

Members,

This will affect your business! On April 22, a new rule, the Renovation, Repair and Painting rule, will affect the way you retrofit or fix a customers fireplace. If you plan on making any changes which include making a 6 sq foot hole in the customer location, you will be affected.

Here is a quick Q&A that gives a basic overview:

What does the Renovation, Repair, and Painting (RRP) Rule require?

The RRP Rule requires that renovators are trained in the use of lead safe work practices, that renovators and firms be certified, that providers of renovation training be accredited, and that renovators follow specific work practice standards. Additional information on this Rule can be found at <http://www.epa.gov/lead/pubs/renovation.htm>.

Who is covered by the new Renovation, Repair, and Painting (RRP) Rule?

The Rule applies to all firms and individuals who are paid to perform renovation, repair, and painting projects that disturb paint in pre-1978 housing and child-occupied facilities. This includes home improvement contractors, maintenance workers, painters and other specialty trades such as our industry.

If a renovator removes less than 6 square feet of crown molding, is that considered demolition? Does it matter whether the molding will be discarded, replaced with new molding, or reinstalled?

It depends on how the molding is removed. If a renovation activity removes or otherwise disrupts a painted component in a way that destroys or ruins the component, the activity is a demolition.

How much will it cost contractors to comply with the Renovation, Repair, and Painting (RRP) Rule?

Information collected by EPA for the purposes of the rulemaking indicates that many contractors already follow some of the work practices required by the rule, such as using disposable plastic sheeting to cover floors and objects in the work area. These estimates do not include the costs of those practices.

EPA estimates that the costs of containment, cleaning, and cleaning verification will range from \$8 to \$167 per job, with the exception of those exterior jobs where vertical containment would be required.

In addition to work practice costs, your costs will include training fees,

certification fees, equipment costs, and labor costs. The costs include:

- Training costs to individual renovators working in pre-1978 housing or child-occupied facilities who must take a course from an accredited training provider (cost is set by the training provider; estimated to be about \$200 for a 5-year certification).
- Certification costs to firms to obtain certification from EPA (\$300 fee to the U.S. Treasury for a 5-year certification. This fee is required by law to cover program administration).
- Costs of equipment (for example, plastic sheeting, tape, HEPA vacuums and tool shrouds - the equipment varies by job).
- Costs of labor (for example, the time required to perform cleaning and cleaning verification).

<http://www.epa.gov/lead/pubs/toolkits.htm> This link will take you to the page where you can find information about getting certified.

My firm acts as a general contractor - we subcontract the entire renovation job to other companies rather than using our own employees. Does my firm need to be a certified firm under the Renovation, Repair, and Painting (RRP) Rule?

Yes. Beginning April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP Rule without certification from EPA. A general contractor that subcontracts the entire renovation job to other firms must be certified as a firm for two reasons. First, the contractual agreement between the general contractor and the subcontractor is based on the general contractor's offer to renovate the property of a third party for compensation. The RRP Rule requires a contractor that makes such an offer to be certified as a firm. Second, once the offer is accepted, the general contractor is obligated to perform a renovation in accordance with the terms of the contract, whether written or oral. Even if the general contractor chooses to fulfill its obligation to perform the renovation by hiring subcontractors, the general contractor is performing a renovation for purposes of the RRP rule and must comply with all the requirements of the rule that apply to firms performing renovations.

What is a renovation?

The RRP Rule covers activities that modify an existing structure and that result in the disturbance of painted surfaces. All types of repair, remodeling, maintenance, modernization, and weatherization projects are covered, including projects performed as part of another Federal, State, or local program, if the projects meet the definition of "renovation". The term "renovation" includes (but is not limited to):

- Removing, modifying or repairing painted surfaces or painted components.

Examples include modifying painted doors, surface restoration, window repair, and surface preparation activity like sanding and scraping that may generate paint dust.

- Removing building components such as walls, ceilings, plumbing, or windows.
- Weatherization projects such as cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, or planning thresholds to install weather-stripping.
- Interim controls that disturb painted surfaces.

The RRP Program rule only applies to persons who perform renovations for compensation.

What is the purpose of the Renovation, Repair, and Painting (RRP) Rule?

The purpose of the Renovation, Repair, and Painting (RRP) Rule is to minimize exposure from lead-based paint dust during renovation, repair, or painting activities. This is a key effort in reducing the prevalence of childhood lead poisoning, particularly lead poisoning caused by housing contaminated by renovation activities. This will also minimize exposure to older children and adults who are also adversely impacted by lead-based paint dust exposure. Lead paint was used in more than 38 million homes prior to its ban for residential use in 1978. This paint can form toxic dust when it is disturbed during normal home repair work. EPA's Renovation, Repair and Painting (RRP) program is designed to reduce lead contamination by training contractors in relatively simple lead-safe work practices, and certifying contractors to make sure that they follow lead-safe work practices. We also want consumers to choose firms that are certified. Given that lead poisoning can cause a wide range of physical, intellectual, emotional, and behavioral issues with societal and financial impacts, this program is prevention-based, cost-effective, and a long-term bargain.

Please call the affiliate office with any questions...or visit the EPA site listed in the first answer.