



National Association of Home Builders

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## Action Needed: EPA Proposes Changes to Lead Paint Rule

Normal View

Executive Director, NAHB Remodelers

**Subject:** Action Needed: EPA Proposes Changes to Lead Paint Rule

**From:** Therese Crahan , Executive Director, NAHB Remodelers

**Date:** 11/9/2009

On October 28, the U.S. Environmental Protection Agency proposed an amendment to its Lead: Renovation, Repair & Painting rule that is going fully into effect next April.

The proposed amendment is a direct result of EPA's settlement with environmental advocates. Some of the proposed changes will drastically affect the rule and add further demands on remodelers.

The EPA's lead paint rule is focused on homes built before 1978, which are more likely to contain lead. According to the U.S. Census Bureau, these homes account for 68% of the nation's total housing stock.

The rule currently requires remodelers to certify their firms, have a trained and certified lead renovator on staff, educate home owners, contain and clean up dust, conduct a final dust wipe to confirm cleaning, and maintain records. The rule also allows an "opt-out" provision for homes without children under six and pregnant women as residents.

EPA is now proposing to remove the "opt-out" provision, which would drastically increase the number of homes impacted by the rule. If accepted, all pre-1978 homes would be subject to the rule, which is an estimated addition of 40 million homes.

Additional proposed changes to the rule include a requirement for remodelers to give the home owner a compliance checklist document to add to their home records for passing on to future owners. The checklist would describe the sections of the home renovated and details on rule compliance.

The window for comments to EPA on the proposed amendment to the rule is extremely short, yet it is very important remodelers submit comments for the official record. NAHB is also submitting an official comment letter.

NAHB has created a customizable letter for members to adapt and send to EPA by the comment deadline of November 27. The letter is accessible only to members and can be downloaded and tailored with comments and cost estimates.

The full proposed amendment was published in the Federal Register and can be downloaded in PDF format. Learn more about the current lead paint rule and how to prepare at [www.nahb.org/leadpaint](http://www.nahb.org/leadpaint).

**Remodelers: Action Needed!**

EPA estimates that compliance with the Lead: Renovation Repair & Painting Program increases the cost of each job by \$35. Remodelers have expressed to NAHB the concern that \$35 is well below the costs a firm will incur in working in pre-1978 homes. NAHB asks that you let EPA know the true costs of complying with the Lead Regulation.

Please send EPA a letter during the during the brief comment period, following the recent proposal to remove the opt-out provision and tell EPA how much it really costs to follow the regulation. Write and send your own letter or customize the downloadable letter from the NAHB website with your story using the worksheet to estimate both the initial costs (certification, training, etc.) and the cost incurred for each job.