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First Lead Deadline Looms

What you need to know about the EPA's new rules on lead paint removal and cleanup

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Don't look now but the first important deadline in implementing new Environmental Protection Agency lead regulations is right around the corner. And if any of the houses you work in are 30 years old or older, the regulations affect you.

Starting December 22, contractors working in homes built before 1978 where children or pregnant women live are required to provide customers with "Renovate Right," an EPA brochure about lead hazards and how to remove them.

After April 22, 2010, companies working in pre-1978 homes must be EPA-certified, and work in that home has to be overseen by a certified renovator.

Sound serious? It is. After that date, the EPA, or a state agency enforcing the regulations, can **fine a company \$37,500 per infraction, per day**. The new rules also render companies vulnerable to the threat of a civil suit for noncompliance.

Two-Step System

Simply put, the new rules govern how lead paint is removed and what happens to the dust when it is. "The first part is, you'll need to set up dust containment systems," says housing industry consultant Brindley Byrd, of Qx2 Inc., in Lansing, Mich., who is also a member of the National Association of Home Builders Remodelers lead task force.

That means walls of sheeting around the work area and sheeting on the ground outside. Open-flame burning is out. In addition, tools such as belt sanders, orbital sanders, or disk sanders can only be used if equipped with a HEPA vac filter connected through a shroud. Byrd instead recommends using chemical strippers that don't aerosolize lead particles.

The second part of the process is a two-step misting and mopping procedure. Surfaces are considered dust-free when tested by the certified renovator against an EPA cleaning verification card.

Get Ready

What should you do if you work in homes built prior to 1978? First, after Oct. 22, 2009, apply to the EPA for company certification. Second, designate someone on your staff to be trained in the EPA rules for renovator or safe dust removal. You can't have a certified company without a certified renovator on staff to supervise work where lead is present.

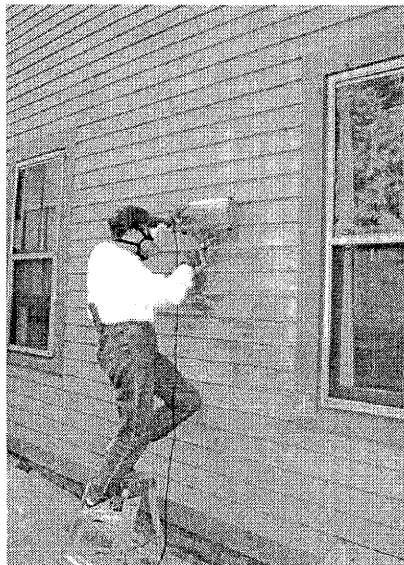
Training of individual installers in EPA procedures will be conducted by independent EPA-approved companies such as **Kachina Contractor Solutions**, in Elkins Park, Pa. John Zilka, vice president for training and technical services, says that the required eight-hour class will teach "background, health effects, exposure pathways, regulations, how to test for lead, how to do good jobsite planning, then how to set up for safe practices and cleanup."

NAHB environmental policy analyst Matt Watkins says that certification is good for five years and can be renewed by taking a four-hour refresher course.

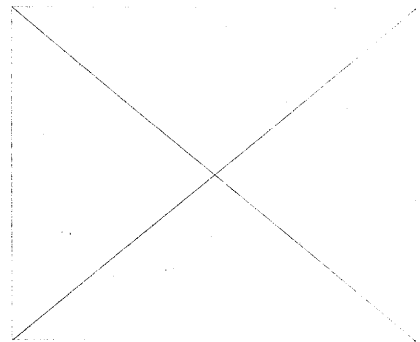
Costs Will Vary

The EPA's projected cost of \$35 per job includes plastic sheeting, tape, and the amortized cost of equipment. Factor in man-hours for preparation and cleanup, and you can expect costs to be relative to the scope of work.

Zilka offers that complete implementation by a certified company using a certified renovator could add anywhere from 5% to 15% to the cost of replacing a houseful of windows. "That's something that has yet to be determined and will need to be something disclosed in the contract as a price condition," says D.S. Berenson, of Johanson Berenson, a law firm with expertise in home improvement cases. Contractors should tell clients up front, he says, that "[the presence of] lead will change the cost of your job."



New EPA rules govern how lead paint is removed and what happens to the resulting lead dust. After April 22, 2010, noncompliance could cost you as much as \$37,500 per infraction, per day. Photo Credit: courtesy JOURNAL OF LIGHT CONSTRUCTION



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