

FINAL BILL REPORT

SHB 2745

C 158 L 10

Synopsis as Enacted

Brief Description: Concerning compliance with the environmental protection agency's renovation, repair, and painting rule in the lead-based paint program.

Sponsors: House Committee on Environmental Health (originally sponsored by Representatives Hudgins, Campbell and Upthegrove; by request of Washington State Department of Commerce).

House Committee on Environmental Health
House Committee on General Government Appropriations
Senate Committee on Environment, Water & Energy

Background:

Lead was commonly used in paint until it was banned for residential use in 1978. Exposure to lead can be highly toxic, especially to children ages six and younger. Ingesting or breathing dust from lead-based paint is the most common form of lead exposure. Dust is released by the deterioration of paint and can occur during remodeling activities.

In 1992 the U.S. Congress passed the Residential Lead-Based Paint Hazard Reduction Act. Under this law, the U.S. Environmental Protection Agency (EPA) and other federal agencies developed a national program to prevent and reduce lead-based paint exposures and hazards. This law allows states and Indian tribes to operate programs with authorization from the EPA, and in 2004 Washington implemented a lead-based paint program (program). The state program provides work practice standards for lead-based paint activities, requires certification and training of paint professionals and firms working with lead-based paint activities, and provides accreditation of trainers who offer training courses that lead to certification.

Lead-based paint activities include inspections to identify lead-based paint, risk assessments to find lead-based paint hazards, and abatement activity designed to permanently remove lead-based paint hazards.

The state program meets federal requirements for lead-based paint activities and is funded by federal money. The program may cease if federal money is not available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In April 2008 the EPA adopted a rule that requires contractors performing renovation, repair, and painting projects that disturb lead-based paint in homes, child care facilities, and schools, built before 1978, to be certified and to follow specific work practices to prevent lead contamination. This rule is effective in April 2010. Compliance with federal law includes changes in rules adopted by the EPA.

Summary:

Renovators and dust sampling technicians are subject to the requirements of the state's lead-based paint activities program. Individuals involved in modification of homes, child care facilities, and schools, built before 1978, must meet the requirements for training and certification similar to those individuals currently involved in lead-based paint activities such as inspections, risk-assessments, and abatement activity.

Work practice standards must include all lead-based paint activities.

The Department of Commerce (Department) is authorized to issue badges with photo identification for workers who are involved in renovation and dust sampling activities involving lead-based paint. The Department may assess a fee to process the application.

The state must inform the Code Reviser when it has ceased implementation of the program due to lack of federal funding.

Votes on Final Passage:

House	95	0
Senate	31	17

Effective: June 10, 2010