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RIN: 2070-AJ01

EPA**117. LEAD-BASED PAINT ACTIVITIES;
VOLUNTARY PROGRAM FOR
RENOVATION AND REMODELING****Priority:**

Other Significant

Legal Authority:

15 USC 2682 TSCA 4 402; PL 102-550
sec 402(c)(3)

CFR Citation:

40 CFR 745

Legal Deadline:

None

Abstract:

As an alternative to the regulatory program, EPA is working with stakeholders to develop a voluntary program for renovations and remodeling activities. The voluntary program would partner the Agency and national organizations together to promote an initiative which could provide incentives to participating contractors and property owners who incorporate lead safe work practices into their standard operating procedures. The Agency plans, in a Notice or ANPRM to be published in the winter of 2004, to introduce the voluntary program, discuss its component parts, and review how it will be evaluated.

Statement of Need:

Childhood lead poisoning is a pervasive problem in the United States, with almost a million young children having more than 10 ug/dl of lead in their blood, (Center for Disease

Control's level of concern). Although there have been dramatic declines in blood-lead levels due to reductions of lead in paint, gasoline, and food sources, remaining paint in older houses continues to be a significant source of childhood lead poisoning. These rules will help insure that individuals and firms conducting lead-based paint activities will do so in a way that safeguards the environment and protects the health of building occupants, especially children under 6 years old.

Summary of Legal Basis:

TSCA section 402(c) directs EPA to address renovation and remodeling activities by first conducting a study of the extent to which persons engaged in various types of renovation and remodeling activities are exposed to lead in the conduct of such activities or disturb lead and create a lead-based paint hazard on a regular basis. Section 402(c) further directs the Agency to revise the lead-based paint activities regulations (40 CFR part 745 subpart L) to include renovation or remodeling activities that create lead-based paint hazards. In order to determine which contractors are engaged in such activities the Agency is directed to utilize the results of the study and consult with the representatives of labor organizations, lead-based paint activities contractors, persons engaged in remodeling and renovation, experts in health effects, and others.

Alternatives:

TSCA section 402(c) states that should the Administrator determine that any category of contractors engaged in renovation or remodeling does not require certification; the Administrator may publish an explanation of the basis for that determination. This voluntary program is one of the key alternatives considered to developing a more prescriptive regulatory program.

Anticipated Cost and Benefits:

EPA's quantitative cost estimates fall into four categories: Training Costs, Work Practice Costs, Clearance Testing Costs, and Administrative Costs. The estimates vary depending upon the option selected. In most cases we expect that requirements related to Clearance Testing and Work Practices will contribute the most to overall rule cost. The benefits analysis will not provide direct quantitative measures of each (or any) option. EPA does not have a complete risk assessment (with dose-response functions) that would permit direct quantitative estimates. We

do have other data, such as estimated loadings of Pb generated by renovation work, number and type of renovation events, demographics of the exposed population, and the costs of various health effects previously linked to Pb exposure. With the available information we are able to utilize several qualitative approaches to frame the benefits associated with an effective renovation rule.

Risks:

Like the rules under consideration, this voluntary program is aimed at reducing the prevalence and severity of lead poisoning, particularly in children. The Agency has concluded that many R&R work activities can produce or release large quantities of lead and may be associated with elevated blood lead levels. These activities include, but are not limited to: sanding, cutting, window replacement, and demolition. Lead exposure of R&R workers appears to be less of a problem than that of building occupants (especially young children). Some workers (and homeowners) are occasionally exposed to high levels of lead. Any work activity that produces dust and debris may create a lead exposure problem.

Timetable:

Action	Date	FR Cite
Notice Announcing 1st Pilot	12/00/04	
Notice Announcing 2nd Pilot	05/00/05	

**Regulatory Flexibility Analysis
Required:**

Yes

Small Entities Affected:

Businesses

Government Levels Affected:

Federal, Local, State, Tribal

Additional Information:

SAN No. 3557.1; Split from RIN 2070-AC83.