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Environmental  
Protection Agency  
Office of Pollution Prevention and Toxics

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# Small Entity Compliance Guide to Renovate Right EPA's Lead-Based Paint Renovation, Repair, and Painting Program

A handbook for contractors,  
property managers and  
maintenance personnel  
working in homes, child  
care facilities and schools  
built before 1978



## Who Should Read this Handbook?

- Anyone who owns or manages housing or child-occupied facilities built before 1978.
- Contractors who perform activities that disturb painted surfaces in homes and child-occupied facilities built before 1978 (including certain repairs and maintenance, and painting preparation activities).

## About this Handbook

This handbook summarizes requirements of EPA's Lead-Based Paint Renovation, Repair and Painting Program Rule, aimed at protecting against lead-based paint hazards associated with renovation, repair and painting activities. The rule requires workers to be trained to use lead-safe work practices and requires renovation firms to be EPA-certified; these requirements will become effective April 22, 2010.

To ensure compliance, you should also read the complete rule on which the program is based. While EPA has summarized the provisions of the rule in this guide, the legal requirements that apply to renovation work are governed by EPA's 2008 Lead Rule. A copy of the rule is available on EPA's website at [www.epa.gov/lead/pubs/renovation](http://www.epa.gov/lead/pubs/renovation).

A companion pamphlet, entitled *Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools* (EPA-740-F-08-002), has been prepared in conjunction with the rule for distribution to persons affected by work that disturbs lead-based paint. (See page 17 for information on how to get copies of the rule, the *Renovate Right* pamphlet, and other related materials).

Other state or local requirements that are different from or more stringent than the federal requirements may apply in your state. For example, federal law allows EPA to authorize states to administer their own program in lieu of the federal lead program. Even in states without an authorized lead program, a state may promulgate its own rules that may be different or go beyond the federal requirements. For more information on the rules that apply in your state, please contact the National Lead Information Center at 1-800-424-LEAD (5323).

Your feedback is important. Please review this guide and contact the National Lead Information Center at 1-800-424-LEAD (5323) with any comments regarding its usefulness and readability, and improvements you think are needed.

This document is published by the Environmental Protection Agency (EPA) as the official compliance guide for small entities, as required by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). Before you begin using the guide, you should know that the information in this guide was compiled and published in June 2008. EPA is continually improving and upgrading its rules, policies, compliance programs, and outreach efforts. To find out if EPA has revised or supplemented the information in this guide call the National Lead Information Center at 1-800-424-LEAD (5323).

## What Is the Lead-Based Paint Renovation, Repair and Painting Program (RRP)?

- The Lead-Based Paint Renovation, Repair and Painting Program is a federal regulatory program affecting contractors, property managers, and others who disturb painted surfaces.
- It applies to residential houses, apartments, and child-occupied facilities such as schools and day-care centers built before 1978.
- It includes pre-renovation education requirements as well as training, certification, and work practice requirements.
  - Pre-renovation education requirements are effective now:
    - Contractors, property managers, and others who perform renovations for compensation in residential houses, apartments, and child-occupied facilities built before 1978 are required to distribute a lead pamphlet before starting renovation work.
  - Training, certification, and work practice requirements become effective April 22, 2010:
    - Firms are required to be certified, their employees must be trained in use of lead-safe work practices, and lead-safe work practices that minimize occupants' exposure to lead hazards must be followed.
- Renovation is broadly defined as any activity that disturbs painted surfaces and includes most repair, remodeling, and maintenance activities, including window replacement.
- The program includes requirements implementing both Section 402(c) and 406(b) of the Toxic Substances Control Act (TSCA). ([www.epa.gov/lead/pubs/titleten.html](http://www.epa.gov/lead/pubs/titleten.html))
- EPA's lead regulations can be found at 40 CFR Part 745, Subpart E.

## How Can this Handbook Help Me?

- Understanding the lead program's requirements can help you protect your customers from the hazards of lead and can, therefore, mean more business for you.
- This handbook presents simple steps to follow to comply with the EPA's lead program. It also lists ways these steps can be easily incorporated into your work.
- Distributing the lead pamphlet and incorporating required work practices into your job site will help protect your customers and occupants from the hazards of lead-based paint.

## Who Must Follow the 2008 Lead Rule's Requirements?

In general, anyone who is paid to perform work that disturbs paint in housing and child-occupied facilities built before 1978, this may include, but is not limited to:

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



## What Activities Are Subject to the Lead Renovation, Repair and Painting Program?

In general, any activity that disturbs paint in pre-1978 housing and child-occupied facilities, including:

- Remodeling and repair/maintenance
- Electrical work
- Plumbing
- Painting
- Carpentry
- Window replacement



## What Housing or Activities Are Excluded and Not Subject to the Rule?

- Housing built in 1978 or later.
- Housing for elderly or disabled persons, unless children under 6 reside or are expected to reside there.
- Zero-bedroom dwellings (studio apartments, dormitories, etc.).
- Housing or components declared lead-free by a certified inspector or risk assessor.
- Minor repair and maintenance activities that disturb 6 square feet or less of paint per room inside, or 20 square feet or less on the exterior of a home or building.
- Note: minor repair and maintenance activities do not include window replacement and projects involving demolition or prohibited practices.



## What Does the Program Require Me To Do?

### Pre-renovation education requirements - Effective now.

- In housing, you must:
  - Distribute EPA's lead pamphlet to the owner and occupants before renovation starts.
- In a child-occupied facility, you must:
  - Distribute the lead pamphlet to the owner of the building or an adult representative of the child-occupied facility before the renovation starts.
- For work in common areas of multi-family housing or child-occupied facilities, you must:
  - Distribute renovation notices to tenants or parents/guardians of the children attending the child-occupied facility. Or you must post informational signs about the renovation or repair job.
- Informational signs must:
  - Be posted where they will be seen;
  - Describe the nature, locations, and dates of the renovation; and
  - Be accompanied by the lead pamphlet or by information on how parents and guardians can get a free copy (see page 31 for information on obtaining copies).
- Obtain confirmation of receipt of the lead pamphlet (see page 23) from the owner, adult representative, or occupants (as applicable), or a certificate of mailing from the post office.
- Retain records for three years.
- *Note:* Pre-renovation education requirements do not apply to emergency renovations. Emergency renovations include interim controls performed in response to a resident child with an elevated blood-lead level.

### Training, Certification, and Work Practice Requirements—Effective after April 22, 2010.

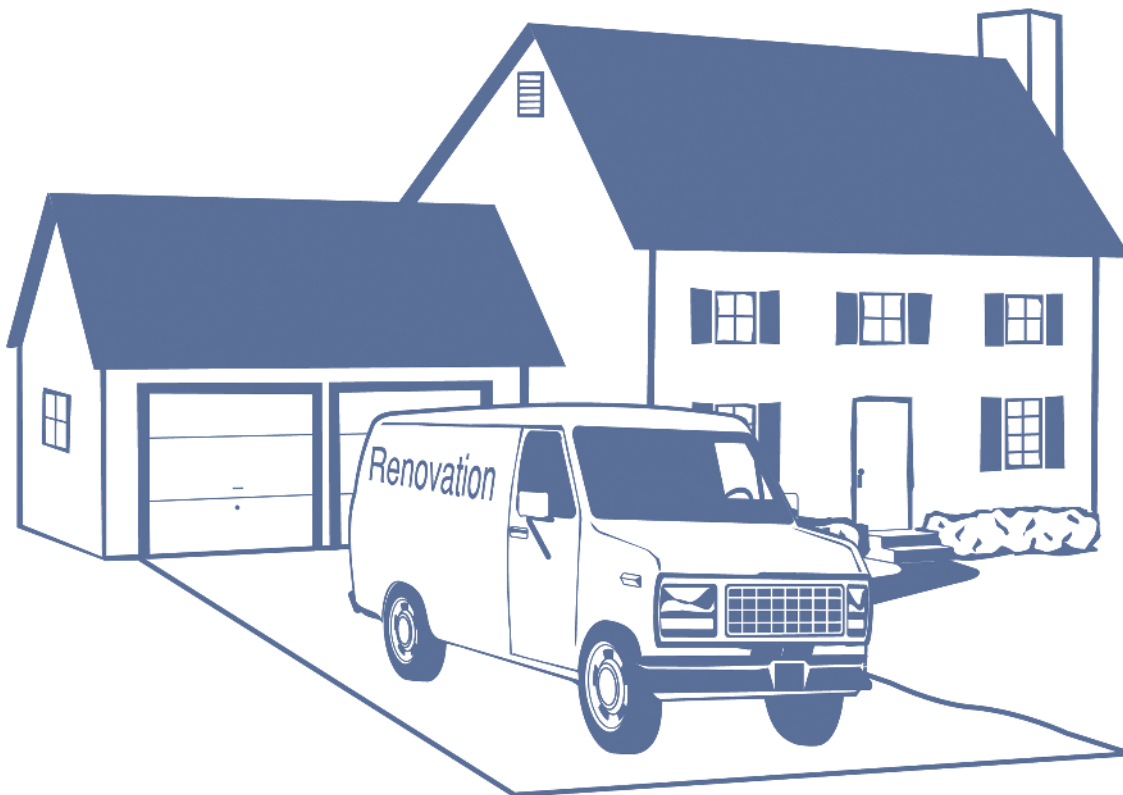
- Firms must be certified.
- Renovators must be trained.
- Lead-safe work practices must be followed. Examples of these practices include:
  - Work-area containment to prevent dust and debris from leaving the work area.
  - Prohibition of certain work practices like open-flame burning and the use of power tools without HEPA exhaust control.
  - Thorough clean up followed by a verification procedure to minimize exposure to lead-based paint hazards.
- The training, certification, and work practice requirements do not apply where the firm obtained a signed statement from the owner that all of the following are met:
  - The renovation will occur in the owner's residence;
  - No child under age 6 resides there;
  - No woman who is pregnant resides there;
  - The housing is not a child-occupied facility; and
  - The owner acknowledges that the renovation firm will not be required to use the work practices contained in the rule.

## When Do These Requirements Become Fully Applicable to Me?

- April 2009:
  - Training providers may begin applying for accreditation.
  - Once training providers are accredited, they may offer training courses that will allow renovators to become certified.
- October 2009 - Renovation firms may begin applying to EPA for certification.
- April 2010 - Program fully effective. Work practices must be followed.

## How Will a Firm Become Certified?

Beginning in October 2009, firms may apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed “Application for Firms,” signed by an authorized agent of the firm, and pay the correct amount of fees. To obtain a copy of the “Application for Firms” contact the NLIC at 1-800-424-LEAD (5323) or visit [www.epa.gov/lead/pubs/renovation.htm](http://www.epa.gov/lead/pubs/renovation.htm).



## What Are the Responsibilities of a Certified Firm?

Firms performing renovations must ensure that:

1. All individuals performing activities that disturb painted surfaces on behalf of the firm are either certified renovators or have been trained by a certified renovator.
2. A certified renovator is assigned to each renovation and performs all of the certified renovator responsibilities.
3. All renovations performed by the firm are performed in accordance with the work practice standards of the Lead-Based Paint Renovation, Repair, and Painting Program (see the flowchart on page 9 for details about the work practice standards).
4. Pre-renovation education requirements of the Lead-Based Paint Renovation, Repair, and Painting Program are performed.
5. The program's recordkeeping requirements are met.

## How Will a Renovator Become Certified?

To become a certified renovator an individual must successfully complete an eight-hour initial renovator training course offered by an accredited training provider (training providers are accredited by EPA, or by an authorized state or tribal program). The course completion certificate serves as proof of certification. Training providers can apply for accreditation for renovator and dust sampling technician training beginning in April 2009. Once accredited, trainers can begin to provide certification training.

## Are There Streamlined Requirements for Contractors with Previous Lead Training?

Yes. Individuals who have successfully completed an accredited lead abatement worker or supervisor course, or individuals who have successfully completed an EPA, Department of Housing and Urban Development (HUD), or EPA/HUD model renovation training course, need only take a four-hour refresher renovator training course instead of the eight-hour initial renovator training course to become certified.

## What Are the Responsibilities of a Certified Renovator?

Certified renovators are responsible for ensuring overall compliance with the Lead-Based Paint Renovation, Repair, and Painting Program's requirements for lead-safe work practices at renovations they are assigned. A certified renovator (see the flowchart on page 9 for details about the work practice standards):

1. Must use a test kit acceptable to EPA, when requested by the party contracting for renovation services, to determine whether components to be affected by the renovation contain lead-based paint (EPA will announce which test kits are acceptable prior to April 2010. Please check our Web site at [www.epa.gov/lead](http://www.epa.gov/lead)).
2. Must provide on-the-job training to workers on the work practices they will be using in performing their assigned tasks.
3. Must be physically present at the work site when warning signs are posted, while the work-area containment is being established, and while the work-area cleaning is performed.

4. Must regularly direct work being performed by other individuals to ensure that the work practices are being followed, including maintaining the integrity of the containment barriers and ensuring that dust or debris does not spread beyond the work area.
5. Must be available, either on-site or by telephone, at all times renovations are being conducted.
6. Must perform project cleaning verification.
7. Must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate.
8. Must prepare required records.

## How Long Will Firm and Renovator Certifications Last?

To maintain their certification, renovators and firms must be re-certified by EPA every five years. A firm must submit to EPA a completed "Application for Firms," signed by an authorized agent of the firm, and pay the correct amount of fees. Renovators must successfully complete a refresher training course provided by an accredited training provider.

## What Are the Recordkeeping Requirements?

- All documents must be retained for three years following the completion of a renovation.
- Records that must be retained include:
  - Reports certifying that lead-based paint is not present.
  - Records relating to the distribution of the lead pamphlet.
  - Any signed and dated statements received from owner-occupants documenting that the requirements do not apply (i.e., there is no child under age 6 or no pregnant woman who resides at the home, and it is not a child-occupied facility).
  - Documentation of compliance with the requirements of the Lead-Based Paint Renovation, Repair, and Painting Program (EPA has prepared a sample form that is available at [www.epa.gov/lead/pubs/samplechecklist.pdf](http://www.epa.gov/lead/pubs/samplechecklist.pdf)).

## What Are the Required Work Practices?

The flow charts on the following pages will help determine if your project is subject to the Lead-Based Paint Renovation, Repair and Painting Program's requirements and, if so, the specific requirements for your particular project. The flowcharts, and other information included in this guide, are not intended to be a replacement for official training.

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Questions asked during  
EPA RRP Class

## Renovator Repair and Painting (RRP) Questions

### Certification

- 1) Can I just have a copy of the certificate on the job site or do I have to have the original there? The slides/overheads say a copy of the Firm Certification and the Renovator Certification, but the standard (under 745.90 (b) (7)) states copies of their initial certificate and most recent refresher certificate.
  - a) IEE Answer: The regulation requires a copy of the Certified Renovators initial certificate and most recent refresher certificate.
  - b) EPA Answer: Correct
- 2) When a General Contractor (who is a Certified Firm) subcontracts work, do the subcontractors to have to be a Certified Firm or can the Subs fall under the General Contractors certification as a Firm?
  - a) EPA Answer: The subcontractors must be certified firms.
- 3) Does question # 1 change if the General Contractor pays Workers Compensation insurance for the Subcontractors?
  - a) EPA Answer: The firm to which the contractor is employed must be a certified firm.
- 4) Must an owner of a single family rental property become a Certified Firm when the owner is performing renovation work?
  - a) EPA Answer: Yes the owner must be certified. The exemption only applies to an owner doing work in the home in which he/she resides.
- 5) In the Certified Firm Application the question: "Does the firm hold current permits, licenses, certifications, or registrations in the lead-based No paint field in any state, U.S. territory, or Indian tribal land?" is asking what?
  - a) IEE Answer: If the firm is certified or licensed in the lead field, then select "YES" and list that license in this section. Otherwise, select "NO"

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### Cleaning Verification

- 1) Can the Certified Renovator use the same wipe multiple times when wiping window sills. i.e. if a wipe on a window sill passes the Verification Card, can they fold the wipe, and use another area for the next window sill?
  - a) EPA Answer: the regulation states “If the cloth does not match...then either use a new cloth or fold the used cloth in such a way that an unused surface is exposed, and wipe the surface again.”
- 2) Can pre-moistened wipes include Baby wipes?
  - a) EPA Answer: No – Since many baby wipes contain a skin softening agent such as Lanolin or Vaseline in them. However, other cloths can be used if they are pre-moistened and designed for cleaning counter tops and floors. Wet disposable cleaning cloth means a commercially available, pre-moistened white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.
- 3) If the cleaning verification wipes fail two times, can a tack-cloth be used for the dry cleaning?
  - a) EPA Answer: No, a tack cloth is not electro statically charged. Dry disposable cleaning cloth means a commercially available dry, electro statically charged, white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.
- 4) During renovation work in a non-carpeted room, furniture is left in the work area and covered with plastic. Must the entire floor be wiped in the work area? Specifically, must the furniture be moved to wipe underneath that area?
  - a) EPA Answer: Yes the furniture would need to be moved to allow all floors within the work area to be wiped.
- 5) If I use a mini-containment (i.e. Zipwall system), can I limit my cleanup and cleaning verification to within the mini-containment (plus clean two feet outside the mini-containment)?
  - i) Example 1: Mini-containment around a window being replaced in a room
  - ii) Example 2: Mini-contain in Kitchen by placing plastic sheeting from ceiling to floor (over cabinets and counter top space to separate from the work area.
  - a) EPA Answer: Yes
- 6) Can Renovators hire a Lead Inspector for dust sampling?
  - a) EPA Answer: Yes, post renovation dust sampling can be done either an EPA certified inspector, risk assessor, or dust sampling technician.

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## Waste Disposal

- 1) Waste must be contained to prevent release of dust and debris before the waste is removed from the work area for storage or disposal.
  - i) Does “contained” mean bagged or wrapped in plastic (when referring to windows and doors, etc)? Student comment: “Plastic wrapped components with nails sticking out does not work very well.
  - ii) Can you use a covered chute to put doors/windows (not wrapped in plastic) into a dumpster.

a) EPA Answer: i) The waste containment (bag/plastic wrap) must be sufficient to prevent releases of dust and debris. ii) No, waste must be contained before being removed from the work area.
- 2) A question that has been raised in every renovator course to date is: For the purposes of lead renovation debris disposal, does the EPA allow owners of more than 4 units still dispose of the renovation debris as construction debris?
  - a) EPA Answer: The federal position is that it would be considered residential and able to be disposed with regular trash, however, these requirements can vary by state, so they should check with the state to be sure.

## Training

- 1) There will occasionally be students who arrive late for the class. Your response indicates that they will not be allowed to make up any amount of time in a later course. However, if they arrive late, when must they be turned away? At what point, (i.e. 10 minutes, 20 minutes, 30 minutes, 1 hour) should they not be allowed to take the course?
  - a) EPA Answer: They have to make up the course the same day as it was to be offered. The only time you would have to make the instructor proctored time is time is during lunch. So if lunch is 45minutes - they cannot miss more than 45 minutes.
- 2) Is there a refresher requirement for the Workers who are training by the Certified Renovator?
  - a) EPA Answer: No
- 3) Is there a grace period where the Certified Renovator can attend a refresher course after their certificate expire, without taking the initial course over?
  - a) EPA Answer: Once their certificate expires they can't conduct regulated activities. Once trained, they can always take the 4-hour refresher to be recertified, even after their certification expires.

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- 4) Can a certified renovator (who is bi-lingual) train workers whose English isn't very good without translating the Lead-Safe Renovation, Repair and Painting booklet?
  - a) **EPA Answer: A renovator is not required to use the booklet to train workers on the job. FYI, there are Spanish translations of most of our materials on the website ([www.epa.gov/lead](http://www.epa.gov/lead)).**
- 5) Can a certified renovator train such workers with the help of a translator?
  - a) **EPA Answer: This may be OK for the training, but the problem is how does the renovator communicate with those workers during the course of the work. The renovator is responsible for overall compliance and would need to be able to communicate with workers in order to accomplish this.**
- 6) Can a principal instructor, train workers or can the training only be done by the certified renovator?
  - a) **EPA Answer: No, only a certified renovator.**

### Work Practices

- 1) Is pressure washing on the exterior of a building considered abrasive blasting by EPA and if not is it allowed?
  - a) **EPA Answer: No, it's not. Pressure washing is allowed.**
- 2) Which signs can be used on-site?
  - a) **EPA Answer: Typically a renovation work site will require OSHA signage. The RRP standard says that if such a sign is used that additional signage is not required.**
- 3) The list of approved test kits is available at <http://www.epa.gov/lead/pubs/kits.htm>

### State Questions: Massachusetts

- 1) Is replacing windows in a residence with a child under 6 considered renovation or Deleading/abatement?
  - a) **IEE Answer: In Massachusetts, it could be considered both depending on the situation. If the intent is to achieve compliance with the Massachusetts Lead Law, in whole or in part, then the work is considered Deleading/abatement. Otherwise the work could be considered renovation. IEE suggests owners and/or renovators contact CLPPP for specific situations to determine if work is Deleading or Renovation.**
- 2) If a property has a Massachusetts compliance letter, is the work renovation or Deleading work.?
  - a) **IEE Answer: Refer to CLP Policy 10 A and 10 B on Maintaining Compliance. The work would normally be renovation. However, it is possible that Deleading rules would apply.**

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### State Questions: Rhode Island

- 1) Can people who take our RRP Course in Massachusetts become certified as a Renovator in Rhode Island (as of today)
  - a) No, not yet. We have plans to create a remodeler/renovator state exam that would demonstrate those licensed in other EPA approved states have sufficient knowledge of RI regulations to obtain a license to conduct lead hazard control activities in accordance with our regulations.
- 2) Can people who take our RRP Course in Massachusetts become certified as a Renovator in Rhode Island (Once RI is an Authorized State)
  - a) Yes, they can take the state exam.
- 3) If yes to the above, Do we need RI training license to run courses in RI?
  - a) Yes, all training providers need a RI license.
- 4) Regardless of above

Will RI allow Certified Renovators to use EPA approved test kits

  - a) No- RI regs require laboratory analysis to determine lead free status of paint (the RI standard for lead free paint is < 150 ppm). All field tests performed on pre 1978 painted surfaces must be assumed positive for lead if the test (XRF or sodium rhodizonate) is inconclusive (aka negative in EPA rules). Field tests can only determine the presence not the absence of lead based paint according to RI lead regulations.
- 5) Will RI allow Certified Renovator to performing cleaning verification
  - a) No- require dust wipe testing and laboratory analysis to make the determination that no lead dust hazard is present.
- 6) Will RI license/certify Lead Sampling Technicians
  - a) No- we only allow licensed RI Environmental Lead Inspectors (requires 40 hour training and extensive apprenticeship) or licensed RI Environmental Lead Inspector Technicians (requires 24 hour training and less extensive apprenticeship) to conduct sampling.
- 7) Any other differences with EPA protocols?
  - a) There are other differences such as ...RI will not allow an owner "opt out" under any circumstances; direct on site supervision by a licensed remodeler/renovator is required during all lead hazard control activities; we require the submission of a Lead Hazard Control Start Work Notification to our office at least 3 days prior to work beginning. We are planning a Public Hearing on our proposed amendments to the RI Rules and Regulations For Lead Poisoning Prevention [R23-24.6-PB] in mid January. In case I missed listing any of the differences, once we announce the hearing, the propose amended regulations will be available for viewing on the Department of Health website and the RI Secretary of State website.