

Contractors pay to get the lead out

Daily Reporter, February 10, 2010, Sean Ryan

The only choice for more than 20,000 residential contractors in Wisconsin is to set aside their concerns over new lead paint requirements and prepare to comply.

“You can either grouse about it or say, ‘OK, we better be prepared and prepared to do it right,’” said Tony Rink, vice president and general manager of Renovations Ltd., Brookfield.

Contractors are packing training courses and buying new equipment to comply with new federal standards that will take effect April 22. The rules, which the U.S. Environmental Protection Agency spent 10 years crafting, establish training, company certification and safety requirements on projects that disturb paint in houses, schools and day care centers built before 1978.

Next Step

WHAT: The U.S. Environmental Protection Agency is collecting comments on Wisconsin's plan to oversee implementation of new federal lead paint rules.

WHEN: Feb. 24 is the deadline to request a public hearing, and written comments must be submitted by March 26.

WHERE: Comments can be submitted online at <http://www.regulations.gov> or mailed to Office of Pesticide Programs, Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

INFORMATION: Contact EPA technical contact Marlyse Wiebenga, 77 W. Jackson Blvd., Mail Code LC-8J, Chicago, 60604; 312-886-4377; wiebenga.marlyse@epa.gov.

Contractors before starting projects will be required to educate clients about the risk of lead paint exposure and, during construction, build tents around areas where lead paint will be scraped off walls. Workers must wear safety suits and respirators and use High-Efficiency Particulate Air vacuums to clean up job sites at the end of each day.

But Rink said there are many aspects of the rule that do not make sense to him and are raising concerns among contractors. For example, he said, builders will need to put down plastic sheets to catch paint chips during exterior work, but workers could slip on the plastic.

“We’re at the threshold of it,” Rink said, “and we’re just going to simply have to make those work.”

Compliance starts with training. More than 10,000 people in the state must attend lead paint safety courses, said Ada Duffey, president of the Milwaukee Lead/Asbestos Information Center Inc. Classes are selling out, she said, as companies try to meet a requirement that at least one worker on each job complete a lead remediation course. “It’s very busy, to say the least,” Duffey said. “We’ve got classes all over the state and we’ve got classes every day, and we’ve been doubling up classes.”

The Wisconsin Department of Health Services, which certified eight private companies to conduct the classes, will oversee training, company certification and enforcement of the EPA rules. For the first year, companies will be given a grace period to comply before facing fines if they do not have trained workers or certification, said Shelley Bruce, DHS asbestos and lead certification supervisor.

“We look at the whole area of renovation as another area to build partnership with the contractors,” she said. “Our goal is to eradicate lead poisoning in the state.”

Diane Ausavich, cleaning division administrator for Carl Krueger Construction Inc., Milwaukee, signed up eight workers to take a one-day class in March. But, she said, companies need a lot more than training to be ready for the rules.

Ausavich said her insurer wants Carl Krueger Construction to set up a sister company to do the lead work because it requires different, more expensive coverage. There’s a fear the rules will leave companies open to lawsuits from clients or penalties from the EPA, she said.

But the rules are set in stone at this point, Rink said, so contractors have no choice but to deal with them. “Is it going to change the way we do business? Absolutely,” he said, “Is it going to change our lives? No.”