



New EPA Renovation, Repair, and Painting Rule is law

Common renovation activities can create hazardous lead dust and chips which are harmful to adults and children. To protect against this risk, new EPA regulations and other actions are now the law.

Contractors or other Small Entities must be certified prior to April 22, 2010 when performing renovation activities in pre-1978 homes or facilities. An eight-hour training course from an accredited training provider is mandatory and should be available on or before October 22, 2009. See the link below to read the complete Small Entity Compliance Guide.

To apply for certification, a firm must submit to the EPA a completed "Application for Firms," form and pay an application fee.

To obtain a copy of the form, "Application for Firms", contact the NLIC at 1-800-424-LEAD (5323).

The new rule applies to:

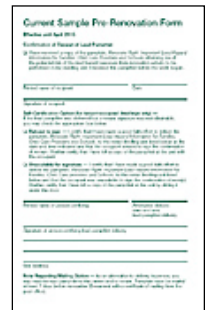
- Residential rental property owners/managers
- General contractors
- Special trade contractors, including
 - Painters
 - Plumbers
 - Carpenters
 - Electricians



New requirements, procedures and lead safe work practices*

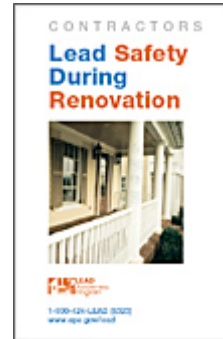
Pre-renovation notification

- Renovations must be performed by certified firms using certified renovators.
- Firms must distribute Renovate Right pamphlet and obtain a signed form confirming receipt of the Renovate Right pamphlet by the owner or tenant. Signs must be posted clearly defining the work area, warning occupants and other persons not involved in renovation activities to remain outside of the work area. These signs should be in the language of the occupants.
- Records must be retained for three years.



Acceptable lead-safe work practices

- Prior to the renovation, the firm must contain the work area so that no dust or debris leaves the work area while the renovation is being performed.
- Remove all objects from the work area or cover them with plastic sheeting- all seams and edges sealed.
- Close and cover all ducts opening into the work area with taped-down plastic sheeting.
- Close windows and doors in the work area. Doors must be covered with plastic sheeting.
- Cover the floor surface with taped-down plastic sheeting in the work area at least six feet beyond the perimeter of surfaces being renovated or a sufficient distance to contain the dust, whichever is greater.
- Use precautions to ensure that all personnel, tools, and other items, including the exteriors of containers of waste, are free of dust and debris when leaving the work area.



Prohibited work practices

- Open-flame burning or torching of lead-based paint;
- Use of machines that remove lead-based paint through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, unless such machines are used with HEPA exhaust control; and
- Operating a heat gun on lead-based paint at temperatures of 1100 degrees Fahrenheit or higher.

Lead safe waste disposal

- Waste from renovations must be contained to prevent releases of dust and debris before it is removed from the work area for storage or disposal.
- At the conclusion of *each* work day *and* at the conclusion of the renovation, waste from renovation activities must be stored to prevent access to and the release of dust and debris.
- Waste transported from renovation activities must be contained to prevent release of dust and debris.
- After the renovation has been completed, the firm must clean the work area until no dust, debris or residue remains including:
 1. Collect all paint chips and debris, and seal it in a heavy-duty bag.
 2. Remove and dispose of protective sheeting as waste.

3. Clean all objects and surfaces in the work area and within two feet of the work area in the following manner:
 - a. Clean walls starting at the ceiling and working down to the floor by either vacuuming with a HEPA vacuum or wiping with a damp cloth.
 - b. Thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum.
 - c. Wipe all remaining surfaces and objects in the work area, except for carpeted or upholstered surfaces, with a damp cloth. Mop uncarpeted floors thoroughly using a mopping method that keeps the wash water separate from the rinse water, or using a wet mopping system.
-

Interior cleaning verification

Cleaning verification is required prior to re-occupancy. Note: For areas greater than 40 square feet, separate the area into sections for cleaning and use a new disposable cleaning cloth for each section.

- Certified renovator must perform a visual inspection. If dust is present, the area must be re-cleaned and another visual inspection must be performed.
 - Next, does the contract, or another federal, state, territorial, tribal, or local regulation, require clearance testing at the conclusion of the renovation? If yes, are the dust clearance samples required to be collected by a certified inspector, risk assessor or dust sampling technician, and is the renovation firm required to re-clean the work area until the dust clearance sample results are below applicable clearance standards? If yes, when you meet the applicable clearance standards, you're finished. If no, see the next step.
 - Certified renovator must wipe all uncarpeted floors, countertops, and windowsills within the work area with a wet disposable cleaning cloth. Is the used cloth lighter or darker than the cleaning verification card? If darker, re-clean the areas that failed using the previously mentioned procedures, then use a new wet disposable cleaning cloth to wipe those areas again. Is the cloth used for any area darker than the cleaning verification card? If no, you are finished. If it is darker, see next step.
 - Wait until either the area has dried completely or 1 hour has passed, whichever is longer. Once dry, wipe that area with a dry disposable cleaning cloth.
 - The work area has been adequately cleaned and warning signs may be removed.
-

Work practice requirements for exterior renovations

- Close all doors and windows within 20 feet of the renovation.
- Ensure that all doors that provide access to the work area are covered with plastic sheeting in a manner that allows workers to pass through while confining dust and debris.

- Cover the ground with plastic sheeting or other disposable impermeable material extending a minimum of 10 feet beyond the perimeter or a sufficient distance to collect falling paint debris, whichever is greater.
- In situations where work areas are in close proximity to other buildings, windy conditions, etc., the renovation firm must take extra precautions such as vertical containment.
- After the renovation has been completed, the firm must clean the work area until no dust, debris or residue remains.

The firm must:

1. Collect all paint chips and debris, and seal it in a heavy-duty bag.
2. Remove and dispose of protective sheeting as waste.
3. Waste transported from renovation activities must be contained to prevent release of dust and debris.

General: exterior cleaning verification

- A certified renovator must perform a visual inspection. Is dust, debris or residue present? If no, the area has been adequately cleaned; remove the warning signs and you're finished.
- If yes, these conditions must be eliminated and another visual inspection must be performed.
- Repeat until clean.

Enforcement and penalties for non-compliance

- The EPA enforcement strategy for this program is still under development, however, where both Federal and State rules exist, the more stringent requirement would apply.
- While the enforcement strategy is still evolving, violators could be subject to penalties under the Toxic Substance Control Act (TSCA). The maximum penalty allowed by under Toxic Substances Control Act is \$32,500 per violation per day.



Contact EPA for additional information

For general information contact the [National Lead Information Center](#) or call 1-800-424-LEAD.

Information is also available at www.epa.gov/lead.