

EPA Fines Violators of the Lead Renovation, Repair and Painting Rule

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WASHINGTON – The U.S. Environmental Protection Agency (EPA) announced three enforcement actions for violations of the Lead Renovation, Repair and Painting Rule (RRP) and other lead rules. The RRP rule requires the use of lead-safe work practices to ensure that common renovation activities like sanding, cutting and demolition, which can create hazardous lead dust, are conducted properly by trained and certified contractors or individuals. EPA finalized the RRP rule in 2008 and the rule took effect on April 22, 2010.

“Exposure to lead can cause serious health problems and affects our most vulnerable population, our children,” said Cynthia Giles, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. “By taking action to enforce lead rules we are protecting people’s health and ensuring that businesses that follow the rules have a level playing field.”

On March 21, 2012, Colin Wentworth, a rental property owner who was responsible for building operation and maintenance, agreed to pay \$10,000 to resolve violations of the RRP rule. The complaint alleged that Mr. Wentworth’s workers violated the rule by improperly using power equipment to remove paint from the exterior surface of an 1850’s apartment building he owns in Rockland, Maine. The complaint also alleged that the workers had not received any training under the rule and that Mr. Wentworth had failed to apply for firm certification with the EPA. Because the lead dust had not been properly contained, residents were potentially exposed and the dust could have also contaminated the ground surrounding the apartment building. Two of the four units in the building were rented to recipients of U.S. Department of Housing and Urban Development Section 8 vouchers and there were at least four children under the age of 18, including one under the age of six, living in the units. The Maine Department of Environmental Protection and the Occupational Safety and Health Administration (OSHA) also responded to the alleged violations.

On March 20, 2012, Valiant Home Remodelers, a New Jersey window and siding company, agreed to pay \$1,500 to resolve violations from failing to follow the RRP rule during a window and siding replacement project at a home in Edison, N.J. Valiant Home Remodelers failed to contain renovation dust, contain waste, and train workers on lead-safe work practices.

On February 21, 2012, Johnson Sash and Door, a home repair company located in Omaha, Neb., agreed to pay a \$5,558 penalty for failing to provide the owners or occupants of housing built prior to 1978 with an EPA-approved lead hazard

information pamphlet or to obtain a written acknowledgement prior to commencement of renovation activities at five homes. The complaint also alleged that Johnson failed to obtain initial certification prior to performing renovations at these residences.

As required by the law, a company or individual's ability to pay a penalty is evaluated and penalties are adjusted accordingly.

These recent actions are part of EPA's effort to ensure that contractors and individuals follow the RRP requirements and other lead rules to protect people's health from exposure to lead. Lead exposure can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death, putting young children at the greatest risk because their nervous systems are still developing.