



Check EPA's RRP rule prior to rental property renovations to avoid potential violations

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If you're hoping to renovate property that you rent, occupy or provide childcare, it's a good idea to assure yourself that the April 22, 2010 Federal EPA regulations; Lead-Renovation, Repair and Painting Program Final Rule (40CFR Part 745) applies to you! This rule now requires that renovations, repairs and/or painting to properties built before 1978 are conducted by a person or people who are EPA Certified in lead-safe work practices by a trainer accredited by the EPA and follows strict documentation and work practice requirements. This rule is currently in effect and according to federal sources, enforcement is literally around the corner. As part of this rule, the EPA has proposed that civil penalties can reach as much as \$37,500 per violation, imprisonment or both. As shared in the EPA enforcement document, one failure of compliance repeated in several units can quickly add up to \$100,000s in penalties!

After being actively involved in the environmental lead-based paint industry for almost a decade as well as instructing over 10,000 students in Lead-Based Paint laws, I have realized Proper Documentation is one of the keys for compliance to the RRP rule. I get the same question in every class I teach. How do I avoid litigation and still follow this rule? In order to make it clear that you are doing your best to abide by this law's requirements, write down everything you do regarding your renovation and your compliance to the rule, as well as properly complete the EPA mandated checklist. It is also highly recommended that you take several pictures of the job as it progresses. You want to be able to show in detail how your procedure started, the work being performed safely and the ending which will document required testing on your part. These are just a few things you will learn how to do in your "Lead Safe Renovator" training and are now federally mandated to do. The EPA also has a sample record keeping checklist and more forms that are necessary that can be obtained at www.LEWCorp.com or at epa.gov/lead/pubs/renovation.htm.

If you find that your property and project does fall under the RRP rule's jurisdiction, the first thing you should do is get a few copies of the "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools" and distribute them to all your tenants. It's your duty to make sure that they are informed of what you plan to do and how you plan to go about complying with the RRP rule.

Your next step is to either hire contractors certified by the EPA in lead-safe practices or become so certified if you opt to do the work. Keep in mind, this can be a very easy rule to understand and the bottom line is we must follow it to the letter. I have only scratched the surface of this rule in this article so be advised that there is so much more to know and understand, but remember: good accurate clear documentation is key! I worked 15 years in the environmental safety field for the United States Navy and after 8 years as a licensed lead-based paint risk assessor in several states

and an EPA accredited training manager, I am confident that compliance is achievable and penalty/litigation avoidance is very reasonable. To achieve such, you must clearly understand this law's requirement and work with a professional subject matter specialist/expert, such as myself, who you can trust! To ensure that you are 100% compliant with the RRP rule, speak with a LEW Corporation representative today to avoid potential violations or worse yet, litigations, tomorrow. Derrick Fulcher is training program manager for LEW Corp., Mountainside, N.J.

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