuuming and wet washing; and individual certification through a training course.

The full rule and brochures for consumers and renovators can be downloaded from the EPA's Web site.

A 2006 NAHB study on lead-safe work practices showed that a home was better off after a remodel than before, as long as the work was performed by trained remodelers who clean the work area with HEPA-equipped vacuums, wet washing and disposable drop cloths.

### ***Summary of the Rule***

Review the points below for a quick summary of the new EPA lead paint rule.

#### 1. Training and Certification

Beginning in April 2010, firms working in pre-1978 homes will need to be certified. Along with the firm certification, an employee will also need to be certified as a Certified Renovator. This employee will be responsible for training other employees and overseeing work practices and cleaning. The training curriculum is an eight-hour class with two hours of hands-on training. Both the firm and Certified Renovator certifications are valid for five years. A Certified Renovator must take a four-hour refresher course to be recertified.

#### 2. Work Practices

Once work starts on a pre-1978 renovation, the Certified Renovator has a number of responsibilities. Before the work starts this person will post warning signs outside the work area and supervise setting up

containment to prevent spreading dust. The rule lists specific containment procedures for both interior and exterior projects. It forbids certain work practices including open flame or torch burning, use of a heat gun that exceeds 1100°F, and high-speed sanding and grinding unless the tool is equipped with a HEPA exhaust control. Once the work is completed, the regulation specifies cleaning and waste disposal procedures. Clean up procedures must be supervised by a certified renovator.

### 3. Verification and Record Keeping

After clean up is complete the certified renovator must verify the cleaning by matching a cleaning cloth with an EPA verification card. If the cloth appears dirtier or darker than the card the cleaning must be repeated.

A complete file of records on the project must be kept by the certified renovator for three years. These records include, but aren't limited to: verification of owner/occupant receipt of the *Renovate Right* pamphlet or attempt to inform, documentation of work practices, Certified Renovator certification, and proof of worker training. NAHB believes that record keeping will be a major enforcement tool for the regulation.

### 4. Exemptions

It is important to note that these work practices may be waived under these conditions:

- The home or child occupied facility was built after 1978.
- The repairs are minor, with interior work disturbing less than six square feet or exteriors disturbing less than 20 square feet being exempt.
- The homeowner may also opt out by signing a waiver if there are no children under age six frequently visiting the property, no one in the home is pregnant, or the property is not a child-occupied facility. EPA has proposed removing this opt-out from the rule.
- If the house or components test lead free by a Certified Risk Assessor, Lead Inspector or Certified Renovator

### **Important Deadlines**

December 2008:

Remodelers must start distributing the new EPA pamphlet *Renovate Right* when working in pre-1978 houses.

April 2009:

Training providers may begin applying for accreditation. Once training providers are accredited, they may offer training courses that will allow renovators to become certified.

October 2009:

Renovation firms may begin applying to EPA for certification.

April 2010:

New rule becomes fully effective. Work practices must be followed.

For more information about this item, please contact Therese Crahan at 800-368-5242 x8211 or via e-mail at [tcrahan@nahb.org](mailto:tcrahan@nahb.org).