

EPA's Lead Renovation, Repair and Repainting Program: What You Need to Know

New EPA Rule: Contractors Need to be Lead-Safe Certified

April 22, 2010

To address and limit the potential risks associated with the handling of lead, on April 22, 2008, the U.S. Environmental Protection Agency (EPA) issued a rule requiring the use of lead-safe practices. Under the rule, effective April 22, 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. These requirements will likely impact the cost of repair in the context of insurance claims.

What you need to know:

Activities that disturb paint in pre-1978 housing and child-occupied facilities are subject to the Program, including:

- Remodeling and repair/maintenance
- Painting
- Electrical work
- Carpentry
- Plumbing
- Window replacement

Why is this important?

The Program will likely impact the cost to repair certain facilities. Insurers should be aware of the new requirements so that appropriate contractors can be selected.

What should insurers do?

When adjusting property losses for pre-1978 housing and child-occupied

facilities, insurers should:

- Confirm date of construction and occupancy;
- Order lead testing if necessary;
- Verify contractors are EPA certified for dealing with lead-based paint;
- Provide property owners/occupants with lead-based paint information;
- Require consent for additional renovations or repairs; and
- Ensure that proper lead safety and containment procedures are included in the estimate if lead-based paint is present.

For further detail regarding the EPA's regulations, please visit the links below. Please contact Jennifer Gibbs at jgibbs@zellelaw.com with any questions or for further information.

- [EPA Program Overview](#)
- [Information for Contractors](#)
- [Related Information on Lead from the EPA](#)