

# New Lead-based Paint Certification

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Many buildings containing lead-based paint are being renovated, and the mere act of renovation poses serious health threats to young children and pregnant women. In 2008, the Environmental Protection Agency issued a new rule under the Toxic Substances Control Act regarding "lead-based paint hazards created by renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities." The rule, which has an effective date of April 2010, directly affects general and specialty contractors by requiring them to be certified if they are performing work on a targeted facility and to provide warnings to let people know of the hazards.

## What projects are covered?

The rule generally applies to renovation of any housing constructed prior to 1978 and any public or commercial facility constructed prior to 1978 where children are present on a regular basis, such as a day care center or school. Exemptions include minor repair or maintenance work involving an area no larger than 6 sq. ft. of interior painted surface (20 sq. ft. for exterior), renovations by an owner to their own residence or a certification that the work area is free of lead-based paint (as determined using an EPA recognized test kit). Some housing may also be exempt if it is shown that no child under the age of 6 or pregnant woman resides or regularly visits there.

## Who does the rule apply to?

Not only does the rule affect general contractors, but it also applies to any specialty contractor that in the course of their work may disturb a surface that could have lead-based paint. This would include plumbing, painting, HVAC, electrical, finish carpentry, drywall, insulation, siding, tile, glass and glazing, as well as others. (It would be advisable for general contractors to verify compliance by their subcontractors by obtaining a copy of their certification.)

## What is the contractor required to do?

The rule requires that anyone doing renovation on targeted facilities obtain certification that evidences they are trained in the use of lead safe work practices and that they will follow specific work practices when performing the renovation. What this means to you is: (a) your company must receive certification, (b) a certified renovator must be assigned to each renovation of a covered facility; (c) all persons performing work on the project must receive on-the-job training by a certified renovator; (d) all renovations must be performed in accordance with the EPA work practice standards related to lead-based paint; (e) you must provide the owner and occupants of the property with an EPA pamphlet advising them of the lead hazards associated with renovation and obtain a signed certificate of receipt; and (f) you must keep records of compliance on all projects.

## How and when does a contractor get certified?

Training programs will be approved by the EPA and will be available to contractors as early as April 2009. You can apply for certification as early as October 2009 and you MUST be certified by April 2010. After that date, you can't perform renovations to a targeted project unless you are certified or an exemption applies. Certifications must be renewed every five years.

## Enforcement and liability

It is unclear exactly how enforcement will take place. Suffice it to say that if a property owner is injured as a result of lead-based paint exposure during or after a renovation, your certification and paperwork better be in order. And you may be liable for personal injuries if you fail to perform the work in compliance with the EPA standards. It may also be advisable to modify your home improvement contracts to include information regarding lead hazards and a limitation on your liability.

## More information

For more information you can visit the EPA website at <http://www.epa.gov/lead/pubs/leadinfo.htm#remodeling>. Here you will find a prerenovation disclosure form and a sample record-keeping checklist which will help you with compliance. You can also view the rule details in the Federal Register at <http://www.epa.gov/fedrgstr/EPA-TOX/2008/April/Day-22/t8141.pdf> which has detailed information regarding the requirements and exemptions.



# NEWS

R E L E A S E

Illinois Department of Public Health

**FOR IMMEDIATE RELEASE**  
January 30, 2010

**CONTACT: Melaney Arnold**  
Communications Manager  
(217) 558-0500  
[www.idph.state.il.us](http://www.idph.state.il.us)

## **New Lead Law Going Into Effect**

*State Public Health Department holds informational meetings on new Renovation, Repair and Painting lead law*

**SPRINGFIELD** – The Illinois Department of Public Health Lead Program is holding 16 meetings around the state to inform the public about the U.S. Environmental Protection Agency's new Renovation, Repair and Painting lead law that goes into effect April 22, 2010.

The new law requires contractors, property managers and others paid to replace windows or renovate residential houses, apartments and child-occupied facilities built before 1978 to be certified by the U.S. Environmental Protection Agency (EPA). This new law is intended to protect children from leaded dust that may result from disturbing lead-based paint.

Common activities like sanding, cutting and demolition can create lead hazards that can be harmful to children and adults. In 2008, more than 5,000 Illinois children had elevated blood lead levels. This new federal law has the potential to significantly decrease childhood lead poisoning.

There is no safe level of lead in the body. Lead poisoning can cause health problems including decreased I.Q., learning disabilities, kidney disease, high blood pressure, miscarriage, and birth defects.

For more information about the meetings, contact the Illinois Lead Program at 217-782-3517.

### **Aurora Meeting**

Tuesday, March 23, 2010

9 a.m. - 12 p.m.

(8:30 a.m. Continental breakfast)

Aurora Holiday Inn

2424 W. Sullivan Road

Aurora, IL 60506

-more-

*New Lead Law Going Into Effect – The RRP Rule*

Beginning April 22, 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child-care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. This will be the requirement under the new Renovation, Repair and Painting (RRP) rule issued by the United States Environmental Protection Agency (USEPA), aimed at preventing lead poisoning among children and adults.

As a homeowner hiring a contractor, a tenant or a parent or guardian of children in a child-care facility or school, be sure that your contractor is RRP certified before a renovation job is performed in your home, or in the child-care facility or school that your child attends. Know your rights!

For more information about the RRP rule, contact the Cook County Department of Public Health at 708-492-2076 or log onto <http://www.epa.gov/lead/pubs/renovation.htm>.

## ILLINOIS-COMPLIANT RRP TRAINING COURSE PROVIDERS

Public Health and Safety, Inc.

Contact Person: Nicholas Peneff

37 South Ashland

Chicago, IL 60607

Phone: (312)-421-7397

- RRP INITIAL
- RRP REFRESHER

Occupational Training and Supply, Inc.

Contact Person: Kathy Nicholson

7233 Adams Street

Willowbrook, IL 60527

Phone: 6306553900

- RRP INITIAL
- RRP REFRESHER

## CONNOR

Contact Person: Patrick T. Connor

1421 Clarkview Road, Suite 100

Baltimore, MD 21209

Phone: (800)-296-7971

- RRP INITIAL
- RRP REFRESHER

Westside Environmental Plan of Action Committee (WEPAC)

Contact Person: D. DOC McCLELLON

1810 N. Sheridan Rd.

Peoria, IL 61604

Phone: 3094720452

- RRP INITIAL
- RRP REFRESHER

January 29, 2010

## ILLINOIS-COMPLIANT RRP TRAINING COURSE PROVIDERS

Success Enterprise and Environmental Services

Contact Person: Joseph Fehler

2808 S. Mill Iron Rd.

Muskegon, MI 49444

Phone: 2317773538

- RRP INITIAL
- RRP REFRESHER

National Center for Healthy Housing

Contact Person: Nicholas Peneff

37 S. Ashland Ave.

Chicago, IL 60607

Phone: 3124217397

- RRP INITIAL
- RRP REFRESHER

Safe Objectives, Inc.

Contact Person: Teresa Holbert

2510 Weston Rd.

Colorado Springs, CO 80910

Phone: 7193917233

- RRP INITIAL

Titan Environmental Services, Inc.

Contact Person: Kyle Gunion

3130 Terrace St.

Kansas City, MO 64111

Phone: 8169604675

- RRP INITIAL
- RRP REFRESHER

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ILLINOIS-COMPLIANT RRP TRAINING COURSE PROVIDERS

Ideal Environmental Engineering, Inc.

Contact Person: Ann Skeate

2904 Tractor Ln.

Bloomington, IL 61704

Phone: 3098284259

- RRP INITIAL
- RRP REFRESHER

MYLEADTRAINING.COM, LLC

Contact Person: MONICA STARKS

17800 WOODWARD AVENUE, SUITE #200

DETROIT, MI 48203

Phone: 3132790449

- RRP INITIAL
- RRP REFRESHER

January 29, 2010