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Protection Agency
Office of Pollution Prevention and Toxics

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Small Entity Compliance Guide to Renovate Right

EPA's Lead-Based Paint Renovation, Repair, and Painting Program

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

LEAD Awareness Program

Who Should Read this Handbook?

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

About this Handbook

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

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

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

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

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

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

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

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

How Can this Handbook Help Me?

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

Who Must Follow the 2008 Lead Rule's Requirements?

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

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

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

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

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

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

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

What Does the Program Require Me To Do?

Pre-renovation education requirements - Effective now.

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

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

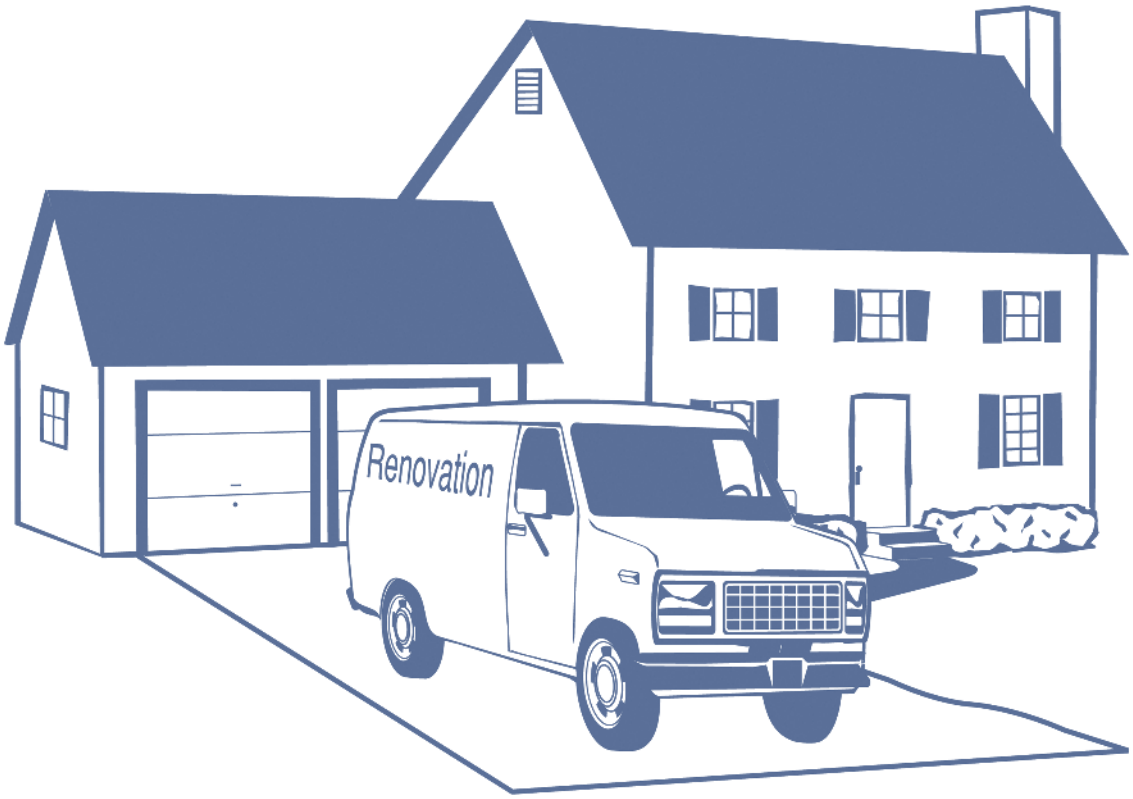
- Firms must be certified.
- Renovators must be trained.
- Lead-safe work practices must be followed. Examples of these practices include:
  - Work-area containment to prevent dust and debris from leaving the work area.
  - Prohibition of certain work practices like open-flame burning and the use of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

When Do These Requirements Become Fully Applicable to Me?

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

How Will a Firm Become Certified?

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



What Are the Responsibilities of a Certified Firm?

Firms performing renovations must ensure that:

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

How Will a Renovator Become Certified?

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

Are There Streamlined Requirements for Contractors with Previous Lead Training?

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

What Are the Responsibilities of a Certified Renovator?

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

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

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

How Long Will Firm and Renovator Certifications Last?

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

What Are the Recordkeeping Requirements?

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

What Are the Required Work Practices?

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

EPA's Lead Program Rule At-A-Glance

Do the Requirements Apply to the Renovation?

If you will be getting paid to do work that disturbs painted surfaces in a pre-1978 home, apartment building, or child-occupied facility, answer the questions below to determine if the EPA lead program requires you to distribute the lead pamphlet and/or if you will need to comply with training, certification, and work practice requirements when conducting the work.

Does the job involve activities that disturb painted surfaces in a home or child-occupied facility built before 1978?

NO → EPA lead-based paint renovation, repair, and painting program requirements do not apply.

YES ↓

Are ANY of the following conditions present?

- The work is a lead abatement project.
- Work consists of only minor repairs or maintenance that disturbs less than 6 square feet of painted surfaces per room for interior activities or less than 20 square feet of painted surface for exterior activities. ***Note:*** this does not include window replacement, demolition, and projects involving prohibited practices.
- Housing has been determined to be free of lead-based paint either by a certified inspector or risk assessor, or the components being renovated have been determined to be free of lead-based paint by a certified renovator using an EPA recognized test kit.
- Housing is a zero-bedroom dwelling (studio apartments, dormitories, etc.).
- Housing is for the elderly or disabled and no children under six reside or are expected to reside there.

YES → EPA lead-based paint renovation, repair, and painting program requirements do not apply.

NO ↓

Is the project an emergency renovation?

Emergency renovations are:

1. Activities that were not planned and if not immediately attended to present a safety hazard or threaten equipment and/or property with significant damage.

OR

2. Interim controls performed in response to an elevated blood lead level in a resident child.

YES → Pre-renovation education requirements of the program do not apply.

See Flow Chart 3 to determine which specific renovation training and work practice requirements apply to the job.

NO ↓

You will need to provide the lead pamphlet. See Flow Chart 2 for specific requirements.

How Do I Comply with the Pre-Renovation Education Requirements?

Requirements to distribute pre-renovation educational materials vary based on the location of the renovation. Select the location below that best describes the location of your project, and follow the applicable procedure on the right.

Renovations in Owner-Occupied Dwelling Units

Deliver lead pamphlet to owner before renovation begins and obtain confirmation of receipt.

OR

Mail lead pamphlet to owner 7 days before renovation begins and document with certificate of mailing.

Renovations in Tenant-Occupied Dwelling Units

1. Provide lead pamphlet to owner using either procedure described in the box at the top of this page.
2. Provide lead pamphlet to tenant by either method below:
   (a) Deliver pamphlet to dwelling unit before renovation begins and document delivery with either a confirmation of receipt of lead pamphlet or a self-certification of delivery.

   OR

   (b) Mail lead pamphlet to tenant at least 7 days prior to renovation and document with a certificate of mailing.

Renovations in Common Areas of Multi-Family Housing Units

1. Provide owner with lead pamphlet using either procedure described in the box at the top of this page.
2. Notify tenants and make pamphlet available, or post signs describing the renovation. The signs must include the pamphlet or information on how to review a copy.
3. Maintain written documentation describing notification procedures.
4. Provide supplemental renovation notice if changes occur in location, timing, or scope of renovation occurring.

Renovations in Child-Occupied Facilities

1. Provide the owner of the building with the lead pamphlet using either:
   (a) The procedure described in the box at the top of this page.

   OR

   (b) If the child-occupied facility is not the building owner, provide the lead pamphlet by either method below:
   (i) Obtain a written acknowledgment that an adult representative received the pamphlet; or certify in writing that a pamphlet was delivered.

   OR

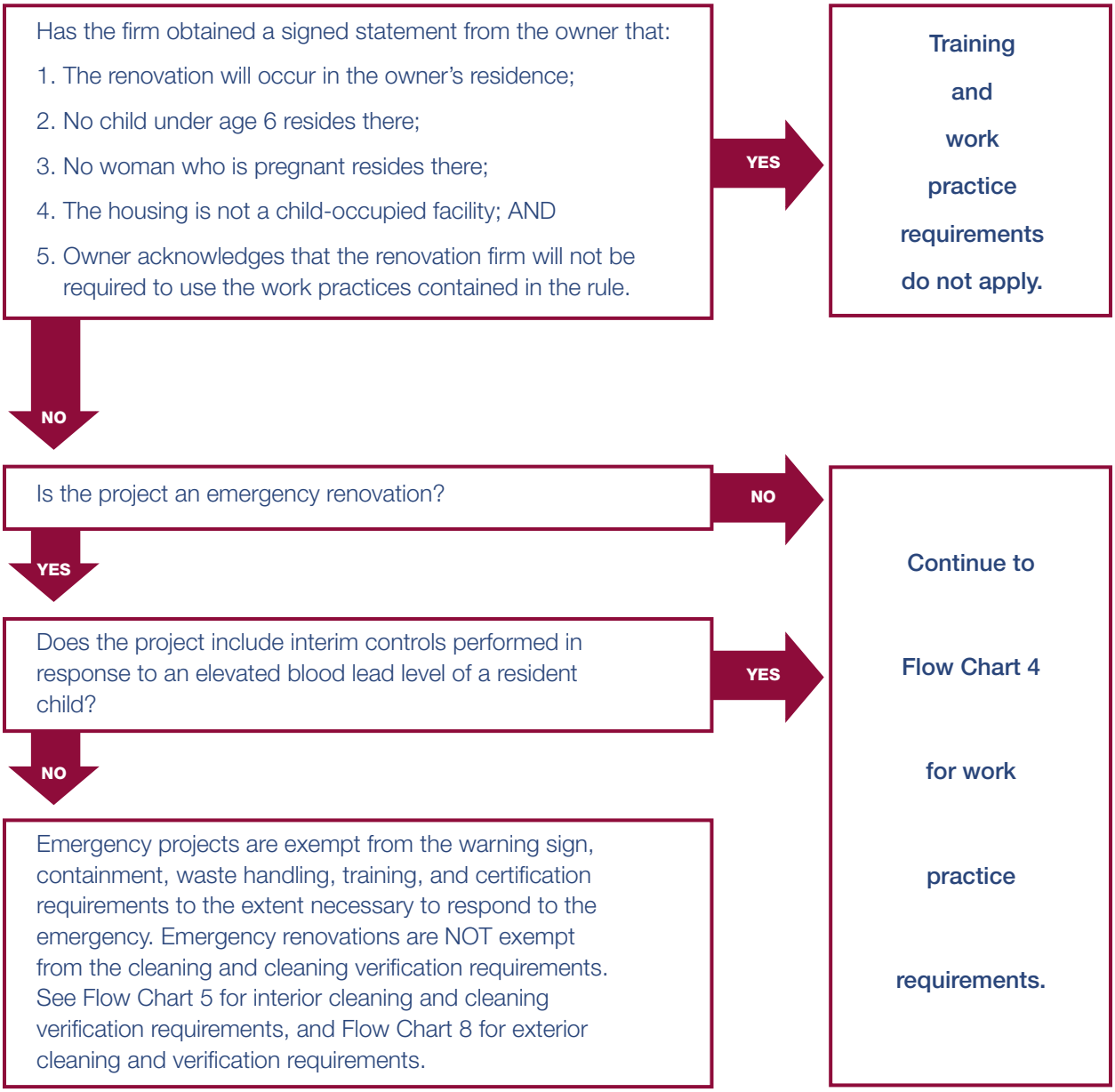
   (ii) Obtain a certificate of mailing at least 7 days before the renovation.
2. Provide the parents or guardians of children using the child-occupied facility with information by either of these methods:
   (a) Mail or hand-deliver the lead pamphlet and renovation information to each parent or guardian.

   OR

   (b) Post signs describing the renovation. The signs must include the pamphlet or information on how to review a copy.

See Flow Chart 3 for information about specific training and work practice requirements for the job.

Do the Renovation Training and Work Practices Apply?



Work Practice Requirements

General

(A) Renovations must be performed by certified firms using certified renovators.

(B) Firms must post signs clearly defining the work area and warning occupants and other persons not involved in renovation activities to remain outside of the work area. These signs should be in the language of the occupants.

(C) Prior to the renovation, the firm must contain the work area so that no dust or debris leaves the work area while the renovation is being performed.

(D) Work practices listed below are prohibited during a renovation:

1. Open-flame burning or torching of lead-based paint;
2. 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; and
3. Operating a heat gun on lead-based paint at temperatures of 1100 degrees Fahrenheit or higher.

(E) Waste from renovations:

1. Waste from renovation activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal.
2. 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 to prevent access to and the release of dust and debris.
3. Waste transported from renovation activities must be contained to prevent release of dust and debris.

Interior Renovation Projects. See Flow Chart 5.

Exterior Renovation Projects. See Flow Chart 8.

Work Practice Requirements Specific to Interior Renovations

The firm must:

(A) Remove all objects from the work area or cover them with plastic sheeting with all seams and edges sealed.

(B) Close and cover all ducts opening in the work area with taped-down plastic sheeting.

(C) Close windows and doors in the work area. Doors must be covered with plastic sheeting.

(D) Cover the floor surface with taped-down plastic sheeting in the work area a minimum of six feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater.

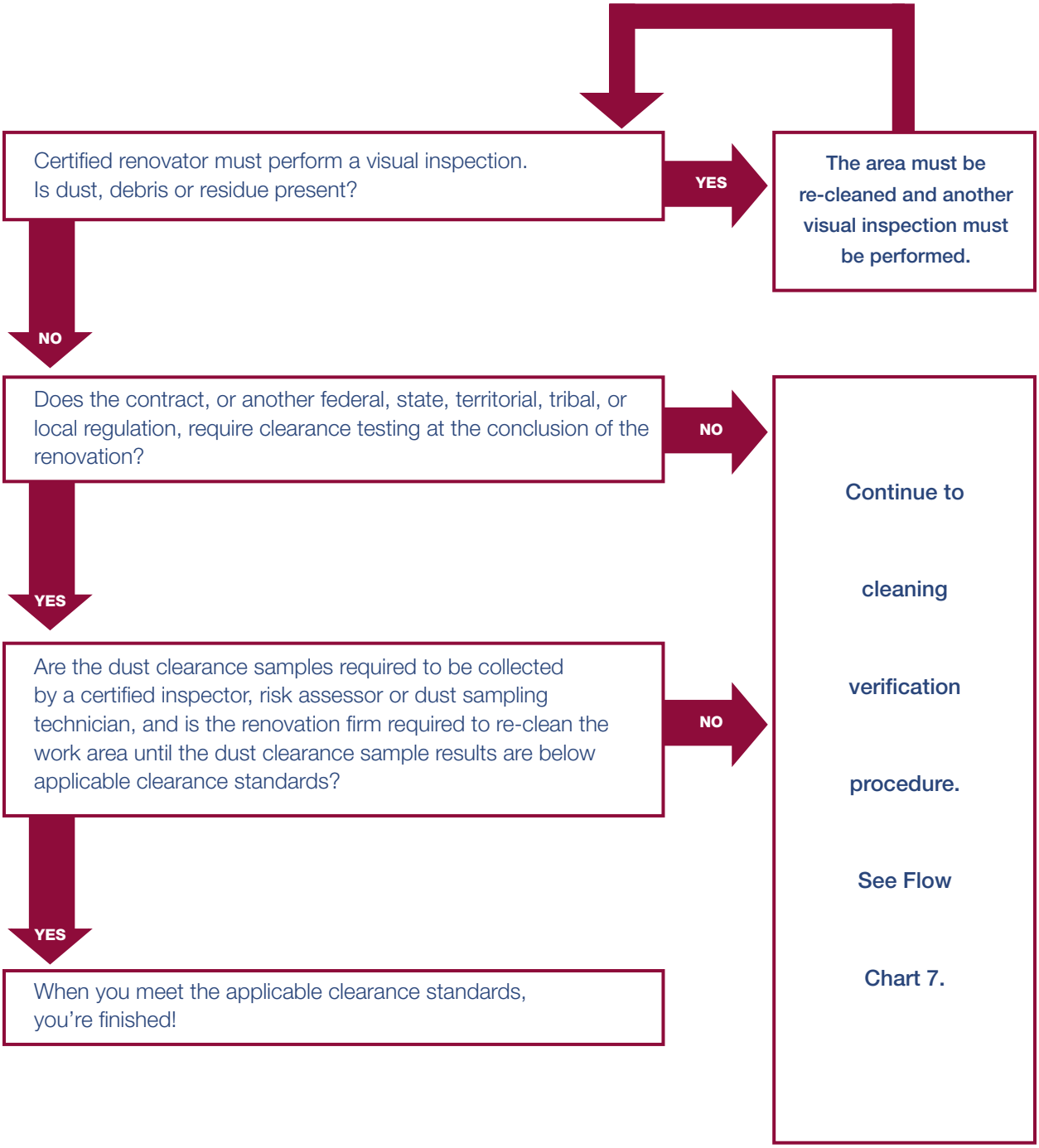
(E) Use precautions to ensure that all personnel, tools, and other items, including the exteriors of containers of waste, are free of dust and debris when leaving the work area.

(F) After the renovation has been completed, the firm must clean the work area until no dust, debris or residue remains. The firm must:

1. Collect all paint chips and debris, and seal it in a heavy-duty bag.
2. Remove and dispose of protective sheeting as waste.
3. Clean all objects and surfaces in the work area and within two feet of the work area in the following manner:
   a. Clean walls starting at the ceiling and working down to the floor by either vacuuming with a HEPA vacuum or wiping with a damp cloth.
   b. Thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum.
   c. Wipe all remaining surfaces and objects in the work area, except for carpeted or upholstered surfaces, with a damp cloth. Mop uncarpeted floors thoroughly using a mopping method that keeps the wash water separate from the rinse water, or using a wet mopping system.

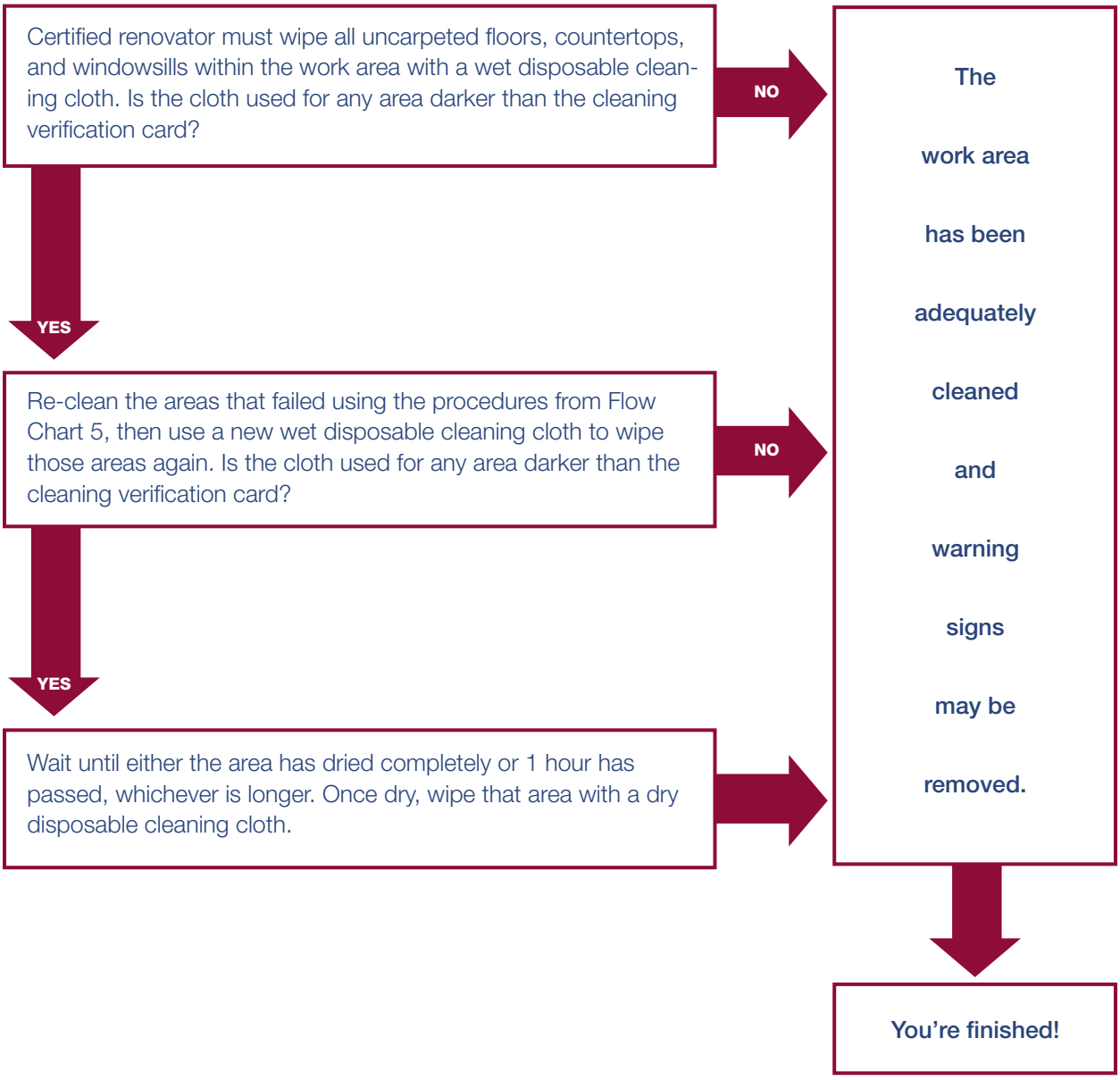
Cleaning verification is required to ensure the work area is adequately cleaned and ready for re-occupancy. See Flow Chart 6 for instructions on performing cleaning verification for interior projects.

Interior Cleaning Verification: Visual Inspection and Optional Clearance Testing



Interior Cleaning Verification: Floors, Countertops, and Window Sills

Note: For areas greater than 40 square feet, separate the area into sections and use a new disposable cleaning cloth for each section.



Work Practice Requirements Specific to Exterior Renovations

The firm must:

(A) Close all doors and windows within 20 feet of the renovation.

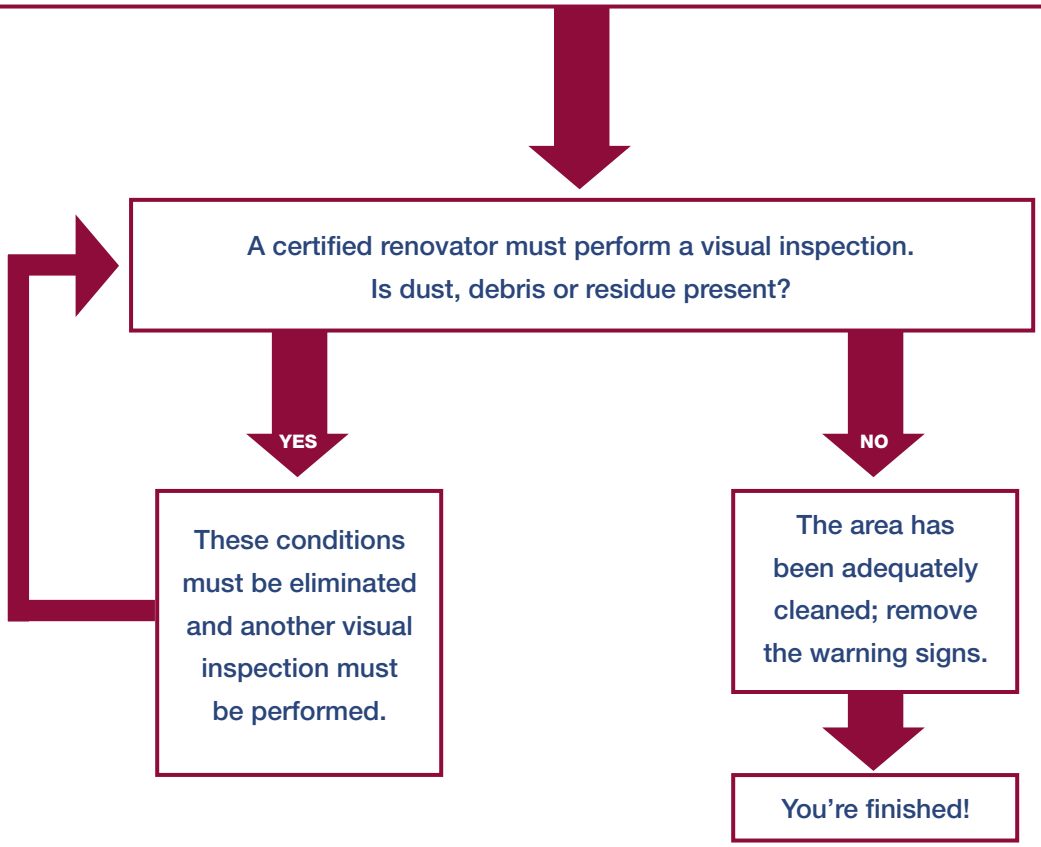
(B) Ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting in a manner that allows workers to pass through while confining dust and debris.

(C) Cover the ground with plastic sheeting or other disposable impermeable material extending a minimum of 10 feet beyond the perimeter or a sufficient distance to collect falling paint debris, whichever is greater.

(D) In situations such as where work areas are in close proximity to other buildings, windy conditions, etc., the renovation firm must take extra precautions in containing the work area, like vertical containment.

(E) After the renovation has been completed, the firm must clean the work area until no dust, debris or residue remains. The firm must:

1. Collect all paint chips and debris, and seal it in a heavy-duty bag.
2. Remove and dispose of protective sheeting as waste.
3. Waste transported from renovation activities must be contained to prevent release of dust and debris.



How Is My Compliance Determined, and What Happens if the Agency Discovers a Violation?

To maximize compliance, EPA implements a balanced program of compliance assistance, compliance incentives, and traditional law enforcement. EPA knows that small businesses that must comply with complicated new statutes or rules often want to do the right thing, but may lack the requisite knowledge, resources, or skills. Compliance assistance information and technical advice helps small businesses to understand and meet their environmental obligations. Compliance incentives, such as EPA's Small Business Policy, apply to businesses with 100 or fewer employees and encourage persons to voluntarily discover, disclose, and correct violations before they are identified by the government (more information about EPA's Small Business Policy is available at www.epa.gov/compliance/incentives/smallbusiness/index.html). EPA's enforcement program is aimed at protecting the public by targeting persons or entities who neither comply nor cooperate to address their legal obligations.

EPA uses a variety of methods to determine whether businesses are complying, including inspecting work sites, reviewing records and reports, and responding to citizen tips and complaints. Under TSCA, EPA (or a state, if this program has been delegated to it) may file an enforcement action against violators seeking penalties of up to $32,500 per violation, per day. The proposed penalty in a given case will depend on many factors, including the number, length, and severity of the violations, the economic benefit obtained by the violator, and its ability to pay. EPA has policies in place to ensure penalties are calculated fairly. These policies are available to the public. In addition, any company charged with a violation has the right to contest EPA's allegations and proposed penalty before an impartial judge or jury.

EPA encourages small businesses to work with the Agency to discover, disclose, and correct violations. The Agency has developed self-disclosure, small business, and small community policies to modify penalties for small and large entities that cooperate with EPA to address compliance problems. In addition, EPA has established compliance assistance centers to serve over one million small businesses (see Construction Industry Compliance Assistance Center for information regarding this rule at www.cicacenter.org). For more information on compliance assistance and other EPA programs for small businesses, please contact EPA's Small Business Ombudsman at 202-566-2075.

Frequent Questions

What is the legal status of this guide?

This guide was prepared pursuant to section 212 of SBREFA. EPA has tried to help explain in this guide what you must do to comply with the Toxic Substances Control Act (TSCA) and EPA's lead regulations. However, this guide has no legal effect and does not create any legal rights. Compliance with the procedures described in this guide does not establish compliance with the rule or establish a presumption or inference of compliance. The legal requirements that apply to renovation work are governed by EPA's 2008 Lead Rule, which controls if there is any inconsistency between the rule and the information in this guide.

Is painting considered renovation if no surface preparation activity occurs?

No. If the surface to be painted is not disturbed by sanding, scraping, or other activities that may cause dust, the work is not considered renovation and EPA's lead program requirements do not apply. However, painting projects that involve surface preparation that disturbs paint, such as sanding and scraping, would be covered.

What if I renovate my own home?

EPA's lead program rules apply only to renovations performed for compensation; therefore, if you work on your own home, the rules do not apply. EPA encourages homeowners to use lead-safe work practices, nonetheless, in order to protect themselves, their families, and the value of their homes.

Is a renovation performed by a landlord or employees of a property management firm considered a compensated renovation under EPA's lead program rules?

Yes. The receipt of rent payments or salaries derived from rent payments is considered compensation under EPA's lead program. Therefore, renovation activities performed by landlords or employees of landlords are covered.

Do I have to give out the lead pamphlet seven days prior to beginning renovation activities?

The 7-day advance delivery requirement applies only when you deliver the lead pamphlet by mail; otherwise, you may deliver the pamphlet anytime before the renovation begins so long as the renovation begins within 60 days of the date that the pamphlet is delivered. For example, if your renovation is to begin May 30, you may deliver the pamphlet in person anytime between April 1 and start of the project on May 30, or you may deliver the pamphlet by mail anytime between April 1 and May 23.

Tips for Easy Compliance

1. For your convenience the sample forms on pages 23 and 25 of this handbook are included in the *Renovate Right* pamphlet (see page 31 for information on how to get copies). Attach the forms to the back of your customer renovation or repair contracts. The completed forms can be filed along with your regular paperwork.
2. Plan ahead to obtain enough copies of the lead pamphlet (see page 31 for information on how to get copies of the pamphlet).

Where Can I Get More Information?

Further information is available from the National Lead Information Center (800-424-LEAD) and on the Internet at www.epa.gov/lead. Available resources include:

- Full text version of the Lead-Based Paint Renovation, Repair, and Painting Program regulation.
- Interpretive guidance which provides more detailed information on the rule's requirements.
- A downloadable version of the lead pamphlet.

Why Is Lead Paint Dangerous?

Lead gets into the body when it is swallowed or inhaled. People, especially children, can swallow lead dust as they eat, play, and do other normal hand-to-mouth activities. People may also breathe in lead dust or fumes if they disturb lead-based paint. People who sand, scrape, burn, brush, blast or otherwise disturb lead-based paint risk unsafe exposure to lead.

Lead is especially dangerous to children under 6 years of age.

Lead can affect children's brains and developing nervous systems, causing:

- Reduced IQ and learning disabilities.
- Behavioral problems.

Even children who appear healthy can have dangerous levels of lead in their bodies.

Lead is also harmful to adults. In adults, low levels of lead can pose many dangers, including:

- High blood pressure and hypertension.
- Pregnant women exposed to lead can transfer lead to their fetus.

Other Resources

For additional information on how to protect yourself and your customers from lead paint hazards, visit www.epa.gov/lead or call the National Lead Information Center at 1-800-424-LEAD (5323). Available documents include:

- *Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools*
- *Joint EPA-HUD Curriculum: Lead Safety for Remodeling, Repair, and Painting*
- *Lead Paint Safety: A Field Guide for Painting, Home Maintenance, and Renovation Work*
- *Testing Your Home for Lead in Paint, Dust, and Soil*
- *Fight Lead Poisoning with a Healthy Diet*
- *Protect Your Family From Lead in Your Home*
- *Lead in Your Home: A Parent's Reference Guide*

Key Terms

Certificate of Mailing — A written verification from the Postal Service that you mailed the lead pamphlet to an owner or a tenant. This is less expensive than certified mail, which is also acceptable for meeting the Lead-Based Paint Renovation, Repair, and Painting Program requirements. (***Note:*** *If using this delivery option, you must mail the pamphlet at least seven days prior to the start of renovation.*)

Certified Inspector or Risk Assessor — An individual who has been trained and is certified by EPA or an authorized state or Indian Tribe to conduct lead-based paint inspections or risk assessments.

Child-occupied Facility — May include, but is not limited to, day care centers, pre-schools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings. The regulation 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.

Cleaning Verification Card — a card developed and distributed, or otherwise approved, by EPA for the purpose of determining, through comparison of wet and dry disposable cleaning cloths with the card, whether post-renovation cleaning has been properly completed.

Common Area — A portion of a building that is generally accessible to all residents or users. Common areas include (but are not limited to) hallways, stairways, laundry rooms, recreational rooms, playgrounds, community centers, and fenced areas. The term applies to both interiors and exteriors of the building. (***Note:*** *Lead-Based Paint Renovation, Repair, and Painting Program requirements related to common areas apply only to multi-family housing.*)

Component — A specific design or structural element or fixture distinguished by its form, function, and location. A component can be located inside or outside the dwelling.

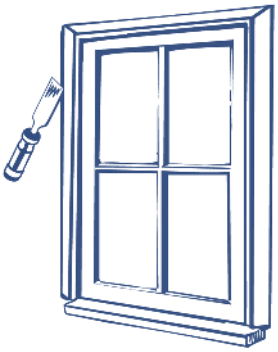
Examples

Interior

Ceilings
Crown molding
Walls
Doors and trim
Floors
Fireplaces
Radiators
Shelves
Stair treads
Windows and trim
Built-in cabinets
Beams
Bathroom vanities
Counter tops
Air conditioners

Exterior

Painted roofing
Chimneys
Flashing
Gutters and downspouts
Ceilings
Soffits
Doors and trim
Fences
Floors
Joists
Handrails
Window sills and sashes
Air conditioners



Confirmation of Receipt of Lead Hazard Information Pamphlet — A form that is signed by the owner or tenant of the housing confirming that they received a copy of the lead pamphlet before the renovation began. (See sample on page 23.)

Emergency Renovation — Unplanned renovation activities done in response to a sudden, unexpected event which, if not immediately attended to, presents a safety or public health hazard or threatens property with significant damage.

Examples

- *Renovation to repair damage from a tree that fell on a house.*
- *Renovation to repair a burst water pipe in an apartment complex.*
- *Interim controls performed in response to an elevated blood lead level in a resident child.*

Firm — 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.

General Contractor — One who contracts for the construction of an entire building or project, rather than for a portion of the work. The general contractor hires subcontractors (e.g. plumbing, electrical, etc.), coordinates all work, and is responsible for payment to subcontractors.

Housing for the Elderly — Retirement communities or similar types of housing specifically reserved for households of one or more persons 62 years of age or older at the time the unit is first occupied.

Interim Controls — Interim controls means a set of measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs.

Lead Abatement — Work designed to permanently eliminate lead-based paint hazards. If you are hired to do lead-abatement work only, the Lead-Based Paint Renovation, Repair, and Painting Program does not apply. Abatement does not include renovation, remodeling, or other activities done to repair, restore, or redesign a given building — even if such renovation activities incidentally eliminate lead-based paint hazards. (***Note:*** *Some states define this term differently than described above. Consult your state officials if you are not sure how "lead abatement" is defined in your state.*)

Lead Pamphlet — The lead hazard information pamphlet for the purpose of pre-renovation education is *Renovate Right: Important Lead Hazard Information for Families, Child Care Facilities and Schools*, or an EPA-approved alternative pamphlet. (See page 31 for information on obtaining copies.)

Minor Repair and Maintenance — Activities that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the prohibited work practices is used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.

Owner — Any person or entity that has legal title to housing, including individuals, partnerships, corporations, government agencies, Indian Tribes, and nonprofit organizations.

Prohibited Practices — Work practices listed below are prohibited during a renovation:

- Open-flame burning or torching of lead-based paint;
- 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; and
- Operating a heat gun on lead-based paint at temperatures above 1100 degrees Fahrenheit.

Record of Notification — A written statement documenting the steps taken to notify occupants of renovation activities in common areas of multi-family housing. (See page 27 for sample.)

Renovation — Modification of all or part of any existing structure that disturbs a painted surface, except for some specifically exempted activities (e.g., minor repair and maintenance). Includes:

- Removal/modification of painted surfaces, components, or structures
- Surface preparation activities (sanding/scraping/other activities that may create paint dust)
- Window replacement

Examples

1. Demolition of painted walls or ceilings

2. Replastering

3. Plumbing repairs or improvements

4. Any other activities which disturb painted surfaces

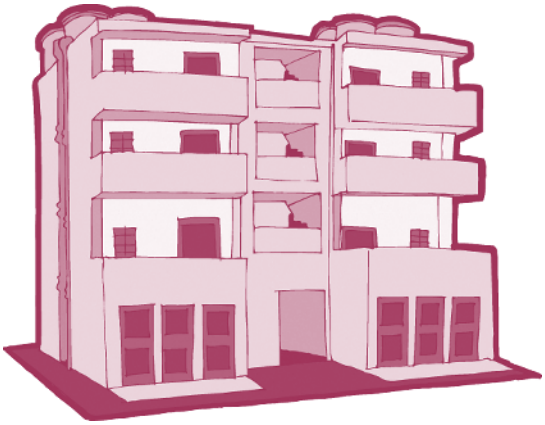
Renovation Notice — Notice to tenants of renovations in common areas of multi-family housing. (See sample form on page 27.) Notice must describe nature, location, and expected timing of renovation activity; and must explain how the lead pamphlet may be obtained free of charge.

Renovator — A person who either performs or directs workers who perform renovation. A certified renovator is a renovator who has successfully completed a renovator course accredited by EPA or an EPA authorized State or Tribal program. (***Note:*** *Because the term "renovation" is defined broadly by the Lead-Based Paint Renovation, Repair, and Painting Program, many contractors who are not generally considered "renovators", as that term is commonly used, are considered to be "renovators" under the program and must follow the rule's requirements.*)

Self-Certification of Delivery — An alternative method of documenting delivery of the lead hazard information pamphlet to a tenant. This method may be used whenever the tenant is unavailable or unwilling to sign a confirmation of receipt of lead pamphlet. (See sample form on page 23.) (***Note:*** *This method is not a permissible substitute for delivery of the lead pamphlet to an owner.*)

Supplemental Renovation Notice — additional notification that is required when the scope, location, or timing of project changes.

Zero-Bedroom Dwelling — Any residential dwelling where the living area is not separated from the sleeping area. This term includes efficiency and studio apartments, dormitory housing, and military barracks.



Current Sample Pre-Renovation Form

For use until April 2010.

Confirmation of Receipt of Lead Pamphlet

__ I have received a copy of the lead pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

Printed name of recipient Date

Signature of recipient

Self-Certification Option (for tenant-occupied dwellings only) — If the lead pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

__ **Refusal to sign** — I certify that I have made a good faith effort to deliver the lead pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant refused to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

__ **Unavailable for signature** — I certify that I have made a good faith effort to deliver the lead pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door.

Printed name of person certifying attempted delivery

Date and time lead pamphlet delivery

Signature of person certifying lead pamphlet delivery

Unit Address

Note Regarding Mailing Option — As an alternative to delivery in person, you may mail the lead pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation (Document with a certificate of mailing from the post office).

Future Sample Pre-Renovation Form

This sample form may be used by firms to document compliance with the requirements of the Federal Lead-Based Paint Renovation, Repair, and Painting Program after April 2010.

Occupant Confirmation

Pamphlet Receipt

___ I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

Owner-occupant Opt-out Acknowledgment

___ (A) I confirm that I own and live in this property, that no child under the age of 6 resides here, that no pregnant woman resides here, and that this property is not a child-occupied facility.

Note: A child resides in the primary residence of his or her custodial parents, legal guardians, foster parents, or informal caretaker if the child lives and sleeps most of the time at the caretaker's residence.

Note: A child-occupied facility is a pre-1978 building visited regularly by the same child, under 6 years of age, on at least two different days within any week, for at least 3 hours each day, provided that the visits total at least 60 hours annually.

If Box A is checked, check either Box B or Box C, but not both.

___ (B) I request that the renovation firm use the lead-safe work practices required by EPA's Lead-Based Paint Renovation, Repair, and Painting Rule; or

___ (C) I understand that the firm performing the renovation will not be required to use the lead-safe work practices required by EPA's Lead-Based Paint Renovation, Repair, and Painting Rule.

_____

Printed Name of Owner-occupant

_____ _____

Signature of Owner-occupant Signature Date

Renovator's Self Certification Option (for tenant-occupied dwellings only)
Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

___ **Declined** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

___ **Unavailable for signature** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how pamphlet was left)._____

_____ _____

Printed Name of Person Certifying Delivery Attempted Delivery Date

_____

Signature of Person Certifying Lead Pamphlet Delivery

_____

_____

Unit Address

Note Regarding Mailing Option — As an alternative to delivery in person, you may mail the lead hazard information pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation. Mailing must be documented by a certificate of mailing from the post office.

Sample Forms (continued)

Renovation Notice — *For use in notifying tenants of renovations in common areas of multi-family housing.*

The following renovation activities will take place in the following locations:

_____
Activity *(e.g., sanding, window replacement)*

_____
Location *(e.g., lobby, recreation center)*

The expected starting date is_____and the expected ending date is_____.
Because this is an older building built before 1978, some of the paint disturbed during the renovation may contain lead. You may obtain a copy of the pamphlet, *Renovate Right*, by telephoning me at_____. Please leave a message and be sure to include your name, phone number and address. I will either mail you a pamphlet or slide one under your door.

_____ _____
Date Printed name of renovator

_____
Signature of renovator

Record of Tenant Notification Procedures — *Future Sample Renovation Recordkeeping Checklist*

Project Address_____

Street (apt. #)_____

City_____State_____Zip Code_____

_____ _____
Owner of multi-family housing Number of dwelling units

_____
Method of delivering notice forms *(e.g. delivery to units, delivery to mailboxes of units)*

_____
Name of person delivering notices

_____ _____
Signature of person delivering notices Date of Delivery

Future Sample Renovation Recordkeeping Checklist

(effective April 2010)

Name of Firm: _____

Date and Location of Renovation: _____

Brief Description of Renovation: _____

Name of Assigned Renovator: _____

Name(s) of Trained Worker(s), if used: _____

Name of Dust Sampling Technician,
Inspector, or Risk Assessor, if used: _____

___ Copies of renovator and dust sampling technician qualifications (training certificates, certifications) on file.

___ Certified renovator provided training to workers on (check all that apply):

- ___ Posting warning signs
- ___ Setting up plastic containment barriers
- ___ Maintaining containment
- ___ Avoiding spread of dust to adjacent areas
- ___ Waste handling
- ___ Post-renovation cleaning
- ___ Test kits used by certified renovator to determine whether lead was present on components affected by renovation (identify kits used and describe sampling locations and results):

  _____

___ Warning signs posted at entrance to work area.

___ Work area contained to prevent spread of dust and debris

- ___ All objects in the work area removed or covered (interiors)
- ___ HVAC ducts in the work area closed and covered (interiors)
- ___ Windows in the work area closed (interiors)
- ___ Windows in and within 20 feet of the work area closed (exteriors)
- ___ Doors in the work area closed and sealed (interiors)
- ___ Doors in and within 20 feet of the work area closed and sealed (exteriors)
- ___ Doors that must be used in the work area covered to allow passage but prevent spread of dust
- ___ Floors in the work area covered with taped-down plastic (interiors)
- ___ Ground covered by plastic extending 10 feet from work area—plastic anchored to building and weighed down by heavy objects (exteriors)
- ___ If necessary, vertical containment installed to prevent migration of dust and debris to adjacent property (exteriors)

___ Waste contained on-site and while being transported off-site.

___ Work site properly cleaned after renovation

- ___ All chips and debris picked up, protective sheeting misted, folded dirty side inward, and taped for removal
- ___ Work area surfaces and objects cleaned using HEPA vacuum and/or wet cloths or mops (interiors)

___ Certified renovator performed post-renovation cleaning verification (describe results, including the number of wet and dry cloths used): _____

_____

- ___ If dust clearance testing was performed instead, attach a copy of report

___ I certify under penalty of law that the above information is true and complete.

_____ _____

Name and title Date

Where Can I Get Copies of the Lead Pamphlet?

For single copies, in Spanish or English, of *Renovate Right: Important Lead Hazard Information for Families, Child Care Facilities and Schools* (EPA-740-F-08-002), call the National Lead Information Center (NLIC) at 1-800-424-LEAD. For any orders, be sure to use the appropriate stock reference number listed above.

There are four ways to get multiple copies:

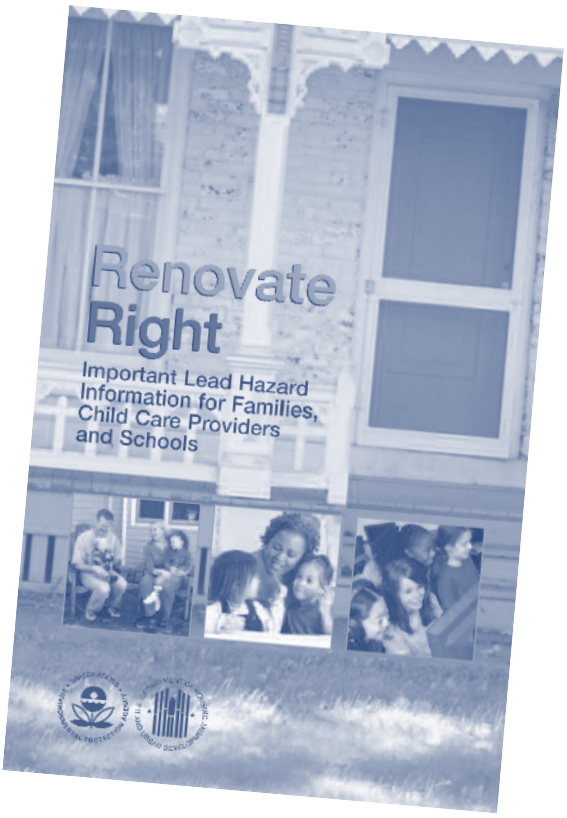
1. Call the Government Printing Office order desk at (202) 512-1800.

2. Send fax requests to (202) 512-2233.

3. Request copies in writing from:
   Superintendent of Documents
   P.O. Box 371954
   Pittsburgh, PA 15250-7954

4. Obtain copies via the Internet at
   www.epa.gov/lead/pubs/brochure.htm

For single copies, in Spanish or English, of *Renovate Right: Important Lead Hazard Information for Families, Child Care Facilities and Schools* (EPA-740-F-08-002), call the National Lead Information Center (NLIC) at 1-800-424-LEAD. For any orders, be sure to use the appropriate stock reference number listed above.



The pamphlet may be photocopied for distribution as long as the text and graphics are readable.

Paperwork Reduction Act Notice: The incremental public burden for the collection of information contained in the Lead Renovation, Painting and Repair Program, which are approved under OMB Control No. 2070-0155 and identified under EPA ICR No. 1715, is estimated to average approximately 54 hours per year for training providers. For firms engaged in regulated renovation, repair, and painting activities, the average incremental burden is estimated to be about 6.5 hours per year. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, may be sent to: Director, Collection Strategies Division, Office of Environmental Information, U.S. Environmental Protection Agency (Mail Code 2822T), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460. Include the OMB number identified above in any correspondence. Do not send any completed form(s) to this address. The actual information or form(s) should be submitted in accordance with the instructions accompanying the form(s), or as specified in the corresponding regulations.

NOTICE

This guide was prepared pursuant to section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. 104-121. THIS DOCUMENT IS NOT INTENDED, NOR CAN IT BE RELIED UPON, TO CREATE ANY RIGHTS ENFORCEABLE BY ANY PARTY IN LITIGATION WITH THE UNITED STATES. The statements in this document are intended solely as guidance to aid you in complying with the Lead-Based Paint Renovation, Repair, and Painting Program requirements in 40 CFR 745, Subpart E. EPA may decide to revise this guide without public notice to reflect changes in EPA's approach to implementing the Lead-Based Paint Renovation, Repair, and Painting Program or to clarify and update text. To determine whether EPA has revised this guide and/or to obtain copies, contact EPA's Small Business Ombudsman at 202-566-2075, or contact the National Lead Information Center at 1-800-424-LEAD(5323), or on the web at www.epa.gov/lead/pubs/nlic.htm.

1-800-424-LEAD (5323)
www.epa.gov/lead