Greetings,

With the implementation of the EPA Lead renovation, repair and painting program (LRRPP), there will be several changes as to how lead safe weatherization (LSW) is approached. I will try to outline the changes in this memo. This memo is not meant to be all-inclusive and is not a substitute for knowledge of the rules and regulations. The EPA website is an invaluable tool for obtaining information. The gateway website is http://epa.gov/lead/index.html. Links will be included throughout this memo to connect you with specific parts of the website.

This memo will address the **federal requirements only**. There are state agency requirements that may change in the future and have an effect on how LSW is approached.

The CCB is implementing lead renovator into its requirements. Following is a link to their website. http://www.oregon.gov/CCB/lead-based-paint.shtml

ODHS may or may not adopt the LRRRP rules. That decision will be made before 4/22/2010. Following is a link to their website. http://oregon.gov/DHS/ph/leadpaint/index.shtml

Starting on **April 22, 2010**, all agencies and contractors will be required to have a certified Lead Renovator on staff. A list of training providers in Oregon can be found at http://epa.gov/lead/pubs/trainingproviders.htm

**The RRP Rule: Individual Certification**

- To become a Certified Renovator, an individual must take an EPA-approved 8-hour training course from an EPA-accredited training provider.
- The course completion certificate serves to certify renovators (no application to EPA is required).
- Refresher training is required every 5 years.
- Workers do not need certification so long as on the job training is received from a Certified Renovator and the work is not HUD-regulated.
The Lead Renovator Responsibilities are as follows:

1. Perform work and/or direct the work of non-certified renovation workers.
2. Train all non-certified workers in lead safe work practices.
3. Conduct testing for lead based paint using EPA recognized test kits and report findings.
4. Assure all necessary documents are posted on the jobsite. Included in this are:
   - Copies of Certified Firm and Certified Renovator certifications.
   - Lead-based paint results when an EPA-recognized test kit is used.
   - Proof of owner/occupant pre-renovation education.
   - Non-certified worker documentation.
5. Remain on-site during the sign posting, work area setup, and cleanup phases of the work.
6. Ensure that photos documenting LSW are taken and included in the client files.
7. When not onsite, the lead renovator must be available by pager or telephone.
8. Make sure that containment is maintained in a way that prevents the escape of dust and debris.
9. Conduct the cleaning verification procedure to make sure the work is complete and the area is ready to reoccupy.
10. Prepare a summary of the work and documentation that the work was performed in a lead safe manner. A sample form can be downloaded at: http://epa.gov/lead/pubs/samplechecklist.pdf

Certified Firm Requirement

All crew based agencies or agencies that do any lead testing and contractors must become “certified firms” before they can complete work for the WAP programs. Agencies/contractors must apply to the EPA for certified firm status before April 22, 2010. There is a fee of $300 to become a certified firm. This process can take up to 60 days, so the earlier the process is started the better.
The application is available at: http://epa.gov/lead/pubs/firmapp.pdf

The certified firm is responsible for the following:

Work in Homes: No more than 60 days before beginning a renovation, Certified Renovation Firms must distribute the Renovate Right pamphlet to the owners and residents of the pre-1978 housing to be renovated.
• Firms must either obtain the owner’s written acknowledgment or proof that the pamphlet was sent by certified mail, return receipt requested, at least 7 days before the renovation began.
• For tenants, Certified Firms must either obtain a written acknowledgment of receipt, or document that the firm delivered the pamphlet and was unable to obtain a written acknowledgment.
• All proof of receipt/mailing/delivery records must be kept for 3 years after completion of the renovation.
Sample forms to document confirmation of receipt are included in the *Renovate Right* pamphlet.

**Work in Common Areas:** No more than 60 days before beginning a renovation, Certified Renovation Firms must provide the *Renovate Right* pamphlet to the owner of pre-1978 housing being renovated. Firms must provide written notification to all residents in the affected units of the property being renovated, must notify affected residents about where information is posted if work in nearby common areas will affect them. The following information should be posted about work in common areas:

- Describing the nature and location of the work;
- Listing the work start and end dates; and,
- Providing the *Renovate Right* pamphlet or information on how to obtain a free copy of the pamphlet.

This information may be provided to tenants by mail, hand-delivery, or by posting signs containing this information where they are likely to be seen by the residents of all affected units.

**Work in Child-Occupied Facilities:** No more than 60 days before beginning a renovation, Certified Renovation Firms must distribute the *Renovate Right* pamphlet to the owner of the building and to an adult representative of the child-occupied facility, following the same documentation requirements as for homes. Firms must also provide notification to parents and guardians of children using the child-occupied facility, following the same requirements as for tenants affected by renovations in common areas.

To obtain copies of the *Renovate Right* pamphlet visit the EPA website at [http://epa.gov/lead/pubs/renovaterightbrochure.pdf](http://epa.gov/lead/pubs/renovaterightbrochure.pdf)

There are three major changes in the way lead projects are completed under the RRP (renovation, repair and painting) protocol.

1. **The lead renovator is allowed to train his workers in lead safe work practices.** After April 22, 2010, under EPA rules, it is no longer necessary to have all workers certified in LSWP. The lead renovator can train and is responsible for making sure that lead safe work practices are properly implemented. He/she is also responsible for tracking training of his workers and posting their training records at the jobsite. It should be noted that if the jobsite is a HUD project, (section 8) HUD requires have certified instructor led LSWP training. HUD de minimus levels are also lower. The guide that the EPA strongly recommends be used to train non-certified workers can be found at: [www.epa.gov/lead/pubs/steps.pdf](http://www.epa.gov/lead/pubs/steps.pdf)

   Several other training aids that can be found at: [http://www.epa.gov/lead/pubs/epahudrmmodel.htm](http://www.epa.gov/lead/pubs/epahudrmmodel.htm)

2. **On site testing for lead paint using approved lead swabs is a duty of the lead renovator.** This is an easy, inexpensive way to test for the presence of lead paint. The EPA has recently approved two lead test kits for use by the lead renovator. Information on the EPA website at: [http://www.epa.gov/oppt/lead/pubs/kits.htm](http://www.epa.gov/oppt/lead/pubs/kits.htm)

3. **Clearance testing is not required unless the occupants are receiving federal assistance or state or local laws require dust clearance testing.** The lead renovator is responsible for cleaning verification of the jobsite.
Interior: This involves cleaning the area (up to 40 sqft) with a cleaning pad (Swiffer wet pad or equivalent) and comparing it to a laminated transparency. If the pad is darker than allowed, the area must be cleaned again. If the pad still fails after the second cleaning, then the area must be allowed to dry and then cleaned with a dry electro-static cloth. At that point, the cleanup is complete.

Exterior: Only a visual check for dust and paint chips is required.

DOE program notices pertaining to lead can be found by following these links:
http://www.waptac.org/si.asp?id=1241
http://www.waptac.org/si.asp?id=1233

I thank you for your attention regarding this matter, if you have any questions or comments, please contact Steve Divan at (503)986-1979, or via e-mail: steven.divan@state.or.us.