



Lead Paint Work in Illinois



Owners, developers and builders working in the renovation arena please note that the EPA's new regulations on lead paint take effect on April 22, 2010. The regulations are contained at [Title 40, Part 745 of the Code of Federal Regulations](#). The importance of this legislation and its impact on contractors is clear. However, it should also be noted that it is anticipated that preparation and cleanup alone may double the work time and the costs of extra time on projects and training required may be passed on to the consumer.

There are some very important highlights:

- Effective April 21, no contractor may offer or perform renovations in "target housing" without certification. Target housing means any housing constructed prior to 1978, so renovators working in homes, apartments or condominiums built prior to 1978 need to take this seriously.
- There are only very limited exceptions, such as where a certified inspector has determined the project is free of lead paint beyond permitted levels. Projects with no children or pregnant woman that are owner occupied can also qualify for excluding coverage, but only if the owner signs off that the contractor is not required to meet the regulatory practices.
- Contractors performing renovations have extensive obligations to give disclosure and notice to building occupants in writing prior to renovation, including providing EPA publications. Persons and contractors performing work in this arena must provide their customers the EPA's brochure, [Renovate Right](#) (pdf).
- The regulations further include specific work practice standards, so watch out for potential employee personal injury claims and OSHA inspections and violations as well.
- Even relatively minor work is swept up in the requirements: generally work disrupting more than 6 square feet of painted area is regulated.
- When working with possible lead issues, workers will need to place heavy plastic sheets on the ground, seal the room, seal off vents to the area where the project is taking place, remove or cover furniture in the area, cover the ground and plants outside of the work area, close all windows, and mark off the work area to keep non-workers away. Contractors will be required to post warning signs, restrict occupants from work areas, prevent dust and debris from spreading, conduct a thorough cleanup and verify that the cleanup was effective.

This legislation has contractors and building inspectors working to get up to speed on the new rules and licensing requirements. Contractors also must be EPA-certified to work in buildings that could have lead paint. Contractors must be certified by April 22, 2010. Meetings will be

offered for contractors to become certified to work in buildings that might have lead paint. The Illinois Department of Public Health has issued a [news release](#) (pdf) which includes list of meetings and locations at which contractors can become certified.