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To Our Valued Clients:

May 2010

## Strict New EPA Lead Paint Rule

Impacts Renovation and Repair Contractors  
& Residential Rental Property Owners

On April 22, 2010 an enhanced lead paint rule went into effect aimed at protecting children during renovation, repair, and painting activities that disturb lead-based paint.

The new EPA Lead-Based Paint Renovation, Repair and Painting Program (RRP) states that **firms must be Certified** to work on pre-1978 buildings, **must have a “certified renovator”** (at least one per job), and their **employees must be trained**, by a certified trainer, in “lead-safe” work practices which must be followed to minimize occupants’ exposure to lead hazards. The rule also requires those who perform renovations to distribute lead pamphlets to occupants before renovations begin.

**The RRP Rule applies to “residential houses, apartments, and child-occupied facilities such as schools and day-care facilities built before 1978.”** Not only does the rule apply to contractors, but renovation activities performed by landlords or employees of **landlords are also subject to the rule.**

In general, the rule applies to *“anyone who is paid to perform work that disturbs paint in housing and child-occupied facilities built before 1978, including but not limited to: residential rental property owners/managers (rent is considered payment); general contractors; special trade contractors including painters, plumbers, carpenters and electricians.”*

For your firm to be certified by the EPA to work on pre-1978 homes and other buildings, first you need to complete an “Application for Firms” from the EPA. Here is a link to that application, along with two other important links:

- The “Application for Firms”: <http://www.epa.gov/lead/pubs/firmapp.pdf>
- Detailed 31-page booklet outlining the new rule: <http://www.epa.gov/lead/pubs/sbcomplianceguide.pdf>
- The EPA site with complete information about the new RRP rule [www.epa.gov/lead/pubs/renovation.htm](http://www.epa.gov/lead/pubs/renovation.htm)

This information in this letter just briefly highlights some of the RRP program information to alert you about the new rule. We urge you to review the EPA information in more depth to be sure you understand its requirements as **the penalty for noncompliance can be \$32,500 per violation, per day.**

The significant fines and exposure to loss created by not following the proper work practices outlined in the RRP rule could seriously jeopardize the viability of any firm. Those fines are **not covered by insurance**. Also, please keep in mind that unless you have specific Pollution Liability coverage, which includes coverage for lead paint, you have no coverage. There is no coverage under your General Liability Policy or Umbrella Policy; no coverage for pollution damage, or clean up of property, nor coverage should someone become ill by ingesting or inhaling dust containing lead paint as a result of your repair or renovation work.

If you are involved in renovation or repair work that disturbs lead-based paint, you have an uncovered exposure. Please call us to discuss coverage.

Very Truly Yours,  
DeSanctis Insurance Agency, Inc.