

## Posted RRP FQs

As of April 20, 2010

### General Information about Lead

#### Question (5735)

What is lead?

#### Answer

Lead is a toxic metal that was used for many years in products found in and around our homes. Lead also can be emitted into the air from motor vehicles and industrial sources, and lead can enter drinking water from plumbing materials. Lead-based paint is present in many homes built before 1978. The federal government banned the use of lead-based paint in housing in 1978. To learn more about lead, visit [www.epa.gov/lead](http://www.epa.gov/lead).

#### Question (5737)

Where is lead found?

#### Answer

Many homes built before 1978 have lead-based paint. In general, the older your home, the more likely it has lead-based paint. Soil around a home can contain lead from sources like deteriorated exterior paint, past use of leaded gas in cars, or from past renovation activities. Household dust can pick up lead from deteriorating lead-based paint, from past renovation projects, or from soil tracked into a home. If you work with lead, you could bring it home on your hands or clothes. It is important to shower and change clothes before going home. Launder your work clothes separately from the rest of your family's clothes. To learn more about sources of lead, visit <http://www.epa.gov/opptintr/lead/pubs/leadinfo.htm#where>.

#### Question (6652)

I thought lead-based paint had been phased out. How many homes still contain lead-based paint?

#### Answer

HUD's National Survey of lead and Allergens in Housing estimated that 38 million permanently occupied housing units (40% of all housing units) in the United States contain some lead-based paint that was applied before the residential use of lead-based paint was banned in 1978. "Housing units" include single-family homes, manufactured housing, and multi-unit dwellings like apartments. Vacant housing, group quarters (e.g., prisons, hospitals, and dormitories), hotels, motels, and other short-term housing, military bases, and housing where children are not permitted to live (e.g., housing designated exclusively for the elderly and those with zero-bedroom units) are not included in this number. More information on these statistics is available from HUD.

#### Question (5736)

What are some of the health effects of lead?

## Answer

Lead is known to cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk from exposure lead-based paint because they crawl on the floor and they put their hands and other items which can have lead-based paint dust on them into their mouths. Because their bodies are still growing, children tend to absorb more lead than adults.

Children exposed to lead can suffer from:

- Lowered IQ
- Damage to the brain and nervous system
- Learning and behavioral difficulties
- Slowed growth
- Hearing problems
- Headaches

Adults can suffer from:

- Reproductive problems (in both men and women)
- High blood pressure and hypertension
- Nerve disorders
- Memory and concentration problems
- Muscle and joint pain

To learn more about health effects of lead, visit <http://www.epa.gov/lead/pubs/leadinfo.htm#health>

## Question (5856)

What should I do if I am concerned about my family's exposure to lead?

## Answer

A blood test is the only way to find out whether you or a family member already has lead poisoning. Call your doctor or local health department to arrange for a blood test. You can protect your family every day by:

- Regularly cleaning floors, window sills, and other surfaces.
- Washing children's hands, bottles, pacifiers, and toys often.
- Making sure children eat a healthy, nutritious diet consistent with the USDA's dietary guidelines.
- Wiping off shoes before entering the house.
- Using an EPA-certified firm for renovations, or if you are doing the renovation yourself, using lead-safe work practices (see <http://www.epa.gov/lead> for more information).

## Question (5865)

What information can I get about lead-based paint in a home before I buy or rent it?

## Answer

Many houses and apartments built before 1978 have some lead-based paint. Lead from paint, chips, and dust can pose serious health hazards if not taken care of properly. Federal law requires that individuals receive certain information before renting or buying pre-1978 housing. Sellers and landlords must:

- Disclose information on known lead-based paint and lead-based paint hazards in the housing being sold or rented;
- Provide buyers and renters with any available records or reports pertaining to lead-based paint or lead-based paint hazards in the housing; and
- Provide buyers and renters with a copy of the pamphlet entitled "Protect Your Family from Lead in Your Home."

In addition, sellers must give potential buyers an opportunity to check the home for lead-based paint or lead-based paint hazards. To learn more about the lead disclosure rule visit <http://www.epa.gov/lead/pubs/leadbase.htm>.

## Testing for lead

### Question (5857)

How do I know if my house has lead-based paint?

### Answer

Older homes, child care facilities, and schools are more likely to contain lead-based paint. Homes that contain lead-based paint may be single-family homes or apartments. They may be private, government-assisted, or public housing. They may be urban, suburban, or rural. You have the following options:

- Assume your home contains lead. Especially in older homes and buildings, this is the simplest and safest approach. For example, 87% of homes built before 1940 have some lead-based paint, while 24% of homes built between 1960 and 1978 have some lead-based paint.
- Test for lead using a lead test kit. EPA-recognized test kits are available at hardware stores. Carefully follow the detailed instructions for their use. To learn more about EPA-recognized test kits, visit <http://www.epa.gov/lead/pubs/kits.htm>.
- Hire a certified professional to check for lead-based paint. A certified inspector or risk assessor can conduct an inspection to determine whether your home or a portion of your home has lead-based paint and where it is located. This will tell you the areas in your home where lead-safe work practices should be used for renovation, repair, or painting jobs. A certified risk assessor can conduct a risk assessment telling you whether your home currently has any lead hazards from lead in paint, dust, or soil. The risk assessor can also tell you what actions to take to address any hazards. For help finding a certified risk assessor or inspector, call the National Lead Information Center at 1-800-424-LEAD (5323).

### Question (5844)

The lead information pamphlet titled "Renovate Right" states there is a kit consumers can use to collect samples to send to a lab if they suspect any lead hazards have been left after a renovation. Do samples like these need to be taken by certified abatement personnel or a dust sampling technician?

### Answer

No. When all the work is finished, if you want to know if your home, child care facility, or school has been cleaned up properly. One way to check is a lead-dust test. Lead-dust tests are wipe samples sent to a laboratory for analysis. You have the choice of having a lead-dust test done by a lead professional or doing the testing yourself. If you choose to do the testing, some EPA-recognized lead laboratories will send you a kit that allows you to collect samples and send them back to the lab for analysis. Contact the National Lead Information Center at 1-800-424-LEAD (5323) for lists of qualified professionals and EPA-recognized lead labs. To learn more about making sure your home, child care facility, or school has been cleaned properly after a renovation, visit <http://www.epa.gov/opptintr/lead/pubs/renovaterightbrochure.pdf>.

### Question (5834)

Do test results from a certified renovator using an EPA recognized test kit (40 CFR § 745.83) become an official part of the lead-based paint testing record for that house thus negating the need for a certified lead inspector or certified lead risk assessor to conduct the inspection in that area of the house? Can a certified renovator conduct a complete lead-based paint inspection and give the property owner an inspection report?

## Answer

The results of paint testing using test kits are part of the official lead-based paint testing record for a home, and must be disclosed under EPA's Real Estate Disclosure regulation (40 CFR part 745, subpart F). However, EPA's regulations only provide for a certified inspector or risk assessor to conduct a lead-based paint inspection and to prepare a lead-based paint inspection report. Thus, allowing renovators to test components does not negate the requirement that a certified inspector or risk assessor follow the requirements set forth in § 745.227(b) when conducting a lead-based paint inspection.

## Question (5838)

When testing a work area, does one spot-test kit suffice for any single component? What if a component's surface area is extensive (i.e. a large wall)?

## Answer

The certified renovator is only required to use one spot test kit for each component, even if the surface of the component is extensive (e.g., a large wall).

## Question (6864)

Does the RRP Rule apply to work on windows that have been installed within the last 20 years in a pre-1978 housing unit? Would confirmation of the window installation based on property owner documentation (i.e., receipts, warranty paperwork, contracts) and/or date of manufacture of the windows be sufficient to exclude this work from the lead-safe work practices and other requirements?

## Answer

The RRP Rule applies unless you have determined that all the components affected by the renovation, including the windows, are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter ( $\text{mg}/\text{cm}^2$ ) or 0.5% by weight. This determination must be made either by a certified inspector or risk assessor, or by a certified renovator using an EPA recognized test kit. You must keep records of any lead-based paint free determination and make the records available to EPA if requested.

## Question (6865)

If all or a portion of a pre-1978 housing unit has been gut-rehabbed after January 1, 1978, as evidenced by property owner and/or other verifiable documentation, do the RRP Rule requirements apply to work in that unit?

## Answer

If only a portion of the unit has been gutted, the RRP Rule applies unless you have determined that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter ( $\text{mg}/\text{cm}^2$ ) or 0.5% by weight. This determination must be made either by a certified inspector or risk assessor, or by a certified renovator using an EPA recognized test kit. You must keep records of any lead-based paint free determination and make the records available to EPA if requested.

EPA believes that whole house gut rehabilitation projects may demolish and rebuild a structure to a point where it is effectively new construction. In this case, it would not be a modification of an existing structure, and therefore not a renovation.

**Question (6866)**

When a certified renovator uses an EPA-recognized test kit to determine the presence of lead, can the results be grouped? For instance, may the certified renovator test just one window sill in a room if all will be affected?

**Answer**

No. The certified renovator must test each component affected by the renovation. If the components make up an integrated whole, such as the individual stair treads and risers of a single staircase, the renovator is required to test only one of the individual components, unless the individual components appear to have been repainted or refinished separately. Multiple window sills are not integrated parts of a whole. They are separate components and must be tested separately.

# General Information about the Lead Renovation, Repair, and Painting (RRP) Rule

## Question (6653)

What is the purpose of the RRP Rule?

### Answer

The purpose of the 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.

## Question (5859)

What does the RRP Rule require?

### Answer

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>.

## Question (5858)

Who is covered by the RRP Rule?

### Answer

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.

## Question (6659)

Is it a violation of the RRP Rule for a homeowner to hire a firm that is not certified?

### Answer

The RRP rule does not impose requirements on homeowners, unless they are performing renovations in rental space. However, the hired firm would be in violation of the RRP Rule if it was uncertified and performing a covered renovation.

### **Question (5860)**

How can I find a certified renovation firm in my area?

### **Answer**

EPA's website includes a search tool that allows consumers to find certified firms and certified renovators in their area. Consumers will also be able to use this tool to verify the credentials of firms and renovators. You can find this search tool at <http://www.epa.gov/lead/pubs/toolkits.htm>. Alternatively, you can contact the National Lead Information Center at 1-800-424-LEAD for a list of contractors in your area.

### **Question (6660)**

How much will it cost contractors to comply with the RRP Rule?

### **Answer**

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. This includes:

- 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).

In addition to work practice costs, your costs will include training fees and certification fees. 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).

### **Question (6661)**

What records will my firm be required to keep?

### **Answer**

The following records must be retained for three years following the completion of a renovation:

- Reports (if any) certifying that lead-based paint is not present
- Records relating to the distribution of the lead pamphlet
- Documentation of compliance with the requirements of the regulation (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)).

### **Question (6687)**

Will insurance premiums go up for contractors covered by the rule that work in homes and child-occupied facilities with lead-based paint?

## **Answer**

The practice of carrying insurance to cover work in older homes from potential lead poisoning damages is not new. The RRP Rule, because it sets a clear standard of care and allows contractors to demonstrate that they meet that standard by taking appropriate training and using proper work practices, could eventually lead to insurance premiums that reflect that proactive stance.

## **Question (6688)**

Is there one document available that includes the latest version of the RRP Rule, with all amendments added to their associated locations, in complete form, and not including the preamble?

## **Answer**

Yes. Visit the RRP Web site at <http://www.epa.gov/opptintr/lead/pubs/lscp-renov-materials.htm> and click on Code of Federal Regulation Title 40: Protection of Environment: Part 745: Lead-Based Paint Poisoning Prevention in Certain Residential Structures.

## **Question (6689)**

If there are differences among EPA's, HUD's, and my State's requirements, which ones do I have to comply with?

## **Answer**

You must comply with all applicable requirements. The initial 8-hour renovator training course will teach you how to perform lead-safe work practices safely and effectively in compliance with the EPA RRP Rule and the HUD Lead Safe Housing Rule. The RRP Rule is not intended to supersede or preempt any more stringent State or local laws.

## **Question (6690)**

My school district will be performing asbestos abatement in a kindergarten classroom that was built before 1978. Do the asbestos abatement workers also need to comply with the RRP rule?

## **Answer**

Yes, if the asbestos abatement disrupts over 6 square feet of painted surface per room in an interior, or over 20 square feet of painted surface on an exterior, or involves window replacement or demolition of painted surfaces. If so, the asbestos abatement will need to be performed by a firm certified under the RRP rule. The firm will be required to assign an RRP-certified renovator to the project, and workers will need to have been trained by a certified renovator. Of course, the asbestos abatement must be designed and conducted by persons accredited in accordance with the Model Accreditation Plan.

In addition, the asbestos abatement will need to meet the RRP Rule work practice standards as well as the standards for asbestos abatement. For each element of the job, the contractor will need to determine which standards are more stringent and comply with those standards. Typically, the asbestos abatement containment and waste handling requirements are more stringent than the RRP Rule provisions, so compliance with the asbestos requirements will also serve as compliance with the RRP requirements. However, both the asbestos air clearance and the RRP cleanup and verification requirements must be performed. Because the air clearance process is performed with the critical barriers still in place, it must be performed before RRP cleanup and verification.

**Question (6794)**

Does the RRP Rule apply to states and local governments?

**Answer**

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. After April 22, 2010 contractors (including renovation, repair and painting workers, plumbers, electricians, HVAC professionals, etc.) working in pre-1978 homes, schools and child-care facilities must be EPA certified and trained in lead-safe work practices when conducting renovation, repair and painting activities that will disturb more than six square feet of painted surfaces on the interior of a building or more than 20 square feet on the exterior. Window replacements are covered activities.

# Renovations Covered by the RRP Rule

## *In General*

### **Question (6662)**

How is window repair or maintenance, as distinct from removal, treated under the RRP Rule? Would the rule apply to a job that replaced parts or components of a window, such as broken or failed glass, hardware, or balance systems, where some components might be painted, but the frame of the window would remain?

### **Answer**

Replacing a pane of glass or fixing a broken window balancer is not a window replacement. Therefore, to be subject to the rule one must disrupt more than 6 square feet for the job not to be considered minor maintenance. When calculating the 6 square feet when a component is being removed, it's based on the surface area of the component. Also keep in mind that even the replacement of a piece of glass in a window can disturb paint. The glazing that holds the pane in place in older windows is painted, and this glazing has to be removed for the pane to be replaced.

### **Question (6691)**

Does the RRP rule apply to renovations done in an apartment between tenants? Does it matter if children live in other apartments in the building?

### **Answer**

Temporarily unoccupied or vacant housing rental is not exempt from the requirements of the RRP Rule.

### **Question (6692)**

Pollution prevention programs are actively promoting deconstruction and reuse of old building materials that could contain lead-based paint. Historic preservation programs also support the use of old building materials, and sometimes discourage the replacement of windows in historic buildings. Does the RRP Rule prohibit these practices?

### **Answer**

No. The RRP Rule does not explicitly cover the installation of materials containing lead-based paint. The RRP Rule is based on the age of the housing, not the age of the materials.

However, older windows and doors are likely to contain lead-based paint, and this paint can present very high risks due to friction and impacts causing the paint to deteriorate and cause dust. In fact, the minor repair and maintenance exception to the RRP Rule specifically does not apply to window replacement because of the high risks involved. Painting over old lead-based paint is not sufficient to protect against exposure.

EPA recommends that an individual wishing to reuse an older building component have the component tested for lead-based paint. Any lead-based paint found on the component should be removed by a certified abatement firm before the component is installed. It is important to keep in mind that studies have suggested that lead in paint seeps into the wood, so care should be taken to keep the new paint well-maintained and prevent contact with the component that would expose the wood, such as chewing.

### **Question (6832)**

My firm is performing a renovation in an unoccupied home that will be put up for sale when work is done. Does the RRP Rule apply to this renovation?

### **Answer**

Yes. Temporarily unoccupied or vacant housing is not exempt from the requirements of the RRP Rule.

### ***Definition of “Renovation”***

### **Question (6693)**

What is a renovation?

### **Answer**

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 planing thresholds to install weather-stripping.
- Interim controls that disturb painted surfaces.

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

### **Question (6705)**

Are DOE weatherization projects covered under the RRP Rule?

### **Answer**

The RRP Rule defines “renovation” to include weatherization projects such as cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, and planing thresholds to install weather stripping. Other types of weatherization projects, such as window replacement, are also covered if they fall within the definition of “renovation.”

### **Question (6694)**

Does the RRP rule apply to simple painting activities that occur when rental properties turn over? Approximately half of the rental units in the country get new tenants each year. This means a large number of properties are being repeatedly painted, thus further covering any surfaces that may contain lead-based paint.

### **Answer**

If there is no surface preparation that disturbs the existing paint prior to painting, the RRP Rule does not apply. If you disturb paint by scraping or sanding while preparing the surface, the RRP Rule applies.

### **Question (6695)**

Does the RRP Rule apply where no paint at all is present, such as in a 100 year old unfinished basement?

### **Answer**

No. The RRP Rule applies to activities that result in the disturbance of painted surfaces. Where there is no paint to disturb, the RRP Rule does not apply.

### **Question (6696)**

If I am painting a wall on which there are multiple coats of latex paint over the old lead-based paint and the paint is not peeling down to the lead paint level must I comply with the new regulations?

### **Answer**

Yes, if the painted surface of the wall be disturbed by the renovation.

### **Question (6697)**

Does the RRP Rule apply to demolishing and disposing of:

- An entire pre-1978 home or building?
- An entire, non-attached free-standing structure on the same property such as a garage, shed, or gazebo?
- An attached but segregated section of pre-1978 home or building such as a sunroom, addition, two-story porch, or garage attached by a breezeway?

### **Answer**

The RRP Rule covers renovations, which are defined as modifications of existing structures or portions of structures. The rule does not apply to demolitions of an entire free-standing building or structure.

The RRP Rule does apply to renovation activities that modify portions of existing structures. Waste from these activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal. If a chute is used to remove waste from the work area, it must be covered.

At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris.

When the firm transports waste from renovation activities, the firm must contain the waste to prevent release of dust and debris.

### **Question (6666)**

Can you list specific activities deemed a disturbance of painted surfaces?

### **Answer**

As a general matter, EPA believes that activities that create dust or paint chips are activities that disturb paint. There is no definitive list of activities that disturb painted surfaces. Some examples that can disturb painted surfaces include, but are not limited to:

- Making cut-outs in walls.
- Replacing a window from the inside or outside.

- Removing paint with a heat gun.
- Scraping paint.
- Removing kitchen cabinets.
- Removing paint by abrasive sanding.
- Removal of large structures, including demolition of interior plaster walls.
- Window replacement.
- HVAC repair or replacement, including duct work.
- Repairs resulting in isolated small surface disruptions, including drilling and sawing into wood and plaster.
- Scuff-sanding.

These activities and other activities which disturb paint could be relevant to many trades, such as (but not limited to) renovation, remodeling, general repair, general maintenance, plumbing, electrical work, carpentry, window installation, painting, weatherization work, and more.

### **Question (6667)**

If new siding has been put over old lead-based exterior paint and I am repainting that siding must I comply with the new regulations?

### **Answer**

Yes, the RRP Rule applies to repainting the new siding unless the siding has been determined to be free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter (mg/cm<sup>2</sup>) or 0.5% by weight. This determination can be made by a certified inspector or risk assessor or by a certified renovator using an EPA-recognized test kit.

This is the case even if the old lead-based paint is not disturbed when the new siding is repainted.

### **Question (6867)**

Does the RRP Rule apply to factory-applied finishes, specifically furnaces? When removing a furnace with a factory-applied finish, does the renovator have to test or assume lead and use lead-safe work practices? Most furnaces exceed six square feet.

### **Answer**

The RRP Rule applies to modifications of an existing structure, or portion of a structure, that results in the disturbance of painted surfaces. If the surface coating of the furnace is not disturbed when the furnace is removed, the RRP Rule does not apply.

### **Question (6868)**

If a homeowner removes all the painted surfaces in a room and then hires a certified firm to remodel the room, does the renovator need to follow the RRP Rule?

### **Answer**

No. Projects that do not disturb a painted surface are not subject to the RRP Rule.

## ***Minor Repair and Maintenance Activities***

### **Question (6670)**

If a renovator disrupts 6 square feet or less of painted surface per room in several rooms inside one property, does the RRP Rule apply?

### **Answer**

No, as long as no prohibited work practices are used and the work does not involve window replacement or demolition of painted surfaces. The exception to the RRP rule for work that disrupts 6 square feet or less of painted surface applies to each individual room and is inclusive of all work done in the room in any 30-day period.

### **Question (6671)**

If a renovator disrupts 20 square feet or less of painted surface per side on several sides of the exterior of one property, does the RRP Rule apply?

### **Answer**

Yes. To qualify for the exception for minor repair and maintenance activities, the total amount of exterior paint disrupted must be 20 square feet or less. In addition, the job must not use prohibited practices or involve window replacement or demolition of painted surfaces.

### **Question (6672)**

My firm installs carpets. Sometimes there is no need to remove an existing carpet before installing the new carpet, but sometimes there is. How do I know when I need to comply with the RRP Rule?

### **Answer**

If when installing the carpet you disrupt 6 square feet or less of painted surface per room, the job is not covered by the RRP Rule.

### **Question (6673)**

If I am insulating a multi-family building, does the standard for interiors of 6 square feet or less of disrupted painted surface, or the standard for exteriors of 20 square feet or less of disrupted painted surface apply to the whole building or can it be applied to each separate unit?

### **Answer**

For interiors, the exception for work that disrupts 6 square feet or less of painted surface applies to each individual room and is inclusive of all work done in the room in any 30-day period. For exteriors, to qualify for the exception for minor repair and maintenance activities, the total amount of exterior paint disrupted must be 20 square feet or less. In addition, the job must not use prohibited practices or involve window replacement or demolition of painted surfaces.

### **Question (6674)**

Does the minor maintenance exception mean that if I drill 1-inch holes in a painted surface to blow insulation into an enclosed wall cavity, I could drill 864 holes in the interior or 2880 holes on the exterior before I had to comply with the RRP Rule? Or does it mean that the work is covered by the RRP Rule

once I insulate more than 6 square feet of interior wall area (basically 1 hole) or more than 20 square feet of exterior wall area?

### **Answer**

The exception is based on the area of paint disrupted, which in this example is based on the combined areas of the holes drilled in the wall.

### **Question (6675)**

Does the RRP Rule apply to installing replacement windows, in other words, removing the old sash and installing a new vinyl window in the opening, without sawing or sanding?

### **Answer**

Yes. Window replacement does not qualify for the minor repair or maintenance exception.

### **Question (6676)**

If an electrician or plumber, working in a different room from the contained renovation project, needs to drill or cut a hole six square feet or less in size to chase a wire or pipe, does the RRP rule apply to that work?

### **Answer**

As long as 6 square feet or less of painted surface in that room is disrupted with 30 days, including the work done by the electrician or plumber, and the job does not use prohibited practices or involve window replacement or demolition of painted surfaces, the minor repair and maintenance exception to the RRP rule applies.

### **Question (6725)**

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?

### **Answer**

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.

### **Question (6739)**

If I use a hammer to make a hole in a wall that is two feet on each side, does the RRP Rule apply?

### **Answer**

Yes. Although making the hole disrupts less than six square feet of painted surface, using a hammer to make the hole is demolition of the surface, so the minor repair and maintenance exception does not apply. Making the hole using a cut-out technique that does not destroy the section of the wall that is removed is not demolition, and the minor repair and maintenance exception would apply.

### **Question (6833)**

My company installs new or replacement seamless gutters. We install the gutters using self-tapping 3/16" to 1/4" screws and the cumulative size of the total number of holes is only a couple of square inches. If the

job does not involve sanding, scraping, repainting, repair, replacement or reconditioning of the fascia surface, is it covered by the RRP Rule?

### **Answer**

Minor repair and maintenance activities are not subject to the requirements of the RRP Rule. For exterior renovations, minor repair and maintenance activities are those activities that disrupt 20 square feet or less of painted surface, and do not use prohibited practices or involve window replacement or demolition of painted surfaces.

If the job described, when combined with other renovation work on the exterior of the building, does not disrupt more than 20 square feet of painted surface, and does not use prohibited practices or involve window replacement or demolition of painted surfaces, it is a minor repair and maintenance activity that is not subject to the requirements of the RRP rule.

### **Question (6834)**

Does EPA consider "window replacement" to include replacing a pane of glass or fixing a broken window balancer?

### **Answer**

No. EPA does not consider replacing a pane of glass or fixing a broken window balancer to be window replacement.

### **Question (6835)**

Is replacing a pane of glass or fixing a broken window balancer a renovation covered by the RRP Rule?

### **Answer**

It depends. Replacing a pane of glass or fixing a broken window balancer can disturb paint. If the job disrupts more than 6 square feet of painted surface per room, the job is not considered minor repair and maintenance and it is covered by the RRP Rule. When removing a component, calculate the 6 square foot area based on the surface area of the component.

### **Question (6872)**

Does drilling holes in window frames to install window treatments such as shades and shutters qualify as minor repair and maintenance?

### **Answer**

Yes, as long as the installation does not disturb more than six square feet of painted surface per room within a 30 day period.

### **Question (6873)**

As a floor covering installer I use an undercut saw to remove a small amount of wood at the bottom of baseboards and door casings. I am only disturbing the paint in the 1/8 inch cut of the blade. How do I calculate the area of the paint that is affected for purposes of the minor repair and maintenance provision?

## Answer

A job is considered minor repair and maintenance, rather than a renovation covered by the RRP Rule, if it disrupts 6 square feet or less of painted surface per room in a 30 day period. Calculate the area of painted surface disrupted based on the surface area of the component that is disrupted. For example, cutting a 1-inch strip off a door that is 36 inches wide would disrupt 36 square inches of painted surface, regardless of the width of the cut made by the saw blade.

## Renovations for Compensation

### Question (6698)

Is work done by friends, a brother-in-law, or volunteers covered by the RRP Rule if no one is compensated?

### Answer

No. The RRP Rule only applies to renovations performed for compensation. Compensation includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space.

Even if you are not required to comply with the RRP Rule, it is important to be aware that renovation activities can create hazardous lead dust and chips. The key to protecting yourself and your family during renovation is to use lead-safe work practices. Information on these practices is available in the [EPA Small Entity Compliance Guide to Renovate Right \(PDF\)](#), [en español \(PDF\)](#).

### Question (6668)

My non-profit home repair organization performs renovations using mostly volunteers. We do some painting and scraping but we do mostly roof repair and interior work (bathrooms, kitchens, etc.). Obviously, we want to be in compliance with the law and we want our volunteers, staff and homeowners to be safe. Equally, we want to make sure that we are able to continue to offer this valuable service to our community. Is my organization's work covered by the RRP Rule?

### Answer

The RRP rule covers renovations performed for compensation. If the organization is compensating anyone for the work (for example, a paid supervisor), then the renovation is covered by the RRP Rule. This is the case even though the organization has non-profit status.

The organization may also need to become certified as a firm. Beginning April 22, 2010, an organization that performs, offers, or claims to perform renovations covered by the RRP Rule must be certified by EPA. A non-profit organization that offers to renovate the property of a third party for compensation, or that performs the renovation, must be certified as a firm. The organization must comply with all the requirements of the rule that apply to firms performing renovations. This includes having a certified renovator direct the work and provide on-the-job training to all uncertified workers, including volunteers.

### Question (6669)

How will the RRP Rule affect the work of non-profit or not-for-profit groups? Will the rule apply, for example, to church groups who, as part of their missionary work, are making improvements for low-income residents?

## **Answer**

The RRP Rule applies to renovations performed for compensation. Compensation includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space. Donations, including donations of materials or of the time of volunteers, are not compensation. If the organization is compensating anyone for the work (for example, a paid supervisor), then the renovation is covered by the RRP Rule. This is the case even though the organization has non-profit or not-for-profit status.

The organization may also need to become certified as a firm. Beginning April 22, 2010, an organization that performs, offers, or claims to perform renovations covered by the RRP Rule must be certified by EPA. A non-profit organization that offers to renovate the property of a third party for compensation, or that performs the renovation, must be certified as a firm. The organization must comply with all the requirements of the rule that apply to firms performing renovations. This includes having a certified renovator direct the work and provide on-the-job training to all uncertified workers, including volunteers.

## **Question (6836)**

If a renovator is only reimbursed for materials, would that be considered compensation?

## **Answer**

No. Compensation includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space. Reimbursement for the cost of materials is not compensation.

## ***Target Housing***

### **Question (5835)**

How does a firm or renovator document or confirm the age of the structure? Is a signed statement by the occupant sufficient? Can publicly available information such as tax records, etc. be sufficient?

## **Answer**

Renovation firms are responsible for determining the age of the property. The property owner is likely to be a good source of information on the age of a home or other building, but the firm may not rely on the statement of the property owner as to the construction date of the building if there is evidence to the contrary. If in doubt, renovation firms can use tax assessments, property records, and similar information to determine the date of construction. Finally, the renovation firm may always assume that a home or child-occupied facility was constructed before 1978.

### **Question (6677)**

Does the term "target housing" mean just low income housing, or any home built before 1978 regardless of the financial status of the occupants?

## **Answer**

“Target housing” means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than six years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling. The income of the occupants of the housing is not relevant.

## **Question (6678)**

I understand that the RRP Rule does not apply to housing for the elderly. Does this term refer to specific built houses in 55+ communities or does it refer to all residential homes with this demographic living there?

## **Answer**

“Housing for the elderly” means retirement communities or similar types of housing reserved for households composed of one or more persons 62 years of age or more at the time of initial occupancy. Housing for the elderly is not subject to the RRP Rule unless a child who is less than six years of age resides or is expected to reside in the housing.

## **Question (6724)**

I understand that the RRP rule does not apply to dormitories. Does the rule apply to a unit of student housing made up of two bedrooms, a living room, and kitchen?

## **Answer**

Yes. While the RRP rule does not apply to zero-bedroom housing, the type of housing described is not zero-bedroom housing. Zero-bedroom housing means a residential dwelling in which the living area is not separated from the sleeping area. Examples include efficiencies, studio apartments, and dormitory housing. In the example given, the bedrooms provide sleeping areas that are separate from the living area, so the housing does not meet the definition of zero-bedroom housing and the RRP rule applies.

## **Question (6837)**

I am a contractor a couple years from retirement and I am closing down my business. I do not plan to become certified under the RRP Rule. My understanding is that I can continue working on homes built after 1978?

## **Answer**

The RRP Rule does not apply to renovations in housing built in 1978 or later.

## **Question (6838)**

Older hotels built before 1978 are knocking down walls, combining two hotel rooms, and making their units two-room or even three-room suites. My understanding has been that single hotel rooms are considered zero-bedroom dwellings. Does the RRP Rule apply when one-room units are converted to two-room suites?

## **Answer**

Yes. A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation for purposes of the RRP Rule.

Hotel suites that provide a sleeping area that is separate from the living area are covered by the RRP Rule because they are not zero-bedroom dwellings. A zero-bedroom dwelling is a residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.

### **Question (6869)**

What is "housing for persons with disabilities"?

### **Answer**

"Housing for persons with disabilities" means housing that is designed to meet the special needs of persons with disabilities and that is reserved for such persons. A person with a disability may include a person who has a disability attributable to a mental or physical impairment, or a person with a chronic mental illness. EPA recommends that you check with state or local housing authorities if it is unclear whether a particular property meets this definition.

### **Question (6870)**

What is a studio apartment?

### **Answer**

A studio apartment is an apartment in which the living area is not separated from the sleeping area.

### **Question (6871)**

If a renovation is taking place in a home built in 1950, but in an addition that was built in 1980, does the RRP Rule apply to the renovation?

### **Answer**

Yes, unless you have determined that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter ( $\text{mg}/\text{cm}^2$ ) or 0.5% by weight. This determination must be made either by a certified inspector or risk assessor, or by a certified renovator using an EPA recognized test kit. You must keep records of any lead-based paint free determination and make the records available to EPA if requested.

## ***Child-Occupied Facilities***

### **Question (6679)**

Is a health care facility or hospital covered under the RRP Rule if it meets the definition of a child-occupied facility?

### **Answer**

Yes. The RRP Rule defines a child-occupied facility as a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least three hours and the combined weekly visits last at least six hours, and the combined annual visits last at least 60 hours.

## **Question (6680)**

If a building contains a child-occupied facility, must all renovations in the building follow the RRP Rule?

### **Answer**

Not necessarily. "Child-occupied facility" means a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day care centers, preschools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings.

With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age 6.

Areas of a building that fall outside this definition are not "child-occupied facilities" for purposes of the RRP rule.

## ***Lead-based Paint Free Components***

### **Question (6681)**

Is a lead-based paint inspection, performed by a certified inspector or risk assessor, that includes a written determination that various building components are free of paint or other surface coatings containing lead equal to or in excess of 1.0 milligrams per square centimeter (mg/cm<sup>2</sup>) or 0.5% by weight sufficient to determine compliance with requirements of the RRP rule?

### **Answer**

The RRP Rule does not apply to target housing where a certified inspector or risk assessor has determined that the components affected by the renovation are free of regulated lead-based paint or that a property is free of lead-based paint for the purposes of the Lead Disclosure Rule.

The RRP Rule does not require certified inspectors or certified risk assessors to test each and every component that will be affected by a renovation. Certified inspectors or risk assessors are free to conduct representative sampling, so long as the components to be tested are chosen in accordance with documented methodologies, such as the HUD Guidelines. However, because certified renovator training does not cover sampling protocols, certified renovators using EPA-recognized test kits to determine the applicability of the RRP Rule must test each and every component that will be affected in order to determine that the RRP Rule does not apply to a particular renovation.

### **Question (6682)**

I am an owner/agent for an apartment community built prior to 1978. In 2004, testing of a random sample of units was completed by a certified testing firm. The results were negative for lead paint but positive for lead dust. With the positive lead dust result, are we required to comply with the RRP Rule?

## **Answer**

No. As long as the determination that the units are free of lead-based paint was made by an inspector or risk assessor certified by EPA or by an authorized State or Tribal program, renovations in the building are not covered by the RRP Rule.

## **Question (6740)**

When testing a property for the presence of lead prior to beginning a renovation using an EPA-recognized test kit, must I test every component affected by the renovation?

## **Answer**

Yes. Because certified renovator training does not cover sampling protocols, certified renovators using EPA-recognized test kits to determine the applicability of the RRP Rule must test each and every component that will be affected in order to determine that the RRP Rule does not apply to a particular renovation.

## **Question (6839)**

If a certified inspector or risk assessor determines that a component was installed post-1978 and is therefore free of lead-based paint, can the renovation firm rely on this determination?

## **Answer**

Yes, as long as the renovation firm has obtained a copy of the determination. The firm must retain a copy of the determination for three years after completion of the renovation.

## ***Emergency Renovations***

### **Question (6683)**

How do I know if a child has an EBL prior to my work if they haven't had their blood lead tested recently?

### **Answer**

It is never the renovation firm's responsibility to determine whether a child has an elevated blood lead (EBL) level.

### **Question (6874)**

Does the RRP rule apply to contractors working on homes damaged by a hurricane or other natural disaster?

### **Answer**

Damage from a major storm or other natural disaster could result in the need for emergency renovations. Certain requirements of the RRP Rule do not apply to emergency renovations, which are renovation activities that were not planned but result from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment and/or property with significant damage. The information distribution requirements do not apply to emergency renovations. Weather-based emergency renovations are also exempt from the warning sign, containment, waste handling, training, and certification requirements to the extent necessary to respond to the emergency.

These emergency renovations are not exempt from cleaning requirements, cleaning verification requirements, or recordkeeping requirements.

## ***Opt-Out Provision***

### **Question (6684)**

What is the "opt-out" provision and when does it apply?

### **Answer**

The RRP Rule published April 22, 2008, allows homeowners to "opt out" of the requirement to hire a trained renovator who follows the RRP work practices if the homeowner certifies that (1) the renovation will occur in the owner's residence, (2) no child under age 6 or pregnant women resides there, (3) the housing is not a child-occupied facility, and (4) the owner acknowledges that the renovation firm will not be required to use the work practices contained in the RRP rule.

In October 2009, EPA proposed a rule to eliminate the "opt-out" provision. EPA plans to take final action on this proposal by April 22, 2010.

### **Question (6685)**

What is the status of this action?

### **Answer**

The public comment period is now closed. The Agency is reviewing the comments and plans to take final action on or before April 22, 2010.

### **Question (5839)**

What is EPA's guidance when there is a change in household status during a remodeling activity (i.e. if a child moves in after work has started or if a woman in the house gets pregnant)?

### **Answer**

If the owner revokes his or her opt out, then the requirements of the Renovation, Repair, and Painting Program would apply.

## Pre-Renovation Education

### Question (5837)

Is an electronic version of the lead information pamphlet sent to the customer via e-mail an acceptable means of distributing the information?

### Answer

The distribution of the lead information pamphlet (40 CFR § 745.83) via e-mail is an acceptable means of distributing the pamphlet as long as the requirements of the Electronic Signatures in Global and National Commerce Act ("Act") (15 U.S.C. § 7001 et seq.) are met. The Act requires that the recipient of the pamphlet, among other things, consents electronically to email delivery and in a manner that demonstrates that the recipient can access the information in the form it will be provided. In addition, the recipient must be allowed to withdraw this consent and be informed of the procedures for withdrawing consent. Further, the recipient must be provided with a statement of the hardware and software requirements for accessing and retaining the pamphlet.

### Question (6875)

What are the pre-renovation education requirements for a vacant apartment?

### Answer

Firms performing renovations must provide pre-renovation education to the owner of the unit and to an adult occupant. If the unit is not occupied, providing pre-renovation education to the owner of the unit is sufficient. For additional information on these requirements, visit <http://www.epa.gov/lead/pubs/sbcomplianceguide.pdf>.

### Question (6876)

A school district has an alternative program that teaches pregnant teens, as well as rooms provided for their infants. If work is taking place during the summer or spring breaks, is the school still responsible for sending out notifications to the students' homes?

### Answer

Firms performing renovations in child-occupied facilities must comply with the information distribution requirements, including providing the parents and guardians of children using the child-occupied facility with the "Renovate Right" pamphlet and information describing the general nature and locations of the renovation and the anticipated completion date. The firm may comply with this requirement either by mailing or hand-delivering the pamphlet and information to each parent or guardian of a child using the child-occupied facility, or by posting informational signs while the renovation is ongoing describing the general nature and locations of the renovation and the anticipated completion date. For additional information on these requirements, visit <http://www.epa.gov/lead/pubs/sbcomplianceguide.pdf>.

"Child-occupied facility" means a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day care centers, preschools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings.

With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age 6.

Areas of a building that fall outside this definition are not “child-occupied facilities” for purposes of the RRP rule.

## **Work Practice Standards**

### ***Occupant Protection***

#### **Question (6877)**

Must I cover the floor with plastic if I'm doing a whole room renovation that requires removing all components, including drywall? Can't I just clean the floor at the end of the job?

#### **Answer**

For interior renovations, before beginning the renovation the renovation firm must cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater. You must comply with this requirement unless it is impossible to do so, for example, during portions of a renovation project that involve removing flooring, sanding a hardwood floor, or removing or installing carpeting.

Even when plastic is used to cover the floor, you must also clean the floor at the end of the job. Thoroughly vacuum using a HEPA vacuum. The HEPA vacuum must be equipped with a beater bar when vacuuming carpets and rugs. Mop uncarpeted floors thoroughly, using a mopping method that keeps the wash water separate from the rinse water, such as the 2-bucket mopping method, or using a wet mopping system.

#### **Question (6878)**

When renovating the exterior of a high-rise building, does the requirement to close and seal doors and windows within 20 feet of the renovation include closing those openings two-plus floors above the floor where work is to be performed?

#### **Answer**

Not necessarily. When establishing containment for an exterior renovation on a multi-story building, you must close all doors and windows within 20 feet of the renovation on the same floor as the renovation, and close all doors and windows on all floors below that are the same horizontal distance from the renovation. In certain situations, the renovation firm must take extra precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate other areas of the property. The conditions at your renovation site may be such that closing and sealing doors and windows on floors above the renovation is necessary to prevent these areas from being contaminated by dust and debris.

## ***Containing the Work Area***

#### **Question (6657)**

In exterior containment if a large tree or shrub is within the work area can the plastic be placed around the base and would the plant, however large, need to be covered also need to be covered?

#### **Answer**

The RRP Rule does not specifically address containment of trees or shrubs, but if dust, debris, or residue remains in the tree or shrub at the conclusion of the job, the site will not pass visual inspection. The work practices for exterior projects are based on a performance standard -- the certified renovator or a worker under the direction of the certified renovator must contain the work area so that dust or debris does not leave the work area while the renovation is being performed. In addition, at the end of the job, a certified

renovator must perform a visual inspection to determine whether dust, debris or residue is still present on surfaces in and below the work area, including windowsills and the ground. If dust, debris or residue is present, these conditions must be eliminated and another visual inspection must be performed.

### **Question (6699)**

If vertical containment (pre-engineered full containment) is used, can it be placed less than 6 feet from the work surface in all directions for interior jobs? If such a system is used in a high-ceiling scenario, can the top be left open if it is more than 6 feet from the work surface?

### **Answer**

You may use vertical containment when containing the work area. Whether or not vertical containment is used, you must follow the containment protocols required by the RRP Rule, including covering the floor surface (including installed carpet) with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater.

### **Question (6700)**

What is your recommendation if work has started and it begins to rain? What do we do with the water that is on the plastic in the containment area?

### **Answer**

Before beginning the renovation, the firm must isolate the work area so that no dust or debris (including in the waste water) leaves the work area while the renovation is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced and taking any other steps necessary to ensure that no dust or debris, including water, leaves the work area while the renovation is being performed.

Some recommended options to prevent contaminated water from leaving the work site include:

Stop work and clean up the work site before rain begins. Proceed with interior work only.  
Cover the area with a tarp to deflect the rainwater away from the work site.  
Collect the water and dispose of it. Check with your local water treatment authority for local requirements for handling and disposing of waste water.

### **Question (5843)**

What mil plastic is considered impermeable?

### **Answer**

The regulation does not specify a particular thickness of plastic sheeting considered to be impermeable, but rather includes a performance standard. The performance standard requires firms to isolate the work area, prevent dust and debris from exiting, and ensure plastic sheeting is not torn or displaced. Certain guidance materials recommend the use of 6 mil plastic sheeting, such as HUD's Guidelines for the Evaluation and Control of Lead-Based Paint in Hazards in Housing. However, for the purpose of Renovation, Repair, and Painting regulation, a contractor should choose one or more layers of plastic sheeting of a sufficient thickness to prevent puncture based on the circumstances of the particular project.

### **Question (6741)**

Do I need to cover a closet door with plastic?

## **Answer**

Yes, if the door is inside the containment area. When containing the work area during an interior renovation, the firm must close windows and doors in the work area. Doors must be covered with plastic sheeting or other impermeable material.

## **Question (6742)**

What are the requirements for covering doorways used to access the work area?

## **Answer**

Doors used as an entrance to the work area must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area.

## **Question (6743)**

If a doorway to a room is outside the containment area, does the door need to be covered with plastic?

## **Answer**

If the containment area is smaller than the entire room, and the door is not within the containment area, you do not need to cover the door with plastic. However, all personnel, tools, and other items, including the exterior of containers of waste, must be free of dust and debris when leaving the work area.

## **Question (6744)**

What kind of containment do I need to set up for a door that is outside the containment area, but is used by workers to reach the exterior of the home?

## **Answer**

If the door is not within the containment area, you do not need to cover the door with plastic. However, all personnel, tools, and other items, including the exterior of containers of waste, must be free of dust and debris when leaving the work area.

## **Question (6795)**

Is interior containment required as well as exterior containment for an exterior window removal?

## **Answer**

Yes, if exterior window removal creates dust and debris on the interior of the building. Before beginning the renovation, the firm must isolate the work area so that no dust or debris leaves the work area while the renovation is being performed. If removing windows from the exterior creates dust and debris on the interior as well as the exterior of the building, then the firm must follow the requirements in the RRP Rule for both interior and exterior containment. Window replacement typically disturbs paint on both the interior and exterior of a building.

## **Question (6840)**

When must scaffolding and vertical shrouding be used when working in the city, where most adjacent buildings are within 10-15 feet of the building being worked on?

## **Answer**

The work practices for exterior projects are based on a performance standard -- the certified renovator or a worker under the direction of the certified renovator must contain the work area so that dust or debris does not leave the work area while the renovation is being performed. The certified renovator must be on site while the containment is established and is responsible for ensuring that dust or debris does not spread beyond the work area. The extent to which scaffolding and vertical shrouding are needed to meet this standard will depend on the conditions at the work site.

At a minimum, you must cover the ground 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents 10 feet of such ground covering. This distance accounts for dispersal of dust or debris that is likely as a result of air movement, even on relatively calm days.

In situations where other buildings are in close proximity to the work area, where the work area abuts a property line, or weather conditions dictate the need for additional containment (for example, during windy conditions) the certified renovator or a worker under the direction of the certified renovator performing the renovation may have to take extra precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate other buildings or migrate to adjacent property. This may include erecting vertical containment designed to prevent dust and debris from contaminating the ground or any object beyond the work area.

## **Question (6841)**

Can a renovator use innovative work methods and or containment strategies that ultimately comply with the performance objectives of containment, or do they need to follow the requirements for plastic containment? For example, can a renovator set up a tent-like structure of plastic on the interior in front of a window replacement and a plastic bubble outside the building over the same window that effectively contains/captures any exterior lead disturbance?

## **Answer**

The renovator must comply with the requirements of the RRP Rule for containing the work area. The rule specifies minimum requirements that apply to all jobs, as well as stating a performance standard that containment must be established in such a way that dust or debris does not spread beyond the work area. The containment described in the question could be used as long as the minimum standards prescribed in the RRP Rule are also met for removing objects from the work area, closing and covering ducts, closing windows and doors, covering floors, and making sure tools and personnel free of dust and debris before leaving the work area.

## **Question (6842)**

The rules require exterior containment. At what point is the wind too strong to allow work to continue?

## **Answer**

The work practices for exterior projects are based on a performance standard -- the certified renovator or a worker under the direction of the certified renovator must contain the work area so that dust or debris does not leave the work area while the renovation is being performed. The certified renovator is responsible for determining when the wind is so strong that no form of containment is adequate to keep dust or debris from leaving the work site, and therefore work must stop until conditions improve such that containment can be maintained.

### **Question (6843)**

If I paint without disturbing the surface of the existing paint, can I use a tarp instead of 6 mil plastic?

### **Answer**

Yes. Projects that do not disturb a painted surface are not subject to the RRP Rule.

## ***Prohibited and Restricted Practices***

### **Question (6745)**

How do RRP requirements apply to pressure washing? What containment and other preparation are required?

### **Answer**

Pressure washing is not a prohibited practice under the RRP Rule. Pressure washing is subject to the same containment requirements as other permissible work practices. Before beginning the renovation, the firm must isolate the work area so that no dust or debris (including in the waste water) leaves the work area while the renovation is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced and taking any other steps necessary to ensure that no dust or debris leaves the work area while the renovation is being performed. The firm must also ensure that containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.

In addition, it is important to properly dispose of waste water used during pressure washing. Check with your local water treatment authority for more information.

### **Question (6844)**

My firm drills a series of 1/2 inch diameter holes in sheet rock to dry it out where rooms have been flooded. Is drilling these holes a prohibited practice?

### **Answer**

No. The RRP Rule prohibits the use of machines that remove lead-based paint through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, unless such machines are used with HEPA exhaust control. The requirement for HEPA exhaust control does not apply to the use of all power tools. Specifically, HEPA exhaust control is not required when using a power drill to drill holes in sheetrock. When using a power drill with a drill bit to cut through sheetrock, the speed associated with the contact between the bit and the paint is not of the same magnitude as the contact speed generated by the machines identified in the regulation. Therefore, the work described in the question is not a prohibited practice.

## ***Waste from Renovations***

### **Question (6854)**

Why are gloves, which are exposed to large amounts of lead dust, not required to be disposed of under the RRP Rule?

## **Answer**

The RRP Rule requires the renovation firm to use precautions to ensure that all personnel, tools, and other items are free of dust and debris before leaving the work area. Workers with contaminated clothing can take that contamination home to their own children, and taking contaminated equipment to another jobsite could potentially create a lead hazard at a new site. There are several ways of ensuring that gloves and other clothing are free of dust and debris before leaving the work area. For example, tacky mats may be put down immediately adjacent to the plastic sheeting covering the work area floor to remove dust and debris from the bottom of the workers' shoes as they leave the work area. If workers wear shoe covers, they may remove them as they leave the work area. Clothing and materials may be wet-wiped and/or HEPA-vacuumed before they are removed from the work area. While the rule does not specifically address gloves, if they are contaminated with lead dust or debris that cannot be removed, EPA recommends that they not be removed from the work site during the job and that they be disposed of as part of final cleanup.

## **Question (6855)**

Under the RRP Rule, what type of container is adequate for on-site storage of debris? Must the container be covered and locked? Must it be placed behind a locked barrier?

## **Answer**

At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris. Using a covered container is one way to prevent release of dust and debris. Locking the container and placing it behind a locked barrier are good examples of ways to prevent access to the dust and debris.

## **Question (6856)**

Can non-certified workers transport debris off site under the RRP Rule if they have had documented on-the-job training in this activity by the certified renovator?

## **Answer**

Yes. The RRP Rule requires the certified renovator to regularly direct the work being performed by other individuals to ensure that the work practices are being followed, including ensuring that dust or debris does not spread beyond the work site. The certified renovator is responsible for providing training to non-certified workers on the work practices they will be using in performing their assigned tasks, including transporting waste off site.

## **Question (6857)**

How should I dispose of contaminated water used in two-bucket mopping?

## **Answer**

EPA recommends contacting your local water treatment authority and asking about local requirements for handling and disposing of waste water.

## ***Cleaning the Work Area***

### **Question (6658)**

The RRP rule requires HEPA vacuums to be used for cleaning up the dust created by renovations. What should I look for when purchasing a HEPA vacuum?

### **Answer**

According to the definition in 40 CFR 745.83:

*HEPA vacuum* means a vacuum cleaner which has been designed with a high-efficiency particulate air (HEPA) filter as the last filtration stage. A HEPA filter is a filter that is capable of capturing particles of 0.3 microns with 99.97% efficiency. The vacuum cleaner must be designed so that all the air drawn into the machine is expelled through the HEPA filter with none of the air leaking past it.

Therefore, renovation firms should look for a vacuum cleaner that was designed to be operated with a HEPA filter, rather than a shop vacuum that can be fitted with a HEPA filter in place of the original basic filter. A vacuum retrofitted with a HEPA filter is not necessarily properly sealed or designed so that all of the intake air goes through the HEPA filter. EPA also recommends that renovation firms ask the manufacturer or retailer whether the machine has been tested to ensure that it achieves the high efficiency required of a HEPA filter (capturing 99.97% of 0.3 micron particles).

### **Question (6858)**

Under the RRP Rule, do paint chips and debris need to be removed from protective sheeting prior to misting, removing, folding and sealing the sheeting even if such chips and debris can be effectively contained by the sheeting or the sealed container the sheeting is contained in for disposal?

### **Answer**

Yes. After the renovation has been completed, the firm must clean the work area until no dust, debris, or residue remains. The first cleaning step required by the RRP rule is to collect all paint chips and debris and, without dispersing any of it, seal this material in a heavy-duty bag. The purpose of this step is to prevent accidental spreading of lead-contaminated paint chips and dust off of the protective sheeting. Only when this step is completed may you remove the protective sheeting, following the directions specified in the rule.

### **Question (6859)**

If a renovator uses the required practices to remove containment and clean a work area, then performs successful cleaning verification, can the balance of the project then be done using uncertified workers and without reference to the work practices required by the RRP Rule?

### **Answer**

Yes, as long as the balance of the project can be completed without disturbing a painted surface.

## ***Cleaning Verification***

### **Question**

Typically, interior clearance is achieved by means of dust wipe sampling by a certified inspector or risk assessor using single surface dust wipes. This is required on all HUD jobs. EPA rules at 40 CFR

745.227(e)(8)(ii) allow for composite sampling in clearance testing. Under the RRP Rule, is composite sampling acceptable for clearance in lieu of cleaning verification?

## **Answer**

Yes. Under the RRP Rule, cleaning verification need not be performed if the contract between the renovation firm and the person contracting for the renovation or another Federal, State, Territorial, Tribal, or local law or regulation requires:

- The renovation firm to perform dust clearance sampling at the conclusion of a renovation covered by this subpart.
- The dust clearance samples are required to be collected by a certified inspector, risk assessor, or dust sampling technician.
- The renovation firm is required to re-clean the work area until the dust clearance sample results are below the clearance standards in 40 CFR 745.227(e)(8) or any applicable State, Territorial, Tribal, or local standard.

Clearance must be performed following the procedures in 40 CFR 745.227(e)(8), which allow the use of composite sampling. Not all laboratories will analyze composite samples, so check with your laboratory before collecting them.

## Recordkeeping and Reporting Requirements

### Question (6824)

If a certified renovator is an employee of the certified firm, can the firm maintain all required records (those required of the firm and of the certified renovator); understanding that the certified renovator must also keep a copy of his certification as well as employee training records/documentation on the jobsite?

### Answer

The renovation firm is the entity responsible for retaining and making available to EPA all records necessary to demonstrate compliance with the RRP Rule for a period of 3 years following completion of the renovation. The certified renovator is responsible for preparing the records demonstrating that the renovation was conducted in compliance with the work practice standards.

Certified renovators must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate. Certified renovators are also responsible for providing training to non-certified workers on the work practices they will be using in performing their assigned tasks. The renovation firm must keep records showing what training was provided to workers, but these records need not be available at the work site.

### Question (6825)

What records must a subcontractor keep?

### Answer

If the certified renovator assigned to the project is assigned by the subcontractor, the certified renovator is responsible for preparing the records demonstrating that the renovation was conducted in compliance with the work practice standards, including training provided to non-certified workers. All renovation firms involved in a project are jointly responsible for retaining and making available to EPA all records necessary to demonstrate compliance with the RRP Rule for a period of 3 years following completion of the renovation.

### Question (6826)

Can the required records and documentation be stored electronically rather than as paper copies?

### Answer

Yes. The renovation firm is responsible for retaining and making available to EPA all records necessary to demonstrate compliance with the RRP Rule for a period of 3 years following completion of the renovation. The RRP Rule does not specify the format in which records must be kept.

### Question (6827)

Can the certified renovator comply with the rules by keeping records regarding his certification and employee training electronically, provided he can display them on a hand held device or laptop on the job site?

### Answer

Yes. The RRP Rule does not specify the format in which these documents must be kept, but they must be available at the work site. Documents are not available if they cannot be viewed. Certified renovators

must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate.

Certified renovators are also responsible for providing training to non-certified workers on the work practices they will be using in performing their assigned tasks. The renovation firm must keep records showing what training was provided to workers, but these records need not be available at the work site.

## **Firm Certification**

### **Question (6701)**

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 RRP Rule?

### **Answer**

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.

### **Question (6702)**

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 have a certified renovator at the job site?

### **Answer**

Not necessarily. All firms performing renovations, including general contractors, must ensure that all individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator. A firm acting as a general contractor may satisfy this requirement by hiring another certified firm that also takes responsibility for ensuring that all individuals performing the renovation activities are either certified renovators or have been trained by a certified renovator. With respect to assigning a certified renovator who is responsible for any OJT and regularly directing other workers, a firm acting as a general contractor may satisfy this requirement by hiring another certified firm that in turn assigns a certified renovator to the job. However, this does not discharge the general contractor's liability to ensure compliance with the RRP Rule.

### **Question (6703)**

If I rent out apartments built before 1978, do I need to get firm and renovator certification if I do my own work on it? What if I hire a renovation firm to do the work?

### **Answer**

With respect to landlords, EPA believes that there are two circumstances where work being done in pre-1978 apartment is for compensation such that the landlord must be a certified firm and use (or be) a certified renovator. First, if the landlord does the renovation him or herself, then the landlord must have firm and renovator certification. Second if an employee of the landlord does the renovation work, then the landlord must have firm certification and the employee must be a certified renovator. However, if the landlord hires a renovation firm to perform the renovation, the landlord does not need firm or renovator certification, but the firm hired by the landlord must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

### **Question (6704)**

A property management company performs most of the clerical functions of the business, and hires plumbers, electricians, carpenters, etc., for its renovation needs. Does the property management company need firm certification?

### **Answer**

A property management company acts as an agent for the landlord and has the same responsibilities as the landlord under the RRP Rule. Therefore, if the property management company uses its own employees to do the work, the property management company must be a certified firm and one of the employees must be a certified renovator. If the property management company hires a renovation firm to perform the renovation, the property management company does not need firm or renovator certification, but the firm the property management company hires must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

### **Question (6669)**

How will the RRP Rule affect the work of non-profit or not-for-profit groups? Will the rule apply, for example, to church groups who, as part of their missionary work, are making improvements for low-income residents?

### **Answer**

The RRP Rule applies to renovations performed for compensation. Compensation includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space. Donations, including donations of materials or of the time of volunteers, are not compensation. If the organization is compensating anyone for the work (for example, a paid supervisor), then the renovation is covered by the RRP Rule. This is the case even though the organization has non-profit or not-for-profit status.

The organization may also need to become certified as a firm. Beginning April 22, 2010, an organization that performs, offers, or claims to perform renovations covered by the RRP Rule must be certified by EPA. A non-profit organization that offers to renovate the property of a third party for compensation, or that performs the renovation, must be certified as a firm. The organization must comply with all the requirements of the rule that apply to firms performing renovations. This includes having a certified renovator direct the work and provide on-the-job training to all uncertified workers, including volunteers.

### **Question (6686)**

DOE provides weatherization grants to states, which in turn provide grants to non-profit sub-grantees. These sub-grantees fall into one of three categories:

- The sub-grantee uses its own employees to perform all the weatherization services in the home.
- The sub-grantee uses a combination of its own employees and contractors to perform weatherization services.
- The sub-grantee has no employees that perform weatherization services, instead every service is performed by a hired contractor.

Must these sub-grantees be RRP-certified firms?

## **Answer**

Beginning April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP Rule without certification from EPA. Sub-grantees that use their own employees to perform any or all of the weatherization services in the home, such as the sub-grantees in the first two categories, must be RRP certified firms.

As to the sub-grantee in the third category, it depends on whether the sub-grantee offers to renovate the property of a specific third party for compensation. A sub-grantee that contracts out the entire renovation job to other firms must be certified as a firm if the sub-grantee has made an offer, for example, as part of a grant proposal, to renovate the property of a specific third party for compensation, in this case the homeowner. The RRP Rule requires a sub-grantee that makes such an offer to be certified as a firm. In addition, once such an offer is accepted, for example, through issuance of the grant, the sub-grantee is obligated to perform a renovation in accordance with the terms of the grant. Even if the sub-grantee chooses to fulfill its obligation to perform the renovation by contracting out the work, the sub-grantee 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.

If the sub-grantee's funding does not obligate it to perform specific renovations, then the sub-grantee is the purchaser of renovation services when it contract out the work, and the firm it contracts with is the offeror and must be certified.

## **Question (6746)**

What do you need to do to become a certified firm?

## **Answer**

Firm certification is easy and straightforward – you need only submit a short application, and submit it with fee to EPA. The form, and associated material, is available on EPA's website at <http://epa.gov/lead/pubs/toolkits.htm#renovator>. You should complete and submit this form without delay. Certified firms will be able to advertise that they are certified by EPA under the RRP program, and will also be given rights to use EPA's new "Lead-Safe Certified Firm" logo.

Remember, to fully comply with this regulation, certain of your key employees may need to obtain individual certification (by taking a one-day certification course) in addition to your firm certification. Visit <http://www.epa.gov/lead/pubs/renovation.htm#contractors> to learn how to become a certified renovator.

## **Question (6747)**

If my firm already has abatement certification, is separate RRP certification necessary?

## **Answer**

RRP firm certification is not required to perform lead abatements. However, if your firm performs, offers, or claims to perform renovations as well as abatements, after April 22, 2010 it must be a certified renovation firm.

## **Question (6748)**

Will a renovator working for a firm that has submitted a certification application to EPA but has not received its certification be allowed to work on pre-1978 properties assuming compliance with all other requirement of the rule?

## **Answer**

No. Beginning April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP rule without certification from EPA.

## **Question (6749)**

Does a business need to be a certified firm before even offering services in pre-1978 property?

## **Answer**

Yes. Beginning April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP rule without certification from EPA.

## **Question (6750)**

I own a sole proprietorship, and I plan to get trained and certified as a certified renovator. Will that be sufficient since I have no employees?

## **Answer**

No. Beginning April 22, 2010, all firms performing renovations covered by the RRP rule must be certified. "Firm" means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a Federal, State, Tribal or local government agency; or a nonprofit organization.

## **Question**

Can a certified renovator supervise workers of a different company, or must each firm involved in a project furnish a certified renovator?

## **Answer (6751)**

All firms performing renovations must ensure that all individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator. The RRP Rule does not prohibit firms from reaching agreement on which will supply the certified renovator who is responsible for ensuring compliance with the RRP Rule and who directs and trains non-certified workers. All firms remain liable for ensuring compliance with the RRP Rule.

## **Question (6796)**

Are state and local government employees who often do renovation work required to be certified?

## **Answer**

If the state or local government uses its own employees to do the work, the state or local government must be a certified firm and at least one of the employees assigned to each job must be a certified renovator. If the state or local government hires a renovation firm to perform the renovation, the state or local government does not need firm or renovator certification, but the firm the state or local government hires must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

### **Question (6797)**

If a general contractor hires a subcontractor to work at a renovation site, does the subcontractor need to be a certified firm if the subcontractor does not disturb any paint?

### **Answer**

Firms performing tasks that disturb no painted surfaces whatsoever do not need to be certified. However, since conditions at the job site may be difficult to predict, EPA strongly recommends that all firms involved in the renovation be certified and use properly trained and certified personnel. For example, a firm hired to install an HVAC system after demolition of painted surfaces has taken place may find that to complete the job painted surfaces need to be disturbed. The HVAC firm may not engage in activities that disturb painted surfaces if it is not certified.

As every renovation job is different, it is up to the firm acting as the general contractor to determine what activities are within the scope of the renovation and to ensure that other firms are properly trained and certified for the tasks they will be performing. All firms, including the firm acting as the general contractor, are responsible for making sure the renovation is performed in accordance with the work practice standards, including keeping containment intact and making sure lead dust and debris do not leave the worksite. General contractors should keep in mind that if a firm hires a subcontractor that fails to follow the work practice standards or otherwise violates the RRP rule, the firm that hired the subcontractor is also responsible for the violation.

### **Question (5842)**

What changes in a renovation firm's status require an amendment of certification and how much will it cost?

### **Answer**

In accordance with § 745.89(c), any change to the information reported to EPA in a firm's most recent certification application must be reported in an amended certification application. There is no cost associated with the submission of an amended certification.

### **Question (6798)**

EPA has published information indicating that firm applications will be processed within 90 days. In the event the firm has filed an application with payment before 1/22/2010, will they be assured that they will be approved within the 90 days?

### **Answer**

After EPA receives a firm's application, EPA will take one of the following actions within 90 days of the date the application is received. EPA has been processing firm applications that are complete in a much shorter time.

EPA will approve a firm's application if EPA determines that it is complete and that the environmental compliance history of the firm, its principals, or its key employees does not show any unwillingness or inability to maintain compliance with environmental statutes or regulations. An application is complete if it contains all of the information requested on the form and includes at least the correct amount of fees. When EPA approves a firm's application, EPA will issue the firm a certificate with an expiration date not more than 5 years from the date the application is approved. EPA certification allows the firm to perform renovations covered by this section in any State or Indian Tribal area that does not have an authorized renovation program.

EPA will request a firm to supplement its application if EPA determines that the application is incomplete. If EPA requests a firm to supplement its application, the firm must submit the requested information or pay the additional fees within 30 days of the date of the request.

EPA will not approve a firm's application if the firm does not supplement its application as described above or if EPA determines that the environmental compliance history of the firm, its principals, or its key employees demonstrates a unwillingness or inability to maintain compliance with environmental statutes or regulations. EPA will send the firm a letter giving the reason for not approving the application. EPA will not refund the application fees. A firm may reapply for certification at any time by filing a new, complete application that includes the correct amount of fees.

### **Question (6799)**

If a property owner and a property management company have entered in to a consent agreement related to Section 1018 (lead hazard disclosure) that does not admit an actual violation, is the property management company required to acknowledge a lead-based paint violation when completing the application for firm certification?

### **Answer**

No.

### **Question (6800)**

If the demolition, cleanup, and cleaning verification portion of a renovation project is performed under the direction of a certified renovator using trained workers, can uncertified workers complete the job if further disturbances of painted surfaces will not occur? For example, a certified firm establishes containment and removes wall and ceiling board to the rough framing members. Cleaning and verification take place and containment is removed and properly disposed of. At that point, can non-certified firms perform electrical, plumbing, HVAC, or drywall work?

### **Answer**

Yes. Activities that do not disturb paint, such as applying paint to walls that have already been prepared, are not regulated by the RRP Rule if they are conducted after post-renovation cleaning verification has been performed.

### **Question (6801)**

Must my firm be certified if we are performing a renovation that started in March but will not be completed until June 2010?

### **Answer**

Yes. On or after April 22, 2010, no firm may perform, offer, or claim to perform renovations covered by the RRP rule unless the firm has certification from EPA.

### **Question (6802)**

Does the RRP Rule require a certified state lead inspector or risk assessor, who does not do renovation work, to become a certified renovation firm in order to take dust wipe samples?

## **Answer**

No. A certified inspector or risk assessor may make determinations regarding the presence of lead-based paint at a renovation site without becoming certified as a renovation firm.

## **Question (6803)**

Is the fee for firm certification waived for self- employed individuals or landlords?

## **Answer**

No. Congress requires EPA to impose a fee on certified contractors that is sufficient to recover the costs of administering and enforcing the RRP Rule. All applicants for firm certification must submit the \$300 fee as part of their application. A firm's certification is effective for 5 years.

## **Question (6804)**

Can contractors submit their application to EPA before they complete the required training, or must the application be submitted after the training is complete? Is there a proof of training required by the EPA in order for the contractor's application to be approved?

## **Answer**

To become a certified renovator, you must successfully complete a renovation training course taught by an accredited training provider. The course completion certificate serves as your proof of certification – no application to EPA is necessary. If you are a sole proprietorship or individual doing business as a renovation firm, you must also become a certified firm by submitted a completed “Application for Firms” with the correct amount of fees. As part of your application, you will be required to certify that your firm will comply with the requirements of the RRP Rule, including ensuring that all individuals performing renovations activities on behalf of the firm are either certified renovators or have been trained by a certified renovator.

No proof of training is required at the time you submit your application.

## **Question (6805)**

Must maintenance workers at kindergartens and elementary schools become certified renovators if they perform renovations covered by the RRP Rule in the portions of the school that are child-occupied facilities? Are the schools or school systems then required to become certified renovation firms?

## **Answer**

On or after April 22, 2010, all renovations covered by the RRP Rule must be directed by certified renovators and must be performed by certified renovators or individuals trained by a certified renovator. The RRP rule requires any firm, including a local government agency, that performs, offers, or claims to perform renovations to be certified by EPA.

## **Question (6845)**

If a firm does business in several states, must they become certified in all states in which they manage a target property or is this requirement satisfied by certifying the firm in the state in which they are headquartered?

## **Answer**

The RRP Rule applies in states and tribal areas that are not operating EPA-authorized programs. A firm with Federal certification under the RRP Rule may perform, offer, or claim to perform renovations in any of these states. In states and tribal areas with EPA-authorized programs, check with the state or tribal agency administering the program to learn about the certification requirements in that state or tribal area. EPA encourages authorized state and tribal programs to accept certifications issued under the Federal program and under other state and tribal programs, but this is not required.

## **Question (6828)**

My non-profit organization receives grants to arrange for renovations in older housing, such as weatherization projects or general modernization. Typically, these grants come with eligibility conditions for properties and/or property owners and tenants, but specific properties or projects are not identified. My organization is responsible for locating eligible properties and recipients and hiring firms to perform the eligible renovations. Must my non-profit organization become an RRP-certified firm?

## **Answer**

No, as long as your organization does not perform covered renovations using its own employees or offers to renovate the properties of specifically-identified third parties in exchange for a grant, your organization does not need to become an RRP-certified firm. You should make sure that any firms you hire are certified renovation firms.

## **Question (6830)**

My non-profit organization applies for and receives grants to renovate older homes. We do not perform the renovations ourselves, we hire renovation contractors to perform them on our behalf. We identify the properties to be renovated and the specific projects in the grant application. If we are successful in obtaining the grant, the funding would obligate us to arrange for the renovation of the specific properties named in the grant application. Must my non-profit organization become an RRP-certified firm?

## **Answer**

Yes, even though your organization's employees do not actually perform the renovation activities, your organization must be an RRP-certified renovation firm because your organization, through the grant process, is offering to perform renovations for compensation, *i.e.*, the grant.

## Lead-Safe Certified Firm Logo

### Question (6846)

How do I get my Lead-Safe Certified Firm Logo?

### Answer

EPA will send instructions for downloading your Logo to the e-mail address you list on your firm certification application. The instructions will include a password. To download your Logo, visit [www.RRPFirmlogos.org](http://www.RRPFirmlogos.org). Enter your User ID, which is your application ID number found on your certification letter. Enter the password included in the instructions. You will then find a download button and instructions on how to save your file.

### Question (6847)

I don't have an e-mail account. Can I have a CD mailed to me?

### Answer

No. If you don't have an e-mail account, please call 1-800-242-LEAD with your firm certification number and they will assist you with obtaining your password. You can use your password, with the application ID number found on your firm certification letter, to download your Logo from [www.RRPFirmlogos.org](http://www.RRPFirmlogos.org).

### Question (6848)

How and where can I use the Lead-Safe Certified Firm Logo?

### Answer

The Lead-Safe Certified Firm Logo must be reproduced so that all of its components are legible, including your firm's certification number. The Logo must not be altered or distorted in any way.

#### You MAY --

- Use the Logo to identify your firm as an RRP-certified firm. Firms that are not RRP-certified may not use the Logo.
- Use the Logo in brochures, advertisements, Web sites, proposals, bills, signs, uniforms, vehicles and other materials promoting or identifying your firm.
- Use the Logo on documents or other materials in black and white or color (2-color or 4-color versions are available).

#### You MAY NOT --

- Use the Logo in any manner that would imply EPA endorsement of a company, its products or services.
- Reduce the Logo to a size smaller than one inch wide by 0.687 inches in height.
- Allow a firm that is not RRP-certified (including your subcontractors) to use the Logo.

EPA will monitor the use of all Logos. If necessary, EPA will address failure to comply with these Logo Guidelines. To report a non-compliant use of the Logo, please contact EPA at 1-800-424-LEAD.

### Question (6849)

Can I get the Lead-Safe Certified Firm Logo file in different resolution or in black and white?

**Answer**

Yes, please e-mail [EPARRPFirmLogo@battelle.org](mailto:EPARRPFirmLogo@battelle.org) for the file. If you don't have an e-mail account, please call 1-800-242-LEAD.

**Question (6850)**

I can't open the Lead-Safe Certified Firm Logo file I have been sent. What format is it in?

**Answer**

The Logo is in a standard .jpg file. It is approximately 900KB to ensure clarity. If this size is too large, or a different format is needed, please call National Lead Information Center and provide your firm certification number and e-mail address. They will submit the request to EPA for you.

**Question (6851)**

Can I receive an .eps, .ai, .ait or modifiable format of the Lead-Safe Certified Firm Logo?

**Answer**

No, EPA will only send formats that cannot be manipulated (i. e. .bmp, .pdf, .tif etc.)

**Question (6852)**

Can I change the colors of the Lead-Safe Certified Firm Logo to match my company's current materials?

**Answer**

No, the Lead-Safe Certified Firm Logo may only be presented in Pantone 362C (green) and Pantone 660C (blue), or in black and white.

**Question (6853)**

I need my password, or am having technical issues with the site to download the Lead-Safe Certified Firm Logo.

**Answer**

Please e-mail [EPARRPFirmLogo@battelle.org](mailto:EPARRPFirmLogo@battelle.org). If you don't have an e-mail account, please call 1-800-242-LEAD.

## Renovator Certification and Training

### Question (6806)

Are state and local government employees who often do renovation work required to be certified?

### Answer

If the state or local government uses its own employees to do the work, the state or local government must be a certified firm and at least one of the employees assigned to each job must be a certified renovator. If the state or local government hires a renovation firm to perform the renovation, the state or local government does not need firm or renovator certification, but the firm the state or local government hires must be certified and must perform the renovation using a certified renovator that directs and provides on-the-job training to any workers that are not certified renovators.

### Question (6807)

What training requirements apply to non-certified workers who have previous EPA/HUD lead-safe work practices training or accredited abatement supervisor or worker training?

### Answer

The RRP Rule requires certified renovators to provide on-the-job training (OJT) to non-certified workers on the work practices they will be using in performing their assigned tasks. The amount of OJT needed and the topics that need to be covered depend on the knowledge and experience of each worker. OJT for a worker who has successfully completed prior EPA/HUD lead-safe work practices training, accredited abatement supervisor or worker training, or HUD's Lead Maintenance course training, might not have to cover basic lead-safe work practices information. It likely would need to address project-specific information (such as the worker's tasks on the job, the operation of new equipment the worker is to use, work area exit locations, and waste disposal locations), as well as any new lead-safe work practices information that was not covered in the worker's course training and that is pertinent to the worker's tasks.

The certified renovator is responsible for ensuring compliance with the work practice standards at all renovations to which he or she is assigned. The certified renovator is also responsible for preparing the records demonstrating that the renovation was conducted in compliance with the work practice standards, including the requirement to provide OJT to non-certified workers. The renovation firm must keep records showing what training was provided to workers. It would be advisable for the records to reflect any prior training non-certified workers had taken.

### Question (6808)

I have completed an 8-hour lead safe work practices training course, but my certificate has expired. What training do I need to take to become a certified renovator?

### Answer

If you have taken one of certain EPA/HUD lead-safe work practices training courses, or accredited abatement supervisor or worker training, regardless of whether this training has expired you may become a certified renovator by taking a 4-hour renovator refresher course in lieu of the 8-hour initial renovator course. EPA is requiring that you complete at least the 4-hour refresher course in order to ensure that you are acquainted with how to use test kits to determine whether lead-based paint is present on a component and how to perform cleaning verification. For a list of the eligible EPA/HUD courses, go to <http://www.epa.gov/lead/pubs/trainerinstructions.htm#refresher> or call 1-800-424-LEAD.

### **Question (6809)**

Must a certified lead abatement professional also become trained and certified to do renovation or repair work?

### **Answer**

Yes. Because some skills are different (such as cleaning verification), RRP training and certification is required even if someone already has abatement certification. Please note that if you previously completed an eligible renovation training course you may take the 4-hour refresher course instead of the 8-hour initial course from an accredited training provider to become a certified renovator. For a list of eligible courses, visit <http://www.epa.gov/opptintr/lead/pubs/trainerinstructions.htm#refresher>.

### **Question (6810)**

How can I find an accredited renovation trainer?

### **Answer**

The list of accredited training providers is available on EPA's RRP Web site at <http://www.epa.gov/lead/pubs/trainingproviders.htm>, or from the National Lead Information Center, 1-800-424-LEAD. New training providers are being accredited weekly.

### **Question (6811)**

The certified renovator is required to have proof of their certification at the work site. If the certified renovator provides on-the-job training to workers, does there need to be documentation of that training at the work site too?

### **Answer**

No. Certified renovators must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate. Certified renovators are also responsible for providing training to non-certified workers on the work practices they will be using in performing their assigned tasks. The renovation firm must keep records showing what training was provided to workers, but these records need not be available at the work site.

### **Question (6812)**

Is the certified renovator assigned to a specific project responsible for the work practices of other contractors on the project if the certified renovator is an employee of the general contractor of the project?

### **Answer**

All firms performing renovations must ensure that all individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator. A firm acting as a general contractor may satisfy this requirement by hiring another certified firm that takes responsibility for ensuring that all individuals performing the renovation activities are either certified renovators or have been trained by a certified renovator. With respect to assigning a certified renovator who is responsible for any OJT and regularly directing workers who are not certified renovators, a firm acting as a general contractor may satisfy this requirement by hiring another certified firm that in turn assigns a certified renovator to the job. However, this does not discharge the general contractor's liability to ensure compliance with the RRP Rule.

### **Question (6813)**

What about a situation where the home owner is acting as their own general contractor and hires multiple companies to do different portions of the work? In this situation, would each business participating be required to follow the rules and assign a separate certified renovator to supervise their portion of the work including separate containment?

### **Answer**

While the homeowner may be performing the role of general contractor by hiring firms and organizing their work, the homeowner is not performing, offering, or claiming to perform a renovation and therefore does not need to be a certified firm. The firms hired by the homeowner to perform renovation tasks are responsible for complying with all aspects of the RRP Rule that are applicable to their work, including firm certification. The RRP Rule does not prohibit firms from reaching agreement on which will supply the certified renovator who is responsible for ensuring compliance with the RRP Rule and who directs and trains non-certified workers. However, all firms share liability for ensuring compliance with the RRP Rule.

### **Question (5840)**

Can renovator training courses, both initial and refresher courses, be taught online or via distance learning?

### **Answer**

The final Renovation, Repair and Painting regulation, like the abatement program, permits the use of alternative training techniques (e.g., video training, computer-based training) as a supplement to the hands-on skills assessment, or as a substitute for the lecture portion of the training course requirements outlined in § 745.225.

In addition, § 745.225 of the final rule requires all training programs, including those using alternative training methods, to meet the minimum hourly requirements for hands-on activities in their training courses. Under § 745.225, all training programs are also required to administer a course test and conduct a hands-on skills assessment.

To ensure the quality of such alternative programs, the final rule requires training providers who opt to use alternative techniques to submit all materials as specified in § 745.225 as a part of their application for accreditation. These materials include copies of the course agenda, and student and instructor manuals.

The accreditation of alternative training programs will be based on EPA's review of the training materials submitted under § 745.225, including the course agenda and manuals. In its review, the Agency will consider on a case-by-case basis the provisions made by a training program to ensure the quality of its course materials. Based on that review, the Agency may accredit programs offering alternative training and instructional methods.

### **Question (6805)**

Must maintenance workers at kindergartens and elementary schools become certified renovators if they perform renovations covered by the RRP Rule in the portions of the school that are child-occupied facilities? Are the schools or school systems then required to become certified renovation firms?

### **Answer**

On or after April 22, 2010, all renovations covered by the RRP Rule must be directed by certified renovators and must be performed by certified renovators or individuals trained by a certified renovator.

The RRP rule requires any firm, including a local government agency, that performs, offers, or claims to perform renovations to be certified by EPA.

## **Training Provider Accreditation**

### **Question (6860)**

Do all renovation course instructors need to be approved as principal instructors? For example, to reach a 6:1 student-to-instructor ratio with 18 people in the class, may we have one principal instructor who teaches the entire lecture and is assisted by two additional hands-on instructors (who are not approved as principal instructors)?

### **Answer**

Every accredited training program must employ a qualified training manager, and it is the job of the training manager to designate a qualified principal instructor for each course. The principal instructor is responsible for the organization of the course and oversees the teaching of all course material. The training manager may designate expert guest instructors as needed to provide instruction specific to the lecture, hands-on activities, or work practice components of a course. In this case, where the principal instructor will teach the entire course, qualified guest instructors may assist with the hands-on aspects of the course material.

### **Question (6861)**

If a student in a renovator training course is unable to read and understand English, may the exam be read to them in their native language?

### **Answer**

No. Separate course accreditations are required for each renovation course a training provider offers that is in a language other than English. Courses presented in a language other than English must use instructor manuals, exams, and other course materials in that language that have been reviewed by EPA as part of the accreditation process for the course.

### **Question (6862)**

May renovator training providers provide reasonable accommodations to people with disabilities?

### **Answer**

Yes. However, to pass the course an individual must successfully complete the hands-on skills assessment and receive a passing score on the course test.

### **Question (6863)**

May the renovator training provider give the exam orally?

### **Answer**

Yes. There is no requirement that the course test be conducted in writing. Each individual must successfully complete the hands-on skills assessment and receive a passing score on the course test to pass any course.

## **Enforcement and Inspections**

### **Question (6815)**

Who would be liable for the fine if a state or local government that was not a certified firm hired a contractor that was not certified?

### **Answer**

The hired firm would be in violation of the RRP Rule if it was uncertified and performing a covered renovation.

## Information for Do-It-Yourselfers

### Question (5861)

How can homeowners protect themselves and their families from exposure to lead dust if they plan on doing their own renovations?

### Answer

The RRP Rule does not impose requirements on homeowners performing renovations in their own homes. If you do decide to do a renovation yourself, it's very important to take precautions to protect you and your family from exposure to lead dust. EPA recommends that you follow these simple procedures:

- Contain the work area so that dust does not escape from the area. Cover floors and furniture that cannot be moved with heavy duty plastic and tape, and seal off doors and heating and cooling system vents;
- Keep children, pregnant women, and pets out of the work area at all times;
- Minimize dust during the project by using techniques that generate less dust, such as wet sanding or scraping, or using sanders or grinders that have HEPA vacuum attachments which capture the dust that is generated; and
- Clean up thoroughly by using a HEPA vacuum and wet wiping to clean up dust and debris on surfaces and wet mopping the floors with plenty of rinse water before taking down plastic over doors, windows, and vents.

For more specific information on how to perform renovation, repair, and painting projects safely in your own home, go to [www.epa.gov/lead](http://www.epa.gov/lead) or call the National Lead Information Center at 1-800-424-LEAD.