

EPA Proposes National Training, Certification, Accreditation and Standards Program for Individuals and Firms Engaged in Lead-Based Paint Activities

BACKGROUND ON LEAD-BASED PAINT

Lead is a heavy, gray metal. Historically lead has been added to housepaints and other paints because it helped them dry faster. Lead-based paint also was preferred because it made a coating that stood up to wear and tear and weather changes.

Today lead is classified as a toxic substance and is known to cause adverse health effects in humans and the environment. In 1978 lead-based paint for residential uses was banned by the Consumer Products Safety Commission. However, lead-based paint for industrial uses, such as on bridges and other steel structures, is still permitted.

In the residential housing sector, the U.S. Department of Housing and Urban Development (HUD) estimates that there are about 57 million privately owned and occupied homes built before 1980 that contain lead-based paint. Of those homes approximately 9.9 million are occupied by children younger than 7 years. HUD also estimates that approximately 750,000 public housing units contain lead-based paint and that 37 percent of those units are occupied by children younger than 7 years. Children under age 7 are at greatest risk to lead-based paint hazards.

However, if in good condition and when left intact, lead-based paint by itself is not likely to present a hazard. Deteriorating lead-based paint, however, particularly in residential housing, presents a significant public health challenge.

HEALTH EFFECTS OF LEAD

The presence of lead in humans is commonly defined as a "blood lead level," and is measured in "micrograms per deciliter" ($\mu\text{g}/\text{dL}$).

Although lead exposure is known to cause adverse health effects in adults and young children, children are more at risk for lead exposure than adults. This risk is due to the effects of lead exposure which are harmful to the developing brain and nervous system of young children and fetuses.

Severe lead exposure in children (blood lead levels greater than or equal to $80\mu\text{g}/\text{dL}$) can cause coma, convulsions and even death. At high levels, lead can cause mental retardation, kidney damage, damage to the central nervous system and damage to blood forming tissues.

Even low levels of lead are known to significantly affect a child's IQ, reading and learning abilities, attention span and behavior. Exposures during infancy can affect the basic development of the brain and nervous system. Effects may be irreversible, affecting performance in school and later in adult life. Today, a blood lead level greater than or equal to $10\mu\text{g}/\text{dL}$ is classified by the Centers for Disease Control and Prevention as a "level of concern" and warrants attention.

Notably, since the mid 1970's, childhood lead poisoning has been reduced by almost 80 percent. This is a remarkable public health achievement widely attributed to concerted federal efforts to lower acceptable lead levels in blood and to reduce lead in gasoline, drinking water, house paint, and other consumer products.

Nonetheless, one child in about every 11 under the age of 6, and one child out of every eight or nine under the age of 3 continues to have blood lead levels of concern. For children in minority, low-income, urban settings the numbers present an even worse picture. One out of every five African-American children in the U.S. has blood lead levels above the level of concern.

Although lead-based paint was banned in 1978, in a deteriorated form it presents a major public health challenge. Deteriorated lead-based paint can take many forms, including chipping, peeling, cracking and chaulking.

In these forms, lead-based paint may contaminate soil and house dust, which can be ingested by children. Among children, normal hand-to-mouth contact and other activities can result in lead poisoning. In fact, today most lead poisoned children are poisoned by lead contaminated dust -- generated by deteriorated lead-based paint.

LEGISLATIVE BACKGROUND

To address the lead-based paint in our nation's housing stock and its adverse health effects, the Housing and Community Development Act was signed into law on October 28, 1992. Title X of that bill, the Residential Lead Based Paint Hazard Reduction Act, provided a comprehensive national approach to dealing with lead-based paint.

To support that approach Title X amended the Toxic Substances Control Act (TSCA) by creating Title IV. Provisions under TSCA, Title IV, specifically Section 402, direct EPA to develop a national program to ensure that individuals engaged in lead-based paint activities are properly trained and certified, that training program providers are accredited and that firms engaged in such activities are certified. Section 402 also includes provisions for EPA to establish standards for the conduct of lead-based paint activities.

Another section of TSCA Title IV, Section 404, directed EPA to establish procedures for states to apply to the Agency for authorization to administer and enforce their own lead training, certification and accreditation programs. Under the proposed rule, EPA would approve state programs that provide "adequate enforcement" and that are "as protective as" the federal program established under Section 402 of the proposed rule.

AFFECTED BUILDINGS

Under EPA's Section 402/404 proposal individuals would be trained and certified to conduct specific lead-based paint activities within three distinct building types. Under the program, these building types have been categorized as follows:

- Target Housing (public housing and private residences built before 1978);
- Public Buildings, such as daycare centers, schools and other facilities frequented by children;
- Commercial Buildings and Superstructures, including facilities such as industrial warehouses, power plants, bridges, watertowers and other structures that have been painted with lead-based paint.

TRAINING, CERTIFICATION AND ACCREDITATION

Under the proposed rule, individuals engaged in lead-based paint activities in these buildings would be required to obtain training and certification in the appropriate job category or discipline. Firms would be required to use only trained and certified workers to conduct lead-based paint activities. Individuals and firms would apply for certification to an authorized state authority or EPA.

The training individuals receive must be from an accredited training provider. Training firms must receive their accreditation from an authorized state or EPA.

The proposed rule establishes a total of seven work disciplines. Five disciplines are in the target housing and public building category. Two disciplines are in the commercial building and superstructure category. Course curricula for each of the seven disciplines are also included in the proposed rule.

Disciplines:

Target Housing and Public Buildings:

- 1) Inspector Technician
- 2) Risk Assessor
- 3) Supervisor
- 4) Planner/Project Designer
- 5) Worker

Commercial Buildings and Superstructures:

- 1) Supervisor
- 2) Worker

LEAD-BASED PAINT ACTIVITIES & STANDARDS

Standards have also been proposed by the Agency and would specifically apply to the lead-based paint activities established in the rule. Additionally the Agency proposes to segregate lead-based paint activities within the relevant building category. The lead-based paint activities established in the proposed rule are:

Standards:

Target Housing and Public Buildings:

- Inspection
- Identification of Lead-based paint
- Risk Assessment
- Abatement

Commercial Buildings and Superstructures:

- Identification of Lead-based paint
- Deleading
- Demolition

The proposed standards are performance-based and were developed to ensure that lead-based paint activities are conducted safely, effectively and reliably.

To obtain more information on EPA's proposed lead training, certification and accreditation program or other Title X activities, see the other side for contact names and telephone numbers.

GENERAL INFORMATION

LEAD CLEARINGHOUSE:

1-800-424-LEAD

COPIES OF PROPOSED 402/404 RULE AND LEAD PUBLICATIONS

TSCA HOTLINE:

202-554-1404

TECHNICAL ASSISTANCE

EPA REGIONAL OFFICES

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