

management

By F. Stephen Masek, President
Masek Consulting Services, Inc.

Part 3 – New Law Takes Effect EPA Renovation, Repair, and Painting Misperceptions Can Cost You Dearly

For the past two months, we've reviewed different aspects of the new EPA lead rules. As I've said, non-compliance can be costly. Now, let's wrap up those FAQs about the new law.

"Lead surveys are expensive."

Lead surveys (also called inspections) are inexpensive, so it is obviously wise to have all of your buildings surveyed to prevent contractors (all trades) from charging more for unnecessary RRP procedures, eliminate unnecessary spending for RRP training, equipment and procedures for your staff, and to allow you to market certified lead-based paint-free units to families with children (especially 60s and 70s units). It is a one-time expense, and the per-unit cost is less than you think.

"Keeping files on work which is done is too difficult."

The RRP regulation has very specific requirements for documentation, requiring that all documents be kept for three years following the completion of a renovation. These records include reports certifying that lead-based paint is not present, and documentation of compliance with the RRP requirements.

Photos with digital cameras cost almost nothing, and notes about what was done, how it

was done, and who did it are easy to write. The notes and photos may simply be kept in



Should somebody claim that the work was not done properly, the notes and photos are very helpful. Pre-testing also helps contractors avoid blame for lead problems which were present before they started their work.

a computer file. Should somebody claim that the work was not done properly, the notes and photos are very helpful. Pre-testing also helps contractors avoid blame for lead problems which were present before they started their work.

“A lead survey will result in all kinds of damage due to scraping and cutting out of paint samples.”

Lead surveys are performed using X-Ray Fluorescence (XRF) machines that give on-the-spot results with absolutely no damage to painted surfaces. Some people who claim to be lead consultants are too cheap to own the expensive XRF equipment. Don't hire them. They will try to scrape and cut out spots of paint all over every room in a building, producing expensive and

unsightly damage. Because it's time consuming, they also charge more than companies with the right equipment for the job.

Consultants who perform lead surveys in California must be certified and have state-



issued photo ID cards showing that they are lead inspectors and risk assessors. Demand to see that ID card before paying somebody who may not be able to legally perform a lead survey.

“Any lead content above zero means that lead abatement procedures must be followed.”

No, it doesn't. Portions of the federal OSHA and corresponding California lead regulations do apply to any amount of lead content above zero, but that mainly means that employers need to perform simple periodic exposure assessment monitoring of their employees.

“A trained Renovator can use swabs to check paint for lead.”

Not on plaster or drywall, the materials used for the walls and ceilings of almost every apartment, as the EPA does not permit using them on those materials.

“A trained Renovator can use wipes to perform clearance tests.”

A California Department of Public Health-certified lead inspector/risk assessor or project monitor must perform risk assessments, pre-testing, and formal clearance testing, if it is desired. The wipe samples which are compared to a color chart by a Renovator to check cleaning progress are not the same thing.

Masek may be reached at 949-581-8503 or newclients@masekconsulting.net. He has two decades of experience conducting environmental surveys, assessments, and inspections of thousands of properties of all types. He is an active member of ATSM International, the standards development organization, and his articles on environmental issues are published in a variety of trade magazines. He also provides expert and expert witness services for property owners, managers, and insurance companies.

