

## Lead Paint Regulation Frequently Asked Questions

**1. Where can I find resources for my clients that explains this rule?**

Download the EPA brochure, [Renovate Right](#), which can be photocopied or send to a professional printer for duplication. Bulk copies are also available for purchase from the Government Printing Office. Individual copies can be acquired by calling the National Lead Information Center at 1-800-424-LEAD(5323).

**2. What's the difference between a certified firm and a certified renovator?**

A certified firm is approved by the EPA to conduct remodeling business in pre-1978 housing. A certified renovator is approved to carry out remodeling work practices described in the terms of the EPA's lead paint rule. A single-person company must take the certified renovator training and also register the firm with EPA. The registration fee for certifying the firm is \$300. There is no fee for certification of the renovator but the renovator pays the training fee which is set by the training provider.

**3. If my firm is certified, do I need to have a certified renovator?**

Yes, a certified firm must have a certified renovator on staff to carry out work practices and other requirements described in the rule.

**4. Does the certified renovator need to be on the job at all times?**

The certified renovator must be available to oversee setting up containment, clean up, and cleaning verification. The certified renovator must also be available by telephone or stay on site if requested by the client.

**5. Will my subcontractors need to be certified?**

Subcontractors working in target housing need to be certified or supervised by a certified renovator to follow rule requirements. Subcontractors may be treated like non-certified workers and can be trained on site by a certified renovation and supervised accordingly.

**6. Will the rule be enforced through EPA or local and state governments?**

The Federal lead paint rule will be enforced by the EPA. However, individual state governments can elect to create and then enforce their own lead paint regulations equivalent to or stricter than federal regulations. A few states are exploring creating their own program, but none will be in place prior to April 22, 2010.

**7. What are the three approved spot-lead test kits?**

Information regarding recognized test kits is available at <http://www.epa.gov/lead/pubs/kits.htm>. LeadCheck swabs, in particular, are available commercially at most home improvement stores. Many home test kits for lead are unreliable and it is recommended contractors check to see if the results can be disclosed for real estate purposes.

The firm is required to determine that there is no lead-based paint on the components undergoing renovation. The certified renovator is only required to use one spot test kit for each component, even if the surface of the component is extensive (e.g., a large

wall). The firm can make this determination by looking at a previous report by a certified inspector or risk assessor. The firm can also have a certified renovator test components using an EPA recognized test kit.

The renovation firm must retain records of paint testing for 3 years. In addition, when test kits are used, the renovation firm must, within 30 days of the completion of the renovation, provide identifying information as to the manufacturer and model of the test kits used, a description of the components that were tested including their locations, and the test kit results to the person who contracted for the renovation.

**8. I do not plan to do any renovation work in pre-1978 housing. Must I be a certified renovator to distribute the Renovate Right brochure or the “opt-out acknowledgement” form to potential clients ?**

No, an individual does not need to be a certified renovator to comply with the “information distribution requirements” or the “opt-out” waiver; nor does the firm need to be certified to perform those two specific tasks.

**9. What is EPA’s guidance when there is a change in household status during a remodeling activity (i.e. if a child moves in after work has started or if a woman in the house gets pregnant)?**

If the owner revokes his or her opt out, then the requirements of the Renovation, Repair, and Painting Program would apply. NAHB recommends educating the home owner about the requirements of the rule to minimize company liability in case of a change of status.

**10. Will the EPA training courses be tailored to include state specific requirements and differences between states’ programs?**

No. However, the EPA encourages training providers to include pertinent state requirements where they apply.

**11. What changes in a firm’s status require an amendment of certification and how much will it cost?**

In accordance with § 745.89(c), any change to the information reported to EPA in a firm’s most recent certification application must be reported in an amended certification application. There is no cost associated with the submission of an amended certification. Possible amendments may include a change of address, phone number, principle of the company, adding a certified renovator, or deleting a certified renovator.

**12. How thick should the plastic sheeting be?**

A contractor should choose one or more layers of plastic sheeting of a sufficient thickness to prevent puncture based on the circumstances of the particular project. The performance standard in this regulation requires firms to isolate the work area, prevent dust and debris from exiting, and ensure plastic sheeting is not torn or displaced. Certain other guidance materials, such as HUD’s *Guidelines for the Evaluation and*

*Control of Lead-Based Paint in Hazards in Housing*, recommend the use of 6 mil plastic sheeting.

**13. Do the cleaning wipes from the cleaning verification process need to keep as a part of the recordkeeping requirements?**

No, but the results of the cleaning verification, including number of wet and dry clothes used, must be documented.

**14. What does a certified renovator's certificate look like? What safeguards does EPA intend to avoid counterfeiting of certificates?**

The course completion certificate for the renovator and dust sampling technician courses shall include:

- The name
- A unique identification number
- Address of the individual
- The name of the particular course that the individual completed
- Dates of course completion/test passage
- The name, address, and telephone number of the training program
- The language in which the course was taught
- A photograph of the individual

**15. What does the certification training entail?**

A certified renovator must successfully complete an eight-hour initial training course, including two hours of hands on training, offered by an accredited training provider. The course completion certificate serves as proof of certification. Renovators are required to be certified by April 22, 2010.