

New federal lead paint rules set tougher standards and 2010 training requirements

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New federal rules are sending contractors to the classroom for more lead paint training, but there's a deadline for graduation. The U.S. Environmental Protection Agency is requiring builders meet higher safety standards - training supervisors, building tents around areas where lead paint will be scraped off walls, and using vacuums to clean the air - when working on homes, schools and day care centers built before 1978. The new rules will mandate safety practices on more projects. Past regulations required the safety measures only when a certain amount of lead paint was disturbed on projects.

"This is essentially a training requirement for people who abate lead or disturb lead paint," said Don Gallo, an environmental attorney with Reinhart, Boerner Van Deuren SC.

Four Wisconsin companies are certified by the EPA to train workers to satisfy the new standards. Workers must be trained to meet the new standards by April 2010.

The rush to the classroom probably will come next year, said Bob Rogalla, president of Lake States Environmental Ltd., a training company in Rice Lake. "That's pretty standard, that it takes a while even after the rule takes effect," he said. "The compliance is not full to 100 percent on the date the rules take effect."

The new rules are a big shift because they affect many more contractors, especially home remodelers, that in the past did not need to comply with remediation practices for working with lead paint, said Chuck Warzecha, director of the Bureau of Environmental and Occupational Health in the Wisconsin Department of Health Services. The department is applying to the EPA to be the state agency that oversees the new program, including registering companies that perform the remediation work and those that train workers. Warzecha said getting enough trainers ready to do the job is a concern the department is working through. "We know we need the capacity out there," he said.

Rogalla said he will be able to schedule more classes when demand increases. "This rule and this training is extremely important," he said. "It's probably, of all things in lead regulations, what is going to have the widest effect on preventing lead poison in children."

Gallo agreed the new rules will require contractors set higher safety standards, but, he said, the rules also will improve safety for remediation workers and bystanders around construction sites. "It's really an awareness, more than anything," he said. "It does require some effort to comply, but it's much better than the potential cleanup."

Rogalla predicted some contractors won't be ready for the April 2010 deadline, either because they are unaware of the new rules or because they are avoiding them to save money. When companies deliberately skirt the new rules, enforcement will be necessary to bring those contractors in line, he said. "I'm encouraged from a health and safety standpoint in our communities that everybody is going to be observing this eventually," he said, "even if it is not in the first round of compliance."