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Lead Paint: Steps for Those Playing Catch-Up

By Patrick O'Toole

It is a complex law, and owners and management need to be hands-on in making decisions about how this is going to play out for their firm.

Remodeling and home improvement companies have been hearing about the new lead-safe work practice requirements for several years. It has been a long process, filled with delays in implementation, leading to questions as to the final scope and requirements of the Environmental Protection Agency rule. Due to this level of uncertainty, many presidents and owners of remodeling firms put off any action toward compliance. Now with the April 22, 2010, deadline looming, Qualified Remodeler's Exterior Contractor magazine connected with Stephen J. Klein, president of Kachina Lead-Paint Solutions, a provider of lead-paint certification training to provide tips on how to quickly make the right moves.

Exterior Contractor Magazine | *OK. Let's say you are Rip Van Winkle and have been asleep for a few years and you wake up now to suddenly find that you've got to get in compliance with the new law. What is the first step you would advise taking?*

Stephen Klein | The first thing I would do is go on the EPA Web site (www.epa.gov/lead) and get your firm certified. That is a simple process and it requires a \$300 fee. By doing it now, you are initiating it before the deadline, but you may not get the certificate back for six to eight weeks due to an enormous backlog, as you can imagine. I am a remodeler, too, and my lawyer is telling me that intent is very important. If you can show that you registered your company before the deadline, it will be less likely that you will suffer any negative ramifications relating to not having the actual certificate.

EC | *After company certification, what is the next step?*

Klein | There is some confusion about whether you need to have your firm certified first before you take the one-day, eight-hour RRP (Renovation, Repair and Painting Rule) certification course for individuals. That is not an obstacle. You and your people can get trained before the company is certified officially. The only people that will be allowed to test for lead paint on the chips from windows, etc., are certified renovators via the one eight-hour course. If they get that, then at least they have one person that is able to do clearance testing.

EC | *Who in a company should get certified?*

Klein | There is not one right answer. We are training big companies in the Top 500 with tens of millions in sales down to \$250,000 companies, and it really depends on the structure of the company. I would at least have the owners and top management go through the training along with a few others

on staff. The reason that owners and top management need to get trained is that this RRP rule is so complex and there are so many different curves to it that you really have to think through who on your team is trained. Do you want your sales force training, or do you want them to be selling? You definitely want some of your lead field construction guys to be trained and they, in turn, can offer the two hours of OJT, on-the-job training, to “helpers” on the team.

EC | *What do you need to bring to the jobsite on the day of the installation?*

Klein | They need to bring a copy of the company's certificate from the government, the EPA, showing that you've paid the \$300 and have registered. And they have to have a certified renovator on-site at the beginning of the job to set up the barricades and the tape and all of the plastic. That person needs to have his certificate from the RRP course on the job. And if he or she has a helper, they also need an OJT training certificate on-site. So there is a lot of paperwork required.

EC | *What do you expect in terms of enforcement after April 22?*

Klein | My lawyers say there will be soft enforcement the first six months or year, what have you, because the government understands that there are not enough trainers and the word is not out yet. Many, many remodelers are just hearing about this for the first time. The key is to have your team distributing the Renovate Right document from the EPA to all prospects and customers living in homes built before 1978 and be able to show that you've been doing this. It is a complex law, and owners and management need to be hands-on in making decisions about how this is going to play out for their firm.

To learn more go to www.epa.gov/lead or www.kachinaleadpaintsolutions.com.

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