

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

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Commissioner



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Environmental Health Section

EHS Circular Letter # 2012-69

TO: Lead Consultants
Lead Training Providers

FROM: Francesca Provenzano, M.P.H., C.H.E.S., R.S.
Health Program Supervisor
Lead and Healthy Homes Program

DATE: December 10, 2012

RE: Paint Chip Sampling under the RRP Rule

The U.S. Environmental Protection Agency (EPA) Renovation Repair and Painting (RRP) Rule contains several provisions for lead poisoning prevention through the use of appropriate lead-safe work practices in pre-1978 residential properties and child-occupied facilities. As you may be aware, the RRP Rule does not apply in housing that has been determined to be free of lead-based paint either by a certified inspector or risk assessor. Also, the RRP rule would not apply if the components being renovated have been determined to be free of lead-based paint by a certified renovator using an EPA recognized test kit or through *paint chip collection by the renovator for laboratory analysis*. The CT Department of Public Health (DPH) would like to clarify this language and its implications for EPA RRP-certified firms and renovators in CT. EPA RRP-certified renovators and firms are not allowed to collect paint chips or dust wipes for laboratory analysis in the State of CT without holding the appropriate DPH lead licensure and certification credentials.

A distinction should be made by training course instructors between the RRP Rule's terms of *Certified Firm* or *Certified Renovator*, and the CT DPH licensure and certification credentials of *Licensed Lead Consultant*, *Licensed Lead Abatement Contractor*, *Certified Lead Inspector*, *Certified Lead Inspector Risk Assessor*, and *Certified Lead Abatement Supervisor/Worker*. Attendees in the RRP training course should have a clear understanding that they are not



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receiving or pursuing a credential that enables them to conduct lead consultant or lead contractor activities, and that they cannot legally engage in lead consulting or lead abatement work. RRP certification from the EPA to conduct lead-safe work practices is not equivalent to DPH licensure and certification.

When determining how to meet compliance with federal and state laws and regulations, the more stringent rules must be followed. As such, the Department of Public Health (DPH), Lead and Healthy Homes Program would like to remind you that collecting paint chip samples, or dust wipe samples and submitting those samples to a laboratory for analysis is an activity that must be performed by a DPH Licensed Lead Consultant. RRP Renovators and Firms can continue to use the EPA recognized test kits to determine the presence of lead-based paint on components being disturbed as part of renovation work. More specific language on lead-related licensure and certification can be found in CT General Statutes §20-474 through 20-482, as well as under the DPH Lead Licensure and Certification Regulations § 20-478-1 through 20-478-3. To reiterate, the RRP credential of “certified renovator” does not usurp state law and regulation, or enable contractors to perform lead abatement or lead consulting activities in CT without the appropriate license.

Please insure that your RRP trainers convey this information and that your training curriculum incorporates this memorandum for future RRP initial and refresher training classes.

If you have any questions, please call the Lead and Healthy Homes Program at (860) 509-7299.

cc: Suzanne Blancaflor, M.S., M.P.H., Chief, Environmental Health Section
Ellen Blaschinski, R.S., M.B.A., Chief, Regulatory Services Branch