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New Lead-Based Paint Regulations for Pre-1978 Housing and Child-Occupied Facilities

On April 22, 2010, the U.S. Environmental Protection Agency's (EPA) Lead Renovation, Repair, and Painting Rule (the LRRP Rule) went into effect. The LRRP Rule requires that contractors who renovate, repair, or undertake painting projects in pre-1978 homes, child-care facilities, and schools be trained and certified in safe lead-based paint removal practices. It also applies to owners performing these activities in rental housing or space rented for child-care activities.

The LRRP Rule establishes training and certification procedures for renovators and dust sampling technicians and identifies safe work practices, such as minimizing dust from disturbed lead-based paint, containing the work area, and cleaning the area to reduce potential lead exposure. To be certified, renovators and dust sampling technicians must successfully complete an EPA-accredited course or authorized state or tribal course, apply to the EPA, and pay a fee. To maintain their certification, individuals must take a refresher course every five years.

The LRRP Rule was finalized in 2008 and included an exemption for renovators where the occupant of a pre-1978 home certified that no young children or pregnant women lived there and that the home was not a child-occupied facility. Recent amendments to the LRRP Rule, effective 60 days from their publication in the Federal Register, remove this exemption and add a requirement that renovation firms provide copies of compliance records to the owners and occupants of the pre-1978 homes and child-occupied facilities they work on.

EPA has also published a Notice of Proposed Rulemaking for additional amendments to the LRRP Rule that include requirements for dust-wipe testing following renovations. It expects to finalize this rule in July 2011. Further, EPA has announced its intention to create an LRRP rule for public and commercial buildings.

A copy of the LRRP Rule is available here.