

# Lead-Based Paint Renovation, Repair and Painting Rule: U.S. EPA Office of Inspector General Report Addresses Implementation Effectiveness



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09/16/2019

The United States Environmental Protection Agency (“EPA”) Office of Inspector General (“OIG”) issued a September 9th report titled:

*EPA Not Effectively Implementing the Lead-Based Paint Renovation, Repair and Painting Rule (“Report”)*

See *Report* No. 19-P-0302.

The Lead-Based Paint Renovation, Repair and Painting Rule (“Rule”) requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in homes, childcare facilities, and kindergartens built before 1978 must be EPA or state-certified. Further, they must use certified renovators who follow specific work practices to prevent lead contamination. Typical renovation activities might include sanding, cutting, and demolition because of the creation of lead dust and chips by disturbing lead-based paint.

The OIG *Report* contends that EPA does not have an effective strategy to implement and enforce the Rule. Specific concerns identified include:

- insufficient controls to assess program effectiveness and progress toward goals, citing:
  - no review of regional targeting strategies
  - no review to track Rule resources and outreach activities
  - no review of inspections
  - no evaluation of progress toward reducing disparities in blood lead levels among children
- insufficient coordination and communication between the two EPA program offices primarily responsible for the program, which include:
  - Office of Chemical Safety and Pollution Prevention
  - Office of Enforcement and Compliance Assurance
  - EPA regions could benefit from sharing regionally developed tools, ideas and approaches

OIG recommends that EPA identify the regulated universe for the program and update current program guidance. Also recommended is the establishment of management oversight controls as well as objectives, goals and measurable outcomes. Finally, it is suggested that the agency establish a forum to share best practices and innovations.

A copy of the *Report* along with EPA’s response can be downloaded [here](#).

