

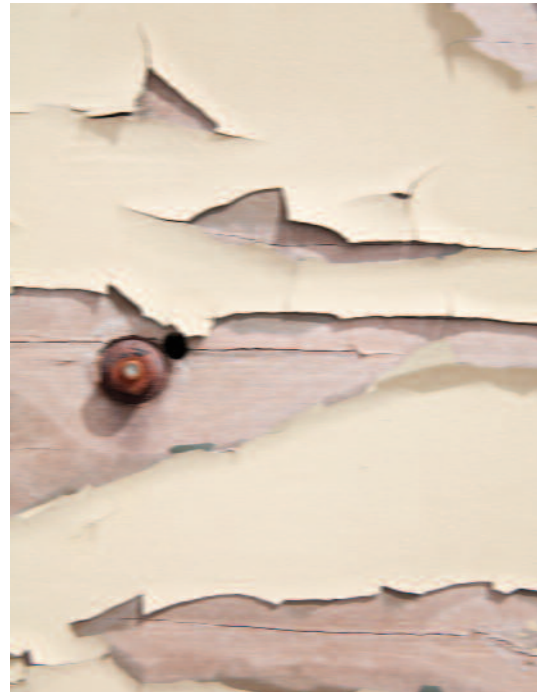
PROTECTING CHILDREN: EPA STRENGTHENS LEAD REGULATIONS

Children are especially susceptible to lead poisoning because their rapidly developing nervous systems are particularly vulnerable to the effects of lead. So the EPA's new rule, effective April 22, 2010, addresses one of the most common and preventable poisonings of children by requiring lead-safe practices and other actions aimed at preventing this problem.

Exposure to lead can have a wide ranging impact on a child's development and behavior. Even small amounts of lead can cause children to appear inattentive, hyperactive and irritable. Higher lead levels may cause more problems, including difficulty learning and reading, delayed growth and hearing loss. At high levels, lead can cause permanent brain damage and death. Some children may eat or swallow paint chips, which increases their risk of exposure to lead.

In general, the older the building, the more likely it contains lead-based paint. If not conducted properly, such common renovation activities as sanding, cutting and demolition can disturb lead-based paint, creating hazardous lead dust and chips that can be harmful to adults and children.

Under the new rule, starting April 22, 2010, workers performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities and schools built before 1978 must be certified and follow specific work practices to prevent lead contamination. The rule covers renovators, including renovation contractors, property managers, maintenance workers, painters and other specialty trades and those who disturb painted surfaces. The rule does not apply to minor maintenance or repair activities where



less than six square feet of lead-based paint is disturbed in a room or where less than 20 square feet of lead-based paint is disturbed on the exterior.

Firms are required to be certified, their employees must be trained in use of lead-safe work practices, and lead-safe work practices that minimize occupants' exposure to lead hazards must be followed. The program includes requirements implementing both Section 402(c) and 406(b) of the Toxic Substances Control Act (TSCA). Subpart E.

For work in common areas of multi-family housing or child-occupied facilities, the regulation requires:

- The distribution of the lead pamphlets to the owner of the building or an adult representative of the child-occupied facility before the renovation starts
- The distribution of renovation notices to tenants or parents/guardians of the children attending the child-occupied facility

COMMON SOURCES OF LEAD include paint, water and soil. Buildings constructed before 1970 have the greatest risks of containing lead-based paint.

RENOVATION Broadly defined as any activity that disturbs painted surfaces and includes most repair, remodeling and maintenance activities, including window replacement.

CHILD-OCCUPIED FACILITIES

Defined as residential, public or commercial buildings where children under age six are present on a regular basis.

Or informational signs must be posted about the renovation or repair job. Such signs must:

- Be posted where they will be seen
- Describe the nature, locations and dates of the renovation
- Be accompanied by the pamphlet on lead or by information on how parents and guardians can obtain a free copy

The observations, comments and suggestions we have made in this report are advisory and are not intended nor should they be taken as legal advice. Please contact your own legal adviser for an analysis of your specific facts and circumstances.

RESOURCES

For information on how to protect organizations from lead paint hazards:

- Call the National Lead Information Center at 1-800-424-LEAD (5323) or visit their website by [clicking here](#).
- Read about lead-hazard information for renovation, repair and painting activities in the EPA lead hazard information pamphlet *Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools*.
- Learn how to comply with EPA's rule in the *EPA Small Entity Compliance Guide to Renovate Right*.
- *Hazard Standards for Lead in Paint, Dust, and Soil (TSCA section 403)* establishes standards for lead-based paint hazards and lead dust cleanup levels in most pre-1978 housing and child-occupied facilities.
- *Training & Certification Program for Lead-Based Paint Activities (TSCA sections 402/404)* ensures that individuals conducting lead-based paint abatement, risk assessment or inspection are properly trained and certified, that training programs are accredited, and that these activities are conducted according to reliable, effective and safe work practice standards.

All of the above pamphlets can be found by [clicking here](#).

Source: Environmental Protection Agency (EPA) epa.gov/lead