

CEPA – November 17, 2016

CDPHE INDOOR ENVIRONMENT PROGRAM

# Lead-Based Paint Regulations

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- ▶ All Contractors - including GACs - who perform renovation may be subject to CDPHE or EPA regulations
- ▶ Section II.E. Renovation means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces
- ▶ Section I.B. Pre-renovation education requirements do not apply to renovation activities that are limited to:
  - ▶ Minor repair and maintenance activities that disrupt less than 2 square feet of painted surface per component
  - ▶ Emergency renovation operations
  - ▶ A Colorado certified lead-based paint inspector provides a written determination that the components affected by the renovation activities are free of paint or contain less than 1 mg/cm<sup>2</sup> or 5,000 µg/g

# Regulation No. 19, Part B - Pre-Renovation Education

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- ▶ Requires a contractor to provide a pamphlet to the owner and occupant, prior to renovating, for projects that disturb more than **two square feet** of painted surface per component in target housing.
  - ▶ Target housing – housing constructed 1978 or earlier other than a zero bedroom dwelling, housing for the elderly or a person with a disability. Housing for the elderly or a person with a disability is included if a child under seven years of age resides or is expected to reside in the housing

# Regulation No. 19, Part B - Pre-Renovation Education

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- ▶ Find the pamphlet under the Pre-renovation education requirements link at [www.colorado.gov/cdphe/leadpaint](http://www.colorado.gov/cdphe/leadpaint)
- ▶ Dwelling units
  - ▶ Provide the owner with the pamphlet no more than 60 days before renovation
  - ▶ Obtain a written acknowledgement that the owner has received the pamphlet or certificate of mailing at least 7 days prior to renovation
  - ▶ If the owner does not occupy the dwelling unit, provide an adult occupant with the pamphlet, and
    - ▶ Obtain written acknowledgement that the occupant has received the pamphlet, or certify in writing that the renovator has been unsuccessful in obtaining the pamphlet from an adult occupant
    - ▶ Or obtain a certificate of mailing at least 7 days prior to renovation

# Regulation No. 19, Part B - Pre-Renovation Education

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- ▶ **Common areas of multi-family housing**
  - ▶ Provide the owner with the pamphlet no more than 60 days before renovation
  - ▶ Obtain written acknowledgement that the owner received that pamphlet or a certificate of mailing at least 7 days prior to renovation
  - ▶ Ensure that written notification of renovation activities, including the scope, locations, and project dates, is provided to each unit and make the pamphlet available upon request prior to renovation
  - ▶ Provide written notification of any changes in renovation activities to the owners and occupants

# Regulation No. 19, Part B - Pre-Renovation Education

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- ▶ **Written acknowledgment requirements**
  - ▶ Record the name and signature of the owner or occupant and acknowledging receipt of the pamphlet prior to renovation, address of renovation
  - ▶ Written in the same language as the text of the renovation agreement and as the lease or rental agreement
- ▶ **Recordkeeping requirements**
  - ▶ Retain all records for 3 years
    - ▶ Inspection results
    - ▶ Signed and dated acknowledgments of receipt
    - ▶ Certifications of attempted delivery
    - ▶ Certifications of mailing
    - ▶ Records of notification performed regarding common area renovations

# EPA Renovation, Repair, and Painting Program (RRP)

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- ▶ A GAC must be an RRP certified firm if it performs renovation, repair, and painting projects that disturb lead-based paint in target housing and child occupied facilities
  - ▶ All window jobs
  - ▶ Exterior – 20 square feet of painted surface – **total**
  - ▶ Interior – 6 square feet of painted surface – **per room**
  - ▶ A child occupied facility is a building or portion of a building that:
    - ▶ Was constructed prior to 1978;
    - ▶ Is visited regularly by the same child who is under 7 year of age on two or more days within any week, with each visit totaling six or more hours, and;
    - ▶ Is visited by such child a total of at least sixty hours in one year

# EPA Renovation, Repair, and Painting Program (RRP)

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- ▶ **Determine if it contains lead**
  - ▶ Assume it contains lead
  - ▶ Hire a Colorado certified lead-based paint inspector
  - ▶ An RRP certified individual may use the 3M LeadCheck kit and D-Lead kit on ferrous metal, plaster, drywall and wood
- ▶ **Get certified**
  - ▶ [www.epa.gov/lead/renovation-repair-and-painting-program](http://www.epa.gov/lead/renovation-repair-and-painting-program)
  - ▶ 8 hour initial training course
  - ▶ Valid for 5 years
  - ▶ Firm certification requirement



# Additional Contacts

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