



## New EPA Rule May Impact Remodelers

Beginning on April 22, 2010, property owners, managers and contractors performing renovation, repair and painting activities that will disturb lead-based paint in pre-1978 housing or a child occupied facility must be certified and follow the lead-safe work practices required by EPA's Lead, Renovation, Repair and Painting Program. To become certified, there must be a "application for firm certification" and payment of a fee to the EPA. Applications are now being processed. An application must be approved or disapproved within 90 days after the EPA receives a complete application. There is the potential of \$37,500-a-day fines for violations.

Needless to say, there could be an additional cost for owners who use uncertified (and possibly unqualified and uninsured) contractors.

Having a property manager or contractor complete the necessary training for certification prior to the April 22, 2010 deadline may be a challenge because of the lack of EPA Certified trainers.

The EPA regulations require the following:

1. Before starting work, you are required to hand out the new EPA lead paint brochure, "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and School." (You should have been doing this since December 2008).
2. Your company must be certified by the EPA.
3. At least one person with your firm must take an EPA-approved eight-hour course in lead-safe renovation practices.
4. You need to follow the EPA's lead-safe work practices, including posting warning signs for occupants and proper cleaning and isolation of the work area. There are other requirements.
5. You need to keep records for three years that show you followed the regulations, including proof of delivery of the "Renovate Right" pamphlet, documentation of work practices and proof of training and certification.

States are also allowed to take over administration of the program, as long as their requirements are at least as strict as the EPA's. Several states are in the planning process.

Please call me if you have any questions or if you would like to discuss this further.

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