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DATE: June 20, 2014

TO: Contractors

FROM: Kane Young, Bureau of Environmental Health Services

RE: **Overview of Lead-Based Paint Rules for Pre-1978 Residential Housing and Child Occupied Facilities:**

Iowa's Lead-Safe Renovation Rule (RRP)
Iowa's Pre-Renovation Notification Rule (PRE)
Federal Real Estate Disclosure Rule

Iowa's Lead-Safe Renovation Rule (RRP)

Since April 2010, Iowa law has required certification for renovations that disturb painted surfaces in pre-1978 residential housing or child occupied facilities. Every renovation must have at least one certified lead-safe renovator, and specific lead safe work practices must be followed. Some specific requirements include:

- Certification with the Iowa Department of Public Health as a Lead-Safe Renovator.
 - 8-hour Lead-Safe Renovator training course from approved provider
 - \$60 annual certification fee per individual
 - 4-hour Lead-Safe Renovator Refresher course every 3 years
 - Firms must be certified too. There is no cost for firm certification
- The rules apply to any renovation that is not considered minor repair and maintenance activities. The definition of minor repair and maintenance activities is:

“Minor repair and maintenance activities” means activities, including minor heating, ventilation or air-conditioning work, electrical work, and plumbing, that disrupt less than the minimum areas of a painted surface established in this definition where none of the work practices prohibited or restricted by this chapter are used and where the work does not involve window replacement or demolition of painted surface areas. When painted components or portions of painted components are removed, the entire surface area removed is the amount of painted surface disturbed. Projects, other than emergency renovation, performed in the same room within the same 30 days must be considered the same project for the purpose of determining whether the project is a minor repair and maintenance activity. Renovations performed in response to an elevated blood lead (EBL) inspection are not considered minor repair and maintenance activities. The minimum area for minor repair and maintenance activities is:

1. Less than 1.0 square foot of an interior painted or finished wood surface per renovation;
2. Less than 6.0 square feet of a painted or finished drywall or plaster surface per room;
or
3. Less than 20.0 square feet of an exterior painted or finished surface per renovation.

- Specific work practices include:

- Warning signs posted
- Dust, paint chips, and debris contained to the work area
- Cover objects in the work area (i.e. furniture)
- Ground cover for exterior work areas
- Waste material contained, stored, and transported safely
- Prohibited work practices (i.e. uncontained water blasting and dry scrapping)
- HEPA vacuums for cleaning
- Work area cleaned and verified with post renovation cleaning verification

- Certified Lead-Safe Renovators can test for presence of lead-based paint using approved test kits.

- On-the job training required for all non-certified individuals that do renovation work.

- Record keeping. A renovation report is required for each renovation.

For more information about the lead-safe renovation rules, including where to find an approved training course please visit our website.

Iowa's Pre-Renovation Notification Rule (PRE)

Since 1999, Iowa law has required contractors to give notification by giving an approved lead hazard information pamphlet to homeowners and tenants before beginning renovation, remodeling, or repainting. The rule requires notification when paint is disturbed in any residential property built before 1978, or child occupied facilities. Contractors must distribute an approved lead hazard pamphlet and get a signature from owners and occupants of residence, to verify they have been informed. The intent of the rule is to ensure that families have the information they need to protect themselves.

In rental property, if the landlord hires an independent contractor to perform renovation, remodeling, or repainting, the independent contractor must perform the notification. If a landlord or the landlord's employees perform renovation, remodeling, or repainting, then the landlord must perform the notification.

See below for information about how to obtain the brochure, ***Lead Poisoning: How to Protect Iowa Families***.

For more information about the pre-renovation rules visit our website.

Iowa Enforcement

The Iowa Code authorizes IDPH to impose a penalty of up to \$5,000 for each violation of the notification requirement and the lead-safe renovation requirement.

The Federal Real Estate Disclosure Rule

Since 1996, regulations from the Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) have required that home buyers and renters receive known information on lead-based paint and lead-based paint hazards during sales and rentals of housing built before 1978. Buyers and renters must receive specific information on lead-based paint in the housing, as well as a copy of the pamphlet, ***Lead Poisoning: How to Protect Iowa Families***. Sellers, landlords, and their agents are responsible for providing this information to the buyer or renter before the sale or lease. A sample disclosure form is located in the middle of the pamphlet.

Please be aware that the pre-renovation notification rule is different than the disclosure rule.

The Pre-Renovation Notification Rule, Iowa law, Administrative Code 641 — Chapter 69, requires that any contractor or landlord working on residential properties or child occupied facilities built prior to 1978 must notify residents that lead-based paint disturbed by remodeling, renovation or repainting is a potential hazard.

The Disclosure Rule is a federal law that requires you to disclose any known information (i.e. providing inspection and or clearance reports) about lead-based paint when you sell or rent properties built before 1978. The U.S. Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) jointly enforces the disclosure rule.

For each rule you need to give out copies of the Iowa pamphlet ***Lead Poisoning: How to Protect Iowa Families***. However, each rule requires a different form.

Copies of Forms and Pamphlets

The brochure, ***Lead Poisoning: How to Protect Iowa Families***, contains example forms. For copies of the brochure, ***Lead Poisoning: How to Protect Iowa Families***, please visit our website.

Lead Poisoning Prevention Website

http://www.idph.state.ia.us/LPP/common/pdf/protect_iowa_families.pdf