

WAC 365-230-010 Authority, purpose and scope. (1) The authority for these regulations is chapter 70A.420 RCW.

(2) Purpose.

(a) These regulations address Washington's need for a qualified and properly trained work force to perform lead-based paint activities, and lead-based paint renovation work, as defined in these rules, to safeguard the environment and protect human health, especially for children under six years of age and other high-risk groups from lead-based paint hazards.

(b) These regulations prescribe the accreditation requirements for training providers offering lead-based paint activities and lead-based paint renovation training courses to qualify individuals for lead-based paint certification and will require that all lead-based paint training courses be offered or provided only by accredited training providers.

(c) These regulations prescribe the certification requirements of individuals and firms engaged in lead-based paint activities and renovation in target housing and child occupied facilities.

(d) These regulations establish work practice standards for the performance of lead-based paint abatement, inspection, risk assessment, renovation, dust sampling by individuals and firms, and will require that only certified individuals and the certified firms employing such individuals perform these lead-based paint activities and lead-based paint renovations.

(3) Scope.

(a) These rules apply to all individuals and firms that are engaged in lead-based paint activities and lead-based paint renovation as defined in these regulations, (WAC 365-230-200 and 365-230-330) except persons who perform these activities within residential dwellings that they own, unless the residential dwelling is occupied by a person or persons other than the owner or the owner's immediate family while these activities are being performed, or a child residing in the building has been identified as having an elevated blood lead level.

(b) These rules establish the requirement that lead-based paint activities and renovation be performed only by certified individuals and the certified firms employing such individuals.

(c) These rules prescribe the requirements for, and the manner of, certifying competency of applicants for certification of lead-based paint inspector, risk assessor, renovator, dust sampling technician, supervisor, project designer, and abatement worker, and of legally registered firms employing such individuals.

(d) These rules prescribe work practice standards for lead-based paint abatement and renovation, and for the performance of lead-based paint inspection, risk assessment, renovation, dust sampling, and those actions or circumstances that constitute failure to achieve or maintain competency, or that otherwise are contrary to the public interest, for which the department may deny, suspend, revoke, or modify certification.

(e) These rules establish application fees for certification and accreditation.

(f) These rules establish a procedure by which training providers may apply for and obtain accreditation to offer initial and refresher lead-based paint courses in any of the following disciplines: Inspector, risk assessor, renovator, dust sampling technician, supervisor, project designer, and abatement worker.

(g) These rules prescribe the requirements for training programs to provide, offer, or claim to provide accredited lead-based paint activities and renovation courses.

(h) These rules prescribe those actions or circumstances that constitute failure to achieve or maintain competency, or that otherwise are contrary to the public interest, for which the department may deny, suspend, revoke or modify accreditation.

(i) These rules describe the actions or failures to act that constitute violations of these rules and for which the department may issue fines.

(j) These rules establish a schedule of penalties for failure to comply with these rules.

[Statutory Authority: Chapter 70A.420 RCW. WSR 21-22-070, § 365-230-010, filed 10/29/21, effective 11/29/21. Statutory Authority: RCW 70.103.10 [70.103.010], 70.103.20 [70.103.020], 70.103.30 [70.103.030], 70.103.40 [70.103.040], 70.103.50 [70.103.050], 70.10.80 [70.103.080], and 70.103.90 [70.103.090]. WSR 11-07-067, § 365-230-010, filed 3/21/11, effective 4/21/11. Statutory Authority: Chapter 70.103 RCW. WSR 07-07-044, § 365-230-010, filed 3/13/07, effective 4/13/07. Statutory Authority: RCW 70.103.0030(2) [70.103.030(2)], 70.103.020, 70.103.030, 70.103.040, 70.103.050, 70.103.060, 70.103.070, 70.103.080, 70.103.090. WSR 04-10-037, § 365-230-010, filed 4/29/04, effective 5/30/04.]