



THE COMMONWEALTH OF MASSACHUSETTS
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**Notice: EPA's New Lead Renovation, Repair and Painting Rule
(40 CFR 745.80 through 745.92)**

The U.S. EPA's Renovation, Repair and Painting Rule (40 CFR 745.80 through 92 - the "RRP Rule") which was promulgated in April 2008, will become fully effective in Massachusetts on April 22, 2010. This regulation is expected to impact how renovation, repair and painting work is conducted in older residences and child-occupied facilities in the Commonwealth.

With limited exceptions, the RRP Rule applies to all renovation, repair and painting work conducted for a fee in pre-1978 houses and other facilities that are regularly occupied by children ("child-occupied facilities," such as kindergartens and day care centers) where more than 6 square feet of lead paint on interior surfaces or more than 20 square feet of lead paint on exterior surfaces is disturbed by the work.

The RRP Rule requires that all contractors, property managers and others who conduct work subject to the Rule become certified with EPA as a "Certified Firm" before entering into the work. The RRP Rule also requires that regulated renovation, repair and painting work be overseen by a supervisor (a "Certified Renovator"). Supervisors obtain certification by taking a one-day "certified renovator course" from an EPA-approved training provider. The training certificate received from the training provider constitutes the certification.

Before beginning a work activity subject to the RRP Rule, the Certified Firm must: give advance notice of the upcoming project to the owner, tenants or occupants of the residence or child-occupied facility; distribute an EPA informational pamphlet, "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools" (<http://www.epa.gov/opptintr/lead/pubs/renovaterightbrochure.pdf>) and post informational signs at the worksite. The RRP Rule contains specific work practice requirements for the conduct of the work, including prohibited methods, work area isolation, covering of surfaces that could become contaminated with lead dust during the course of the work, work area cleanup and "cleaning verification". The RRP Rule also contains record-keeping requirements relating to pre-work inspections, notifications and work practices.

Municipal building officials will not have any formal responsibility in administering and enforcing the RRP Rule. As always, however, DOS would hope to work closely with local officials in the same manner as it works with them in connection with enforcing the current deleading and

asbestos abatement regulations.

The text of the RRP Rule, information on related requirements, application forms for Certified Firms and information about EPA-approved training providers may be found on the EPA website at www.epa.gov/lead/renovation . Interested parties may also call the EPA lead hotline at 800-424 LEAD (5323) for additional information.

The Division of Occupational Safety (DOS) is planning to seek delegated authority from the EPA to administer a regulatory program for lead-safe renovation in Massachusetts which would be effective on April 22, 2010. If DOS receives this delegated authority, it will have responsibility for administering and enforcing the RRP Rule (and if it doesn't, that responsibility will fall on the U.S. EPA). In the interim, firms should apply to EPA for certification.

More information will be available as the application process for delegated authority proceeds. DOS will make that information available as soon as possible. In the interim, questions can be directed to DOS Environmental Engineers Patty Sutliff or Frank Kramarz at 617-969-7177.