

Best Practice – Lead RRP Exception

Date: Revised January 5, 2017

Subject: Applicability of EPA’s Renovation, Repair, and Painting Rule to Weatherization Efforts

Problem or Question: What triggers the EPA’s RRP Rule in weatherization work? If I have to drill, for example, 100 two-inch holes to allow insertion of wall insulation in a home, then does this trigger the RRP in pre-1978 homes?

Discussion: No, it does not trigger the EPA’s RRP rule. There are two ways to insulate walls, from holes drilled into the exterior and from holes on the interior. A) In the case of exterior wall holes, it takes 20 total square feet of disturbed paint surface to trigger the RRP rule. B) In the case of interior walls in one room, the total area disturbed must be more than 6 square feet to trigger the RRP rule. The reason the RRP requirements and measures are not triggered in these two examples is because EPA established an exception to the RRP rule for disturbed paint of less area than 6 sq feet of interior surface and 20 sq ft for all exterior walls (Note: this means counting in the 20 sq ft calculation all disturbed paint all around the building – not just one exterior wall. See page 2-3 of *Lead Safety Student Manual* EPA-740-R-09-002). Here is a weatherization example: 100 two-inch holes, drilled to install insulation, has an area of 314 square inches which is equal to 2.18 square feet. This is well below the established trigger for RRP for both inside and outside walls.

In order to trigger the RRP in one interior room you would have to drill 275 two-inch holes. However, if another action disturbs more paint within a 30-day window, then the two areas of the two renovations must be added together. Note: when the RRP rule is triggered, consult modules 4, 5, 6, & 7 of the *Lead Safety Student Manual* for required recordkeeping, equipment, practices, and clean-up.

Recognize that window replacement is an automatic trigger of EPA RRP requirements in nearly every case. If you believe that you may have an extremely rare case of not triggering EPA requirements during a window replacement consult with TDHCA Department Staff before you begin work.

Note that the onus is on the overseeing agency to demonstrate, when lead paint is disturbed, that RRP measures are not triggered if RRP measures are not taken. For example if a section of sheetrock is replaced or repaired then it is useful to take a photo demonstrating that any disturbed paint was under 6 square feet or otherwise state why no RRP measures were required in the work-order.

Actions and File Documentation for LSW:

1. “Renovate Right” pamphlet given to client with signed/dated “Pre-Renovation Form” in file.
2. <https://www.epa.gov/sites/production/files/documents/renovaterightbrochure.pdf>
3. If RRP rule is triggered:
 - a. “Test Kit” documentation in file (photo or copy)
 - b. Test swap evidence (photo of or actual)
4. “Lead-Safe Process Flowchart” indicating what actions were taken and the outcome marked on the flow chart and signed/dated.

Here are the FAQs straight from the EPA website. It is the source of authority for the above statements.

Frequent Questions from the EPA website:

<http://www.epa.gov/lead/pubs/renovation.htm> - "Answers to your questions"

Question Last Updated: 4/13/10 My firm drills a series of 1/2 inch diameter holes in sheet rock to dry it out where rooms have been flooded. Is drilling these holes a prohibited practice?

EPA Answer: No. The RRP Rule prohibits the use of machines that remove lead-based paint through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, unless such machines are used with HEPA exhaust control. The requirement for HEPA exhaust control does not apply to the use of all power tools. Specifically, HEPA exhaust control is not required when using a power drill to drill holes in sheetrock. When using a power drill with a drill bit to cut through sheetrock, the speed associated with the contact between the bit and the paint is not of the same magnitude as the contact speed generated by the machines identified in the regulation. Therefore, the work described in the question is not a prohibited practice.

Question Last Updated: 3/17/10: Does the minor maintenance exception mean that if I drill 1-inch holes in a painted surface to blow insulation into an enclosed wall cavity, I could drill 864 holes in the interior or 2880 holes on the exterior before I had to comply with the RRP Rule? Or does it mean that the work is covered by the RRP Rule once I insulate more than 6 square feet of interior wall area (basically 1 hole) or more than 20 square feet of exterior wall area?

EPA Answer: The exception is based on the area of paint disrupted, which in this example is based on the combined areas of the holes drilled in the wall.

Question Last Updated: 3/17/10: If an electrician or plumber, working in a different room from the contained renovation project, needs to drill or cut a hole six square feet or less in size to chase a wire or pipe, does the RRP rule apply to that work?

EPA Answer: As long as 6 square feet or less of painted surface in that room is disrupted with 30 days, including the work done by the electrician or plumber, and the job does not use prohibited practices or involve window replacement or demolition of painted surfaces, the minor repair and maintenance exception to the RRP rule applies.

Question Last Updated: 7/16/10 Can you list specific activities deemed a disturbance of painted surfaces?

EPA Answer: As a general matter, EPA believes that activities that create dust or paint chips are activities that disturb paint. There is no definitive list of activities that disturb painted surfaces. Some examples that can disturb painted surfaces include, but are not limited to:

Making cut-outs in walls; Replacing a window from the inside or outside; Removing paint with a heat gun; Scraping paint; Removing kitchen cabinets; Removing paint by abrasive sanding; Removal of large structures, including demolition of interior plaster walls; Window replacement; HVAC repair or replacement, including duct work; Repairs resulting in isolated small surface disruptions, including drilling and sawing into wood and plaster; and Scuff-sanding. These activities and other activities which disturb paint could be relevant to many trades, such as (but not limited to) renovation, remodeling, general repair, general maintenance, plumbing, electrical work, carpentry, window installation, painting, weatherization work, and more.

Recommendation Summary: RRP requirements and safety measures are triggered when there is more than 6 square feet of disturbed paint surface on the interior doors in one room within a 30 day period or 20 feet of disturbed surface on exterior walls. Total disturbed painted area is used to calculate the square footage (add drilled out holes together, for example).

NOTE: See the below flow chart to better apply EPA regulations and requirements to your weatherization efforts on homes that possibly have lead paint.

Lead-Safe Process Flowchart in Weatherization

