

Lead Paint Regulations

Introduction

As of April 22, 2010, a new federal regulation will affect maintenance and renovation activities for community association buildings and units constructed prior to 1978. The Lead Renovation, Repair and Painting Rule (RRP) issued by the Environmental Protection Agency (EPA) sets strict requirements for contractors, including maintenance staff, when disturbing painted surfaces on the interior or exterior of these buildings.

Even though the EPA banned the use of lead paint in homes in 1978, it is still present today in many older homes. Based on this, the EPA assumes that any painted surface in a building constructed before 1978 contains lead unless certified laboratory testing proves otherwise.

The intent of the regulation is to reduce lead based paint hazards created by common renovation, repair and painting activities in homes constructed before 1978. This regulation does not apply to work in homes built after the ban or work completed by an individual unit owner.

What CAU Recommends:

- > Determine the construction date of the buildings in your association
- > Test for lead based paint in all buildings constructed before 1978
- > Hire only Lead Safe Certified Contractors
- > Ensure that maintenance staff are Lead Safe Certified

Need More Information?

The EPA Lead Paint website (www.epa.gov/lead) has a variety of information related to this regulation including forms and a searchable database of Lead Safe Certified contractors. The site also provides information and applications for association employees to apply for the Lead Safe certification.

Associations may also request additional information on this topic by contacting CAU's Loss Control Department.



Lead Hazards

Lead poisoning remains a significant environmental health problem in the United States, particularly in children. Children are more susceptible to lead poisoning because their growing bodies absorb more lead and their central nervous systems are more sensitive to the damaging effects of lead. Lead can enter the body by breathing or ingesting it.

In older homes, dust and paint chips containing lead may be present. Since infants and children are more likely to put their hands or other objects in their mouth, they are more likely to ingest lead dust and develop lead poisoning.

For children, high blood lead levels can result in damage to the brain and nervous system, behavior or learning problems, slowed growth, hearing problems and headaches. Lead is also harmful to adults and can cause reproductive problems, high blood pressure, nerve disorders, memory and concentration problems and muscle and joint pain.

New EPA Requirements

Common renovation activities like cutting, sanding and demolition produce dust. In buildings constructed before 1978, the dust is likely to contain harmful concentrations of lead.

Under this new regulation, contractors and maintenance staff performing any renovation, repair and painting projects that disturb painted surfaces in homes constructed before 1978 must be lead safe certified and follow specific work practices to prevent lead poisoning. Renovators must notify building occupants of the pending work before it starts, post warning signs in the work area and follow specific work practice standards to isolate the work area.



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For interior renovations involving six square feet of painted surfaces or more, the certified renovator must:

- Remove all furniture and other objects from the work area
- Close and cover all ducts with taped down plastic sheeting
- Close windows and doors and cover doors with plastic sheeting
- Cover the floor surface with taped down plastic sheeting
- Use precautions to ensure that tools and materials are free of dust and debris before leaving the work area

For exterior renovations involving twenty square feet of painted surfaces or more, including window replacements, the certified renovator must:

- Close all doors and windows within 20 feet of the renovation
- Cover doors within the work area that will be used with plastic
- Cover the ground with plastic sheeting 10 feet beyond the work area

This regulation also prohibits open flame burning or torching of lead based paint and high speed sanding, planing and similar operations unless connected to a HEPA filter. The regulation also defines specific cleaning procedures, record keeping and waste disposal requirements.

Lead Testing

Since the EPA assumes that buildings built before 1978 contain lead paint, it is advisable to have any association buildings of this age tested for lead paint. An EPA or state certified inspector or risk assessor can complete an inspection of the painted surfaces in the buildings and provide a detailed report outlining the findings.

Testing for lead will benefit the association in two ways. First, it will verify whether the building contains lead paint. Second, if lead paint is present, it will document what surfaces contain lead paint and what surfaces do not.