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**[not-secure] Circ. Ltr 2010-08 EPA's New Lead Paint Rules**  
 Monday, February 8, 2010 12:16 PM

**From:** "Pales, Rhonda" <Rhonda.Pales@ct.gov>  
**To:** "Pales, Rhonda" <Rhonda.Pales@ct.gov>  
**Cc:** "Provenzano, Francesca" <Francesca.Provenzano@ct.gov>, "Figueroa, Maria" <Maria.Figueroa@ct.gov>, "Sharp, Sharon" <Sharon.Sharp@ct.gov>, "Wilson, Michelle" <Michelle.Wilson@ct.gov>, "Aschenbach... more"

Hi Everyone,

Please read from the bottom up. We have been getting questions regarding the circular letter that I emailed last Thursday regarding EPA's new rules. I think the string of emails is useful for anyone needing clarification.

Best,  
Rhonda




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**From:** Provenzano, Francesca  
**Sent:** Friday, February 05, 2010 9:54 AM  
**To:**  
**Cc:**  
**Subject:** RE: [not-secure] Circ. Ltr 2010-08 EPA's New Lead Paint Rules

Hi,

I think your questions are ones that many are asking. I hope that my answers provide you with some clarification (and possibly direction) in how you can fold the RRP Rules requirements into your routine activities.

EPA is responsible for administration and enforcement of the rule. At this time, I think it's reasonable to assume that the Lead Program will not be acquiring add'l state funds to administer this program. We want to promote this rule, because we see it as an opportunity to prevent contractors from unintentionally poisoning occupants, their workers and themselves.

Yes. I think that contractors will be working in violation of this law. I think that the speed at which this particular federal law was adopted, actually makes it difficult for contractors to comply with its requirements. Training providers have only recently been approved through the EPA to offer courses, which are needed for 'certification' through the federal government. We will make referrals to EPA for enforcement action, when possible.

We (public health community) hope to promote compliance with the RRP Rule certification and work practices standards through awareness, education, and compliance assistance. I hope to approach this, at first, where we can make change occur; through partnering with the publicly-funded housing programs (where lead-safe work practices have been required for some time during rehab work on pre-78 housing), in pre-78 grade schools that have planned repainting or renovation activities that will disturb interior or exterior paint, through licensed daycare facilities/local health departments (when defective lead-based paint has been identified that needs to be corrected), and in collaboration with the Occupational Health Unit in our own department. I can also envision local health departments easily promoting compliance by requiring that 'lead hazard remediation' work be carried out by EPA-certified firms that employ lead-safe trained workers.

4) Building officials do issue permits for work activities that may, at times, disturb >6 square feet of interior paint, or >20 square feet of exterior paint. For building officials who want to be proactive and collaborate with health departments in promoting lead-safe work practices through the RRP Rule, they can request the age of housing from a contractor and educate that contractor on the RRP Rule. I'm not familiar with the authority vested in a local building official and if they have the ability to deny issuing a permit to a contractor, or if it's possible. If it is possible, that would be a wonderful approach to preventing lead poisoning in children (and adults).

Local health directors have different approaches to handling complaints relating to presumed lead-based paint creating a health hazard for occupants and/or neighbors (sanding, grinding activities). Obviously, local codes make it easy for some directors to simply stop the work citing the local code. Some health directors cite 19a-206 to stop work after they confirm that lead-based paint is being disturbed. Some just immediately stop the work, and presumption of lead-based paint is enough to warrant lead-safe work practices. If you happen to come across non-compliance with RRP, you can simply refer the contractor to the DPH (and we'll educate the contractor on the rule, and make a referral to EPA), you can contact the EPA directly and cite 19a-206 to stop the work, or you can take any combination of all of these actions.

I am not intentionally being elusive in my response. I simply see our role as being supportive of the federal government's efforts to reduce lead poisoning that results from renovation activities, but am keenly aware of our limitations (as a community) in being able to enforce a federal law. I also have concerns that even if we were to seek authority to administer this rule in the absence of funding and additional resource, that overseeing the activities of approximately 20,000-30,000 regulated entities would be challenging.

Sincerely,  
Francesca Provenzano, M.P.H., C.H.E.S., R.S.  
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Childhood Lead Poisoning Prevention and Control Program & Radon Program  
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**From:**  
**Sent:** Friday, February 05, 2010 8:57 AM  
**To:**  
**Cc:**  
**Subject:** RE: [not-secure] Circ. Ltr 2010-08 EPA's New Lead Paint Rules

Hi,

I need clarification. Who is responsible for enforcement? We had a certification course last year and put it out to our painting contractors and only one came. It is a safe assumption that there are contactors out there who will be doing work in violation of the rule. What role does the building official play? Does he not issue permits if the contractor is not certified? If we as the health department get a complaint what do we do about it? Locally we have many questions. Please advise.

----- Original Message -----

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**From:** " Pales, Rhonda "  
**Sent:** Thu, 2/4/2010 1:06pm  
**To:** " Pales, Rhonda "  
**Cc:** " Provenzano, Francesca " ; " Figueroa, Maria " ; " Sharp, Sharon " ; " Wilson, Michelle " ; " Aschenbach, Mark " ; " Veneziano, Krista " ; " Bailey, Linda " ; " Hung, Tracy " ; " Litro, Alessandra " ; " Lamb, John " ; " Davila, Jimmy " ; " Bobbs, Waynett " ; " Pelletier, Kimberly " ; " McCarthy, Tina " ; " Blancaflor, Suzanne " ; " Curran, Jeffrey "  
**Subject:** [not-secure] Circ. Ltr 2010-08 EPA's New Lead Paint Rules

Good Afternoon Everyone,

Hope you're doing well today! Please see the attached circular letter regarding EPA's new lead paint rules. RRP is a federal regulatory program affecting contractors, property managers and others that disturb painted surfaces. The training, certification and work practice requirement become effective 4/22/10. Firms are required to be certified by EPA and their employees must be trained by an accredited EPA trainer. At this time Connecticut is not an authorized state to administer and enforce the RRP rule. However, the LPPCP will provide education/outreach, compliance assistance and awareness training.

The LPPCP would sincerely appreciate your help disseminating the attached information to anyone you feel would find the information useful. As always, thank you for your time and help!

Respectfully,

Rhonda

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