

Lead Abatement vs Renovation, Repair & Painting (RRP)



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Services

Project Coordinator for NHHFA Lead
Abatement Program

Training Services

- Asbestos (including Awareness and Oper. & Maintenance)
- Lead Paint (including RRP and Lead Abatement/Deleading)
- OSHA Construction & General Industry Outreach
- Hazardous Waste Operations
- Mold
- And more!



What Is Lead-Based Paint?

- Federal standards define lead-based paint as:
 - **Any paint or surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or more than 0.5 percent by weight.**
 - **Some states and localities regulate paint with lower concentrations of lead.**
 - **It is the primary source of lead-contaminated dust in housing.**
- Why was lead used in paint?
Lead was added for color and durability.
- Lead-based paint was banned for residential properties in 1978.
 - Not a complete ban



Health Risks of Lead

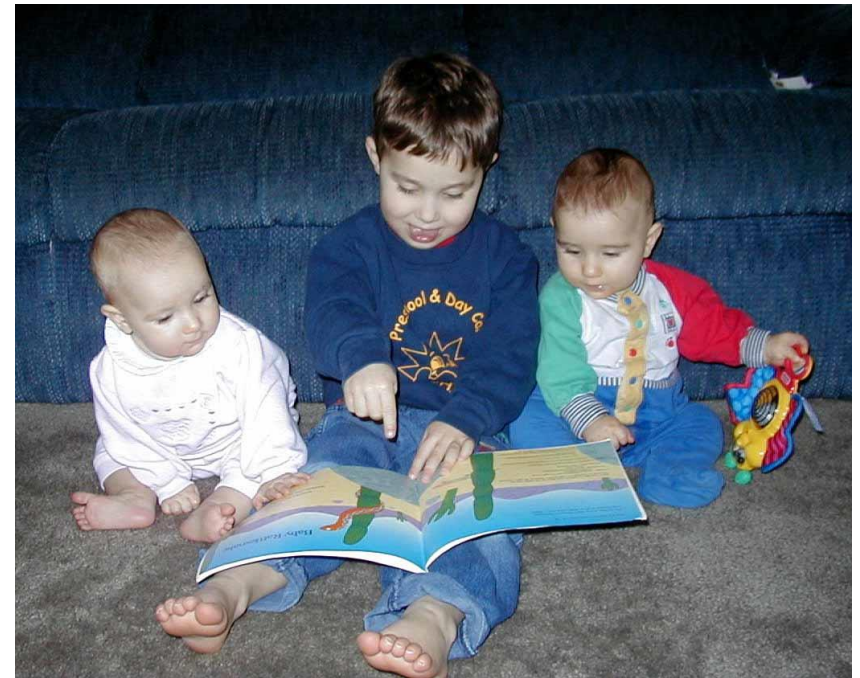
- Very hazardous to children.
 - **Damages the brain and central nervous system; can cause decreased intelligence, reading and learning difficulties, behavioral problems, and hyperactivity.**
 - **Damage can be irreversible, affecting children throughout their lives.**
- Hazardous to pregnant women.
 - **Damage to the fetus.**
- Also hazardous to workers and other adults.
 - **High blood pressure.**
 - **Loss of sex drive and/or capability.**
 - **Physical fatigue.**
- Lead exposure causes permanent damage.



Symptoms Of Lead Poisoning are Not Always Obvious



- “ **Symptoms are easily misinterpreted by medical personnel, thus delaying effective treatment and increasing the likelihood of permanent physical and mental damage.**
- “ **Only sure way to determine lead poisoning is to take a blood lead level (BLL) test.**



Why are Dust and Debris a Problem?



- Renovation activities that disturb lead-based paint create dust and debris. Debris becomes dust.
- Lead-contaminated dust is poisonous.
- Very small amounts of lead-contaminated dust can poison children and adults.
 - **Children swallow dust during ordinary play activities.**
 - **Adults swallow or breathe dust during work activities.**
- Workers can bring lead-contaminated dust home and poison their families.





A Little Dust Goes a Long Way

- You can't see it.
- It's hard to sweep up.
- And, it travels.

One gram of lead-based paint can contaminate a large area!



Lead Regulations

- “ Title X (1992 Law)
- “ Housing and Urban Development (HUD)
 - “ Housing and health
- “ Occupational Safety and Health Administration (OSHA)
 - “ Workplace safety and health
- “ Environmental Protection Agency (EPA)
 - “ Environment and health
- “ Consumer Product Safety Commission (CPSC)
 - “ Lead in consumer products



Tenant Disclosure

- “ Pre-78 housing at sale or lease
- “ Public and privately owned housing
- “ Requires:
 - “ Free educational pamphlet
 - “ Warning statement in contract
 - “ Disclosure of known LBP or LBP hazards
 - “ All available information
 - “ Opportunity for testing
 - “ 24 CFR 35 and 40 CFR 745

Protect Your Family From Lead In Your Home

EPA United States Environmental Protection Agency

United States Consumer Product Safety Commission

United States Department of Housing and Urban Development

The graphic features three illustrations: a magnifying glass over a crack in a wall, a crossed-out hammer and chisel, and a hand scrubbing a bucket. Logos for the EPA, CPSC, and HUD are at the bottom.



Tenant/Seller Disclosure Form

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

Lessor's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the lessor (check (i) or (ii) below):

(i) Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's Acknowledgment (Initial)

(c) Lessee has received copies of all information listed above.

(d) Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

Agent's Acknowledgment (Initial)

(e) Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____ Lessor	_____ Date	_____ Lessor	_____ Date
_____ Lessee	_____ Date	_____ Lessee	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date

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Renovation (RRP) vs Lead Abatement

- Similarities and Differences
- Overlap of projects
- States
- EPA
- OSHA
- HUD



Definition of Lead Abatement

745.223 Definitions

Abatement means any measure or set of measures designed to *permanently eliminate lead-based paint hazards*. Abatement includes, but is not limited to:

(1) The removal of paint and dust, the permanent enclosure or encapsulation of lead-based paint, the replacement of painted surfaces or fixtures, or the removal or permanent covering of soil, when lead-based paint hazards are present in such paint, dust or soil; and

(2) All preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures.

Definition of Lead Abatement

(3) Specifically, abatement includes, but is not limited to:

(i) Projects for which there is a written contract or other documentation,

which provides that an individual or firm will be conducting activities in or to a residential dwelling or child-occupied facility that:

- (A) Shall result in the permanent elimination of lead-based paint hazards; or
- (B) Are designed to permanently eliminate lead-based paint hazards and are described in paragraphs (1) and (2) of this definition.

(ii) Projects resulting in the permanent elimination of lead-based paint

hazards, conducted by firms or individuals certified in accordance with §745.226, unless such projects are covered by paragraph (4) of this definition;

(iii) Projects resulting in the permanent elimination of lead-based paint hazards, conducted by firms or individuals who, through their company name or promotional literature, represent, advertise, or hold themselves out to be in the business of performing lead-based paint activities as identified and defined by this section, unless such projects are covered by paragraph (4) of this definition; or

(iv) Projects resulting in the permanent elimination of lead-based paint hazards, that are conducted in response to State or local abatement orders.

Definition of Lead Abatement

745.223 Definitions

(4) Abatement does not include **renovation**, remodeling, landscaping or other activities, when such activities are not designed to permanently eliminate lead-based paint hazards, but, instead, are designed to repair, restore, or remodel a given structure or dwelling, even though these activities may incidentally result in a reduction or elimination of lead-based paint hazards. Furthermore, abatement does not include **interim controls, operations and maintenance activities**, or other measures and activities designed to temporarily, but not permanently, reduce lead-based paint hazards.

Renovation

83. Definitions

Renovation means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part (40 CFR 745.223).

- The term renovation includes (but is not limited to): The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping), and interim controls that disturb painted surfaces.
- A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart.
- The term renovation does not include minor repair and maintenance activities.

Minor repair and maintenance activities

activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, 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 work practices prohibited or restricted by §745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas.



What about an Ongoing Maintenance Program

Once the lead hazards have been abated

- Is the purpose of work to address lead hazards or to maintain a state of lead safe
- Most Maintenance work after Abatement would be Renovation



State Regulations

EPA RRP RULE

LEAD ABATEMENT

- ☐ Mass and RI have their own RRP rule
- ☐ Other NE States- follow EPA RRP rules
- ☐ All NE States have their own regulations for Lead Abatement/ Deleading Regulations



Lead Abatement vs. Lead Renovation, Repair and Painting (RRP)

**Abatement and RRP
activities
may sometimes look
similar,
but they are not!**



Lead Abatement vs. Lead Renovation, Repair and Painting (RRP)

ABATEMENT

Is a
specialized activity
*designed to address lead
hazards*
in the home.

RRP ACTIVITIES

Disturb paint as a
consequence of the
activity,
but they are often
undertaken for reasons
unrelated to lead issues.

Evaluating and Eliminating Lead-Based Paint Hazards

Lead inspection
and/or **risk assessment**
are useful first steps
which can guide
more thoughtful
decisions
on performing Lead
Hazard Control.

Lead inspection
and/or
RRP Assessment
are useful first steps to
determine presence of LBP
for Renovation purposes.



RRP Effects on Job Scopes

➤ Test or Assume Lead

➤ Consider Age of House and Scope of work

Construction Date	Limited Scope	Extensive Scope
Pre-1965	Assume Lead or Test by LSR	Assume Lead
Post-1965 or Pre-65 with Extensive Reno	Test by LSR	Test by Inspector

Lead Abatement vs. Renovation(RRP)

ABATEMENT

- Training for Contractor, Supervisor, & Worker by Certified Training Provider
- State License/Certification for above



RRP ACTIVITIES

- Training for Firm/Contractor
 - None
- Training for Supervisor
 - 8 hour RRP
- Training for Workers
 - In-house
- EPA Certified Firm



Individual Training Course Refresher Re-Certification

EPA RRP RULE

Persons trained on or before
3/31/2010

- Complete 4-hour RRP Refresher by
3/31/2016

Persons trained between 4/1/2010
and 3/31/2011

- One year will be added to your
training expiration date.

Effective 4/16/2015

LEAD ABATEMENT

8 hour Refresher every 3 years; no
grace period

Mass DLS requires 8 hour
Refresher every year with 1 year
grace period.

Notification - Information distribution requirements

LEAD ABATEMENT

Notify State (or EPA for non-authorized states)

- Use applicable State/EPA form

- RRP requires owner/tenant sign-off

RENOVATION RRP



Similarities?

1. Target Housing & Child Occupied Facilities
2. Work Protection (OSHA 29 CFR 1926.62)
 - a) Respiratory Protection
 - b) Personal Air Monitoring
 - c) Medical Surveillance
 - d) Recordkeeping
 - e) Etc
3. Posting Signs



LEAD WORK AREA

**MAY DAMAGE FERTILITY OR THE
UNBORN CHILD**

**CAUSES DAMAGE TO THE CENTRAL
NERVOUS SYSTEM**

DO NOT EAT, DRINK OR SMOKE IN THIS AREA

Keep Dust Within the Containment

Both Projects Require Containment, but they differ. Abatement is more stringent in most cases.

You are responsible for making sure dust does not migrate out of containment.

Consider how much dust the renovation will generate.

Plan the size and configuration of containment to keep the generated dust within containment.



Standards for post-renovation vs Clearance—

LEAD ABATEMENT

Lead Inspector/Risk Assessor performs visual inspection and passing laboratory dust wipes



RENOVATION - RRP

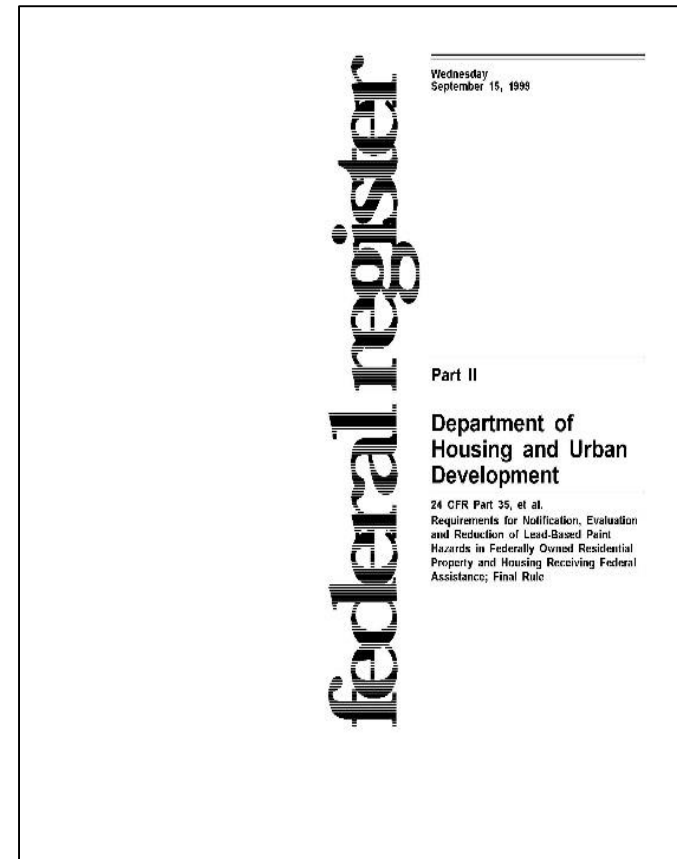
Certified Renovator does Cleaning Verification

- Each window sill
- Each 40 sf of uncarpeted floor or counter space

HUD – mandates Abatement type Clearance

HUD's Lead Safe Housing Rule (LSHR)

- Covers target HOUSING that is Federally-owned or assisted.
- Does not cover child-occupied facilities.
- Key differences between the LSHR and the RRP Rule
 - Rule is applicable for disturbance over 2 sq ft per room
 - Everyone on-site must be 8-hr trained (RRP Certified)
 - Must have Clearance inspection with passing dust wipes by Licensed Inspector/Risk Assessor



Recordkeeping

EPA RRP RULE

Onsite Records

- Copies of all Certified Renovator initial and refresher certificates.

Provided Records

- EPA-recognized test kit results, dust clearance sampling results (if performed). Also, training and work practice compliance information required by 745.86(b)(6)

Retention

- 3 Years

LEAD ABATEMENT

Records

- Copies of all license State/EPA Licenses/Certifications.
- Copies of all training certificates, initial and refresher.
- Copies of all records pertaining to the project.

Retention

- See state regulation

Report Contractor Violations

EPA RRP RULE

Report Uncertified Contractors and Environmental Violations

Online link at epa.gov/lead



LEAD ABATEMENT

Report to your State agency.

NH requires If an inspector or risk assessor becomes aware that lead hazard reduction work has not been done in accordance with RSA 130-A or He-P 1600, and such work endangers the public, the inspector or risk assessor shall provide notice to department within 24 hours of the discovery via telephone, fax, e-mail or in writing.

Problems

CONSISTENCY OF TERMINOLOGY



WINDOWS/INACCESSIBLE SURFACES

Int. & ext. Sashes aren't lead but parting bead, blind stop, ext. sill/well are lead

Presence of Storm Windows

Inaccessible surfaces

- Due to clutter



Cleaning Methods

“ HEPA Vacuum

“ The HEPA vacuum must be 99.97% efficient and must filter down to .3 microns.

“ Don't use a broom or you household vacuum to clean.





Services

- “ Wet Cleaning
 - “ Use a household detergent, disposable sponges or paper towels, and warm water.
 - “ Change the water and sponges frequently in order to avoid re-contaminating surfaces with dirty water.
- “ 3 Bucket System
 - “ 1st Cleaning Solution
 - “ 2nd Mop Squeezer
 - “ 3rd Rinse Water



FIGURE 14.4 Three-bucket cleaning system.

Worst Approach for Pre-1978

Renovation work with future intent to Abate.

Encapsulation;

Fails to do surface assessment/testing prior to encapsulation; do documentation

Paint Removal

Lead remains in wood from heat, chemicals, incomplete removal

Covering

Surface not completely/properly covered

Replacement of components is best form of Renovation



Best Approach for Pre-1978

Combine the concept of Lead Abatement and Lead Safe Renovation

- Obtain Certificates of Compliance/Lead Safe for all Units under Lead Abatement rules
- Then Maintain Lead Safe standards
 - as Renovation and/or
 - Perform Renovation Projects

See CPSC website for Recalls

www.CPSC.gov

Northern Tool + Equipment Recalls Little Digger Toy Due to Violation of Lead Paint Standard

Recall date: JUNE 25, 2015

Recall number: 15-172



Enlarge

Recall Summary

Name of product:

Little Digger Toy

Hazard:

The red paint on the Little Digger toy frame contains excessive levels of lead, which is prohibited under federal law.

Remedy:

[View Details](#)

[Refund](#)

Consumer Contact:

Northern Tool + Equipment toll free at (888) 518-

1 of 2 photos

[Previous](#) [Next](#)

Little Digger

LaRose Industries Recalls Peanuts Flying Ace Ride-On Toys Due to Choking Hazard; Sold Exclusively at Target

Recall date: OCTOBER 27, 2015

Recall number: 16-018



Enlarge

Recall Summary

Name of product:

Peanuts Flying Ace Ride-On Toys

Hazard:

The toy's blue hubcaps can detach from the wheel's axle, posing a choking hazard to young children.

Remedy:

[View Details](#)

[Refund](#)

Consumer Contact:

Target at 800-440-0680 from 7 a.m. to 8 p.m. CT Monday through Friday, or online at www.target.com.

1 of 1 photos

Peanuts Flying Ace Ride-On Toy



QUESTIONS?
THANK YOU

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