

# New Legislation Not Many Are Talking About

(How These New Laws Will Affect You)

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As most people, know lead paint was used in many homes that were built prior to 1978. Homes with this condition are abundant throughout the Chicagoland area, many of which are townhomes and condominiums. These homes are at the age or approaching the age where several different types of renovation projects are most likely necessary, such as replacing windows, doors, painted wood trim, etc. Due to new legislation, these types of projects are now going to require an added level of care and planning in order to be performed legally.

According to the new legislation, all renovation work that will disturb paint on a building built prior to 1978 will have to be performed by a firm that has been certified by the EPA. In addition, all employees of the renovation firm must either be certified renovators or have been trained by a certified renovator. These new requirements will become effective April 22, 2010. All work after this time will be required to comply with Lead Safe Work Practices. It should be noted that any work performed that does not comply with these new requirements can be penalized by a fine in excess of \$30,000 *per violation, per day*.

In order to ensure that all projects performed after April 22, 2010, comply with the above requirements, it is recommended that the following simple steps be taken:

1. Verify the age of your building. Any building built in 1978 or after does not need to comply with the above requirements.
2. Prior to selecting an engineering firm to write project repair specifications, verify that they are familiar with the new EPA requirements.
3. Prior to sending project specifications to contractors for bids, verify that they have been certified by the EPA to work on such projects.
4. Verify with contractors that they employ a certified renovator and all employees that will be working on the project have been adequately trained by the certified renovator.

In special cases, the above requirements do not apply. In order to be exempt from the above requirements, the following requirements must be met:

1. No children under age 6 reside in the building.
2. No pregnant women reside in the building.
3. The building is not a child-occupied facility.
4. The renovation does not disrupt more than 6 square feet of paint per room on the inside or more than 20 square feet of paint on the exterior.
5. The renovation firm must obtain a signed statement from the building owner(s) stating that the renovation firm is not required to follow the Lead Safe Work Practices.

In planning for larger renovation projects in buildings built prior to 1978, building owners can expect an increase in project cost due to the above requirements. It is hard to say how much of a cost increase can be expected at this time; however, for planning purposes we would recommend expecting a cost increase between 5% - 15% depending on the project. Building owners can also expect the project to take a longer time to complete. Renovators are now required to post signs throughout the building, tarp off the work area to contain dust, and perform extensive cleaning at the completion of the project.

Since few people have been informed of these new requirements, it is imperative that contractors be pre-screened in order to prevent long project delays while waiting for chosen contractors to become certified. If you as a building owner/property manager/unit owner are looking to begin a renovation in an older building, it is important to have all the facts before you sign with a contractor so that you, the building, and contractor are protected.

More information can be found at [www.epa.gov/lead/pubs/renovation.htm](http://www.epa.gov/lead/pubs/renovation.htm).