

Regulatory Update



New EPA Lead-Based Paint Testing Requirements

As of April 22, 2010, firms performing work that disturbs lead-based paint in target housing or child-occupied facilities must be certified and use lead-safe work practices during renovations (EPA Renovation, Repair and Painting (RRP) Rule). Target housing is defined as a home or residential unit built on or before December 31, 1977. In 1978, the Consumer Product Safety Commission (CPSC) banned the sale of lead-based paint for residential use. Therefore, any structure or portion of a structure built before 1978 may have lead-based paint.

A child occupied facility* is a building or a portion of a building that was constructed prior to 1978, and meets all of the following criteria:

- Visited regularly by the same child, 6 years of age or younger.
- The visits are on at least two different days within any week (Sunday through Saturday period) provided that each day's visit lasts at least 3 hours.
- Combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours.

** Child occupied facilities may be located in public or commercial buildings or in target housing. These facilities include schools, childcare facilities and daycare centers.*

These new requirements were implemented in order to address childhood poisoning associated with lead-containing dusts. Poisoning can occur when children are exposed to very small amounts of lead, which is often associated with inadequate controls on the part of contractors who disturb paints during the course of renovation activities, such as window replacement or surface preparation prior to repainting. Without adequate dust control measures in place, lead-containing dust can be released. Once an area becomes contaminated, it can easily be tracked throughout a residence, creating a larger hazard and cleanup problem.

TEC has several State of Michigan Certified Lead Inspectors and Lead Risk Assessors. Using non-destructive x-ray fluorescence (XRF) technology, we can quickly and accurately determine locations of lead-based paint. Call Scott M. Chandler, CIH, LEED AP, or Jon Balsamo at 248-588-6200 for additional information regarding our lead-based paint testing services.

Excerpts were taken from the Toxic Substances Control Act (section 402 (c)(3) of TSCA published April 22, 2008).
