

Lead Based-Paint Activities Rule VS EPA's New RRP Rule

“Intent” Defines the Project

By
Deborah J. Brandt
Brandt Instruments, Inc.

Focus: Intent of Project

Lead Activities Rules

- Work specifically directed toward reduction and/or elimination of lead-based paint hazards.
- Regulate inspections, risk assessments, project design and lead abatement work

RRP Rule

- Regulates renovation, repair, & painting activities where existing LBP may be disturbed incidental to the primary purpose of the project.

Where?

- Pre-1978 housing
- Child-occupied facilities
- Anywhere in the US

LBP Activities Rule

Adopted by Most States
Mid 1990's

Paint Testing

- Approved Paint Testing
 - XRF
 - Paint Chips
- Performed only by Certified Inspectors or Risk Assessors



Paint Testing

- Not Approved
 - Wet Chemical Test Kits



Cleaning

- Clean with HEPA vacuum & wet mopping
- Very - very clean...
- Must meet stringent EPA/HUD criteria to pass



Abatement Project Clearance

■ Clearance

- Only Performed By Certified
 - Inspectors or
 - Risk Assessors

■ Defined Protocol

- Measured Area
- Wipes sent to certified laboratories for analysis
- Results compared to HUD/EPA threshold levels



Renovation, Repair & Repainting (RRP) Rule

Renovations

- Disturb Paint
 - Interior ≥ 6 sq' ft ,
 - exterior ≥ 20 sq'
- Follow safe work practices
- Verify cleanup with new kit



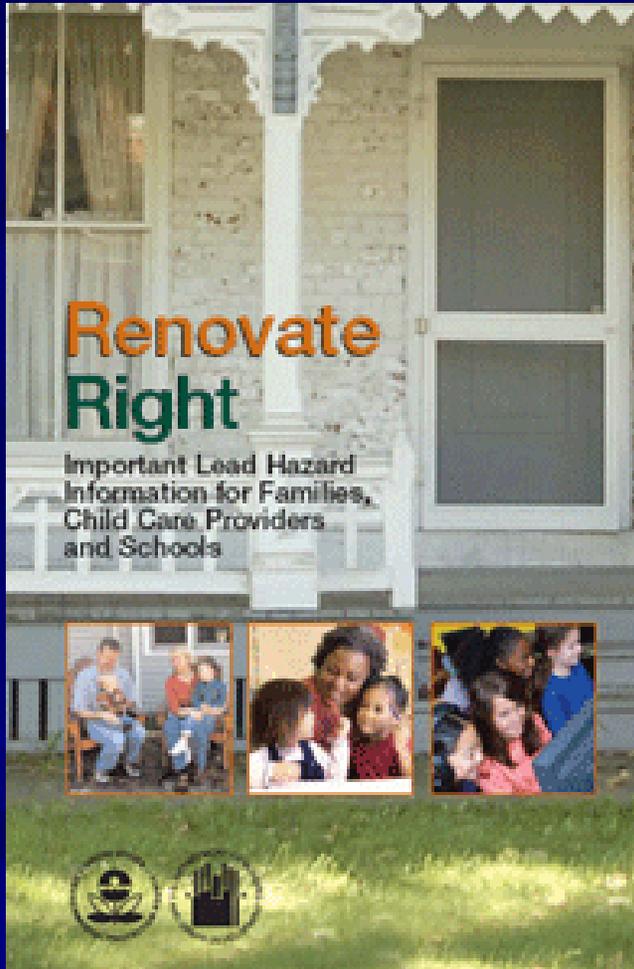
Exterior 20 sq ft

RRP Rule

■ Effective Dates:

- Dec 2008, provide EPA pamphlet *Renovate Right*
- Oct 2009: Firms can apply for certification
- April 2010: All renovation firms must be certified
- Extended deadline to December 31, 2010
 - Sign up for a training class by December 31, 2010, no deadline for completion.
 - Must comply with all other RRP requirements in interim.

RRP Rule



- Provide EPA pamphlet to owner, residents, school children's parents or guardians

- Work in common area
 - Distribute notices to tenants/parents or guardians or post signs

- After April 2010
 - Firms Certified
 - Employees Trained
 - Follow "lead safe practices"

New Renovate Right Brochure



- April 2010 EPA released a new version of the handout brochure
- **Exemptions Rescinded**
 - Owners residence
 - No children or pregnant women reside there

EPA APPROVED RRP PAINT TEST KITS

- LeadCheck® Swabs
- State of MA Kit
- D-Lead Kit - New



D-Lead Paint Testing Kit

Approved by EPA for RRP - August 31, 2010

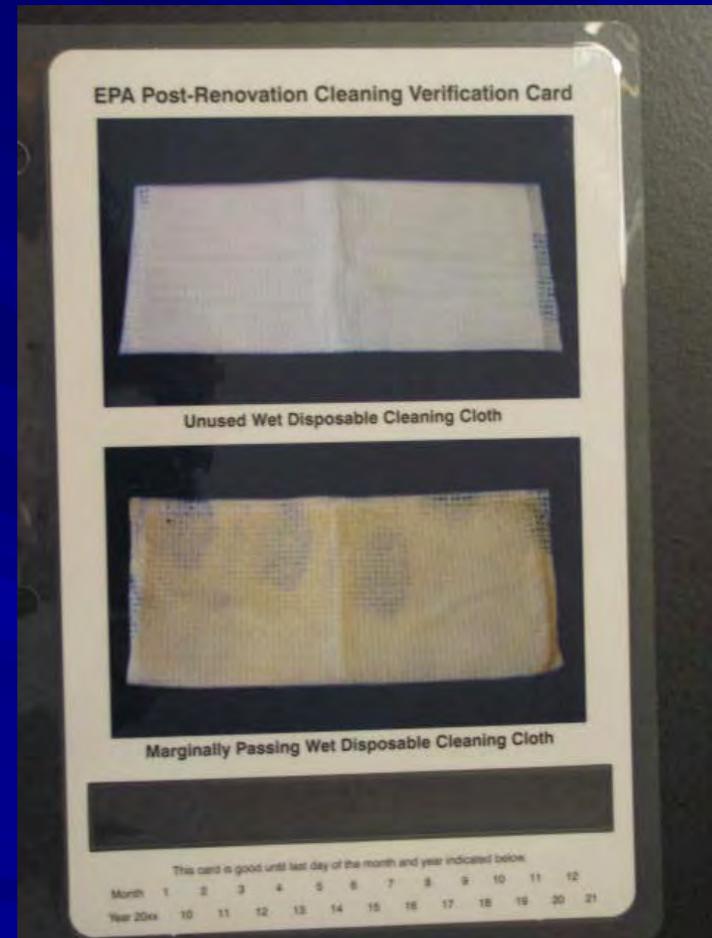


Cleaning

- Pass self-administered visual inspection after cleaning
 - Clean using wet methods
 - Use HEPA vacuum

Post-Renovation Cleaning Verification

- Conducted by Renovator or Dust Sampling Technician
- *Swiffer* wet wipes are currently the only ones approved
- The “Swiffer” cloth is compared to the pictures on the laminated ***Cleaning Verification Card***
- Done on honor system with no documentation



Project Record Keeping

- Provide client
 - Pamphlet prior to work
 - Paint testing results within 30 days of job
 - Sign off by client for work performed

- Keep records for 3 years
 - “End of Renovation” report

- Records are not the same as documentation

RRP Non-Compliance Fines



- \$37,500 per day fine for non-compliance
- \$37,500 per day criminal fine
- Total: \$75,000 per day

EPA RRP State Programs

- 11 states - authorized to administer/enforce RRP
 - MS received EPA authorization - April 9, 2010
 - Adds: Dust Sampling Technician
 - AL adopted the rule effective November 16, 2010
 - Adds: Dust Sampling Technician
- LA, TX, and OK are under EPA administration