

Industry Bulletin

CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, California 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826

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New Lead Exposure Safety Regulations for Contractors

Changes in State and Federal Rules for Contractors

There are new state and federal rules that contractors should be aware of if they demolish, remodel or paint older buildings. Lead-based paint, which was banned in 1978, generally does not pose a health hazard if left undisturbed. Construction activities can spread leaded dust around with prolonged exposure leading to learning disabilities in children, hearing problems, headaches, nausea, vomiting, abdominal pain, and seizures.

State Regulations

- The new state law went into effect on April 30, 2008 and applies to everyone including contractors, painters, homeowners, renters, and maintenance staff.
- Work on any structure built before January 1, 1978 must use “lead safe” work practices and clean the work area after the project is completed. Examples of safe work practices are available on the U.S. Department of Housing and Urban Development website under “Resident Protection and Work Site Preparation”.
<http://www.hud.gov/offices/lead/lbp/hudguidelines/Ch08.pdf>
- Violations can result in a \$1,000 fine (California Health and Safety Code sections 105255 and 105256) and are enforceable by a variety of local enforcement agencies, including any city or county building department, housing department, environmental agency, or health department.
- Contractors can bypass the law by having paint tested and proved not to be lead-based. Individuals who are qualified to test paint (state certified inspector/assessors) can be found online at <http://www.dhs.ca.gov/childlead/html/B40.html>

The entire state regulations (Title 17, California Code of Regulations, Division 1, Chapter 8 “Accreditation, Certification, and Work Practices for Lead-Based Paint and Lead Hazards”) are available online at: <http://www.dhs.ca.gov/childlead/html/GENregs.html>. You can also call the Lead in the Workplace Information Line at: 1 (866) 627-1587 for more information.

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Federal Regulations

- The new federal regulations are effective March 31, 2010.
- These regulations also require “lead safe” work practices for remodeling, renovation, and painting activities, and were adopted by the U.S. Environmental Protection Agency (USEPA) as mandated by Congress.
- USEPA will require that at least one contractor (per job) working on a pre-1978 residential building or child-care facility become “certified” by taking an 8-hour class on “lead-safe” work practices. (Contractors must renew their certification every five years by completing a 4-hour refresher course.)
- Businesses that renovate, remodel, and paint must also be certified by USEPA. The businesses will have to submit a 1-page application form (and fee) stating they will comply with the “lead safe” requirements.

The USEPA regulations and related summaries can be accessed online at <http://www.epa.gov/lead/pubs/renovation.htm>. You can also call: 1(800) 424-LEAD [5323] for additional information.

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