



FACT SHEET

EPA Releases Final Rule to Ensure Safe Conduct of Lead-Based Paint Activities

ACTION

In an expansion of its campaign to reduce the public's exposure to lead hazards, the U.S. Environmental Protection Agency is issuing new regulations to protect the public from the hazards of improperly conducted lead-based paint activities. The rule contains several key elements, including:

- ▶ Training and certification requirements to ensure the proficiency of contractors who offer to conduct lead-based paint inspection, risk assessment and abatement services in residences and day care centers;
- ▶ Accreditation requirements to ensure that training programs provide quality instruction in current and effective work practices;
- ▶ Work practice standards to ensure that lead-based paint activities are conducted safely, reliably and effectively; and
- ▶ Procedures for States and Tribes to apply to EPA for authorization to administer these elements at the State or Tribal level.

For States and Tribes that choose to apply to EPA for authorization, the final rule also provides a model state lead program that they can use to develop their programs. In States or Tribes that do not apply for EPA authorization to administer a program, EPA will proceed to establish a program based on the federal program elements contained in the rule.

BACKGROUND

To protect families from exposure to lead in paint, dust and soil, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X. About three-quarters of the nation's housing stock built before 1978 (64 million homes) contains some lead-based paint. When properly maintained and managed, this paint poses little risk. If improperly managed, chips and dust from this paint can create a health hazard. Recent studies indicate that 1.7 million children have blood-lead levels above safe limits; the most common source of lead exposure in the U.S. is lead-based paint hazards.

Under Title X, EPA and other federal agencies are developing a national program and supporting policies to prevent and reduce lead-based paint exposures and hazards. EPA has undertaken several efforts primarily designed to improve the public's awareness/understanding of lead hazards. EPA also has supported the development of training centers to assist in ensuring that lead hazards are managed safely.

Today's rule builds on these efforts by ensuring the public that contractors claiming to know how to inspect, assess or remove lead-based paint, dust or soil are well qualified, trained and certified to conduct these activities.

Additionally the model state lead program contained in the rule will help ensure consistency in the training and certification requirements and work practice standards developed by States, Indian Tribes and U.S. Territories.

BUILDINGS COVERED

Contractors conducting lead-based paint activities in “target housing” and in “child-occupied facilities” will be required to obtain training, receive certification, and follow the standards contained in the rule. Target housing includes housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any one or more children age six years or under resides or is expected to reside in such housing for the elderly or persons with disabilities) or any zero-bedroom dwelling.

A child-occupied facility is a building, or a portion of a building, constructed prior to 1978, that is visited regularly by the same child, six years of age or under. Such facilities include, but are not limited to, day-care centers, preschools and kindergarten classrooms.

The new rule does not address work performed in public and commercial buildings, on steel structures, bridges, and other industrial facilities. EPA is currently evaluating the need to establish a training and certification program for individuals and firms working in these buildings.

EFFECT ON STATES AND TRIBES

This rule should have minimal impact on States and Tribes since the development of State and Tribal programs is voluntary. States and Tribes that choose to administer a lead training and certification program will be required to submit an application to receive EPA authorization. To assist States and Tribes that choose to develop and implement programs, the Agency provides program guidance and grants. Additionally, the final rule authorizes States and Tribes to establish fees to support their programs.

EFFECTIVE DATES

States may apply to EPA for approval to administer lead contractor training/certification programs of their own 60 days after promulgation of the rule.

In States that do not apply or receive EPA approval to run their own programs within two years following promulgation of the rule, the Agency will proceed to establish programs based on the federal training, certification, and accreditation requirements and work practice standards contained in the rule. While EPA’s requirements will help ensure that certified lead professionals are available nationwide, the Agency does not require property owners to test, assess or abate lead-based paint, dust or soil.

FURTHER INFORMATION

- For a copy of the rule, supporting documents, fact sheets and other information about lead call the National Lead Information Clearinghouse (NLIC) at (800) 424-LEAD, or TDD (800) 526-5456 for the hearing impaired. You may also send your request by fax to (202) 659-1192 or by Internet E-mail to ehc@cais.com. Visit the NLIC on the Internet at <http://www.nsc.org/nsc/ehc/ehc.html>.
- The final rule and supporting documents, and other lead information also are available electronically, and may be accessed through the Internet.

Electronic Access:

Gopher: gopher.EPA.gov:70/11/Offices/PestPreventToxic/Toxic/lead_pm

WWW: <http://www.epa.gov/opptintr/lead>

Dial up: (919) 558-0335

FTP: Ftp.epa.gov (*To login, type “anonymous.” Your password is your Internet E-mail address.*)