



Lead Renovation, Repair and Painting Program

Leah F. Pilconis
Consultant on Environmental Law & Policy
Senior Environmental Advisor to
The Assoc. General Contractors of
America

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In Next 10 Minutes...

- **Construction Economics**
- **AGC Environmental Forum**
- **Need for greater and more coordinated outreach to federal, state and local buildings/facilities owners**
- **Importance of avoiding duplication with existing laws and regs**
 - OSHA Lead in Construction Standard
 - HUD Lead Safe Housing Rule



Construction Economics

■ Construction Spending

- Totaled \$854 billion in 2012, 10% ↑ 2011 but 27% ↓ 2006 (peak yr)
- Public = \$276 billion
- Private nonresidential = \$303 billion
- Private residential = \$275 billion

■ Nonresidential building construction in 2012*

- Averaged \$337 billion

■ “Commercial starts” in 2012**

- Additions = 6%
- Alterations = 27%

* Census Bureau Data
**Reed Construction Data



Construction Economics

■ Unemployment

- In May 2013 was 10.8%, more than 3% higher than the all-industry rate

■ Small Business

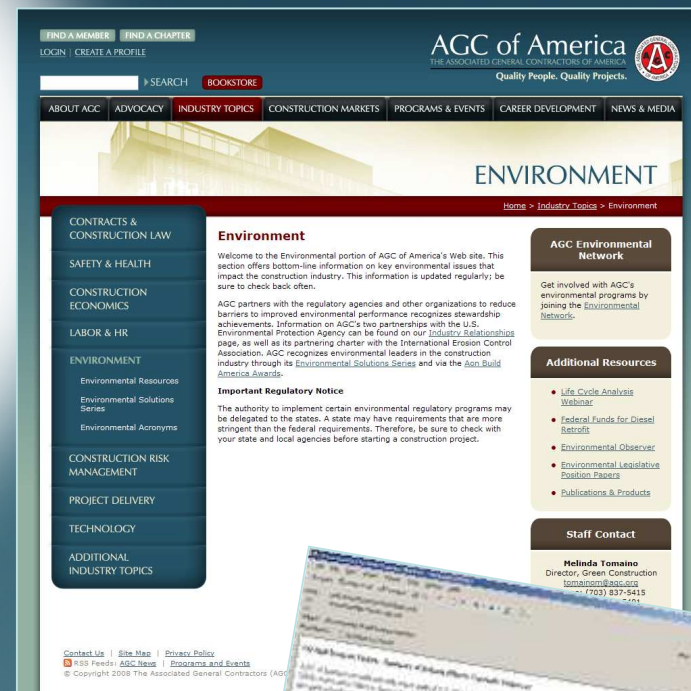
- US has approx. 740,000 construction firms in 2012, of which 92% were small businesses employing fewer than 20 workers
- Only 1% had 100 or more employees



Environmental



Forum



<http://www.agc.org/environment>



OSHA's Lead in Construction Standard

- 29 CFR 1926.62 – in effect for 20 years
- What's Covered?
 - Applicability: ALL work related to construction, renovation, alteration and repair work, including painting and decorating, and maintenance operations associated with construction
 - Scope: ANY disturbance of in-place lead-containing materials
 - OSHA has no “minimum level” of lead paint (e.g. 0.1% lead in paint is covered)
 - No minimum amount of disturbance (e.g. 2 ft² work area is covered)



Test Lead Levels in Air

- **Collect air samples**
 - Full work shift
 - At least one sample for each job classification in each work area
 - Laboratory testing

- **XRF, Lead Check sticks, TCLP, etc.= NOT ALLOWED BY OSHA!**
 - Not 100% accurate
 - Not representative of employee's actual exposure level



Baseline Requirements

- **Regardless of lead levels, company must...**
 - 1926.62(d) - Test Paint and Provide Interim Protection
 - 1926.62(h) - Housekeeping
 - 1926.62(i)(5) - Handwashing Facilities
 - 1926.62(l)(1)(i) - Hazcom Program



Baseline Requirements (cont.)

- **Regardless of lead levels, company must meet HOUSEKEEPING reqmts**
 - Maintain surfaces as free of lead and lead dust as is feasible
 - Clean surfaces with a vacuum equipped with HEPA filters or methods that minimize the likelihood of lead becoming airborne
 - Shoveling, dry or wet sweeping, and brushing can be used only where vacuuming or other equally effective methods have been tried and found not to be effective
 - Compressed air should only be used in conjunction with a ventilation system that captures the airborne dust created by the compressed air



Add'l Interim Protections Pending Test Results

- For “lead-related tasks,” **company must ALSO...**
 - 1926.62(f) - Appropriate Respiratory Protection
 - 1926.62(g) - Protective Clothing and Equipment
 - 1926.62(l)(2) - Change Areas
 - 1926.62(l)(5) - Handwashing Facilities
 - 1926.62(j)(1)(i) - Biological Monitoring
 - 1926.62(l)(2)(iii) - Respirator Training
 - 1926.21 - Safety Training and Education



Limits on Lead in Air

- **Action Level (AL)** = 30 micrograms of lead per cubic meter of air ($30\mu\text{g}/\text{m}^3$) averaged over an eight-hour period
- **Permissible Exposure Limit (PEL)** = 50 micrograms of lead per cubic meter of air ($50\mu\text{g}/\text{m}^3$) averaged over an eight-hour period



At or above AL (30 $\mu\text{g}/\text{m}^3$) - **Do MORE!**

- 1926.62(d)(4) - Monitoring Representative of Exposure for Each Exposed Employee
- 1926.62(j)(1)(i) - Initial Medical Surveillance
- 1926.62(j)(2)(ii) - Follow-up Blood Sampling
- 1926.62(k) - Temporary Removal if Elevated Blood Lead
- 1926.62(l)(1)(ii)-(iv) - Information and Training
- 1926.62(j)(1)(ii) - Medical Surveillance Program
- 1926.62(i)(3) - Medical Exams and Consultation (if required)



Above PEL (50 $\mu\text{g}/\text{m}^3$), **Do EVEN MORE!!**

- 1926.62(e) - Engineering and Work Practice Controls
- 1926.62(f) - Respiratory Protection
- 1926.62(g) - Protective Clothing, Equipment
- 1926.62(i) - Hygiene Facilities and Practices
- 1926.62(m) - Signs



Compliance Plan

- **Company must implement a written “compliance program” before starting a job where employees *may* be exposed to lead above the PEL**
 - Descriptions of activities that produce lead exposures;
 - Descriptions of the specific means that will be used to reduce exposure;
 - Where engineering controls are used, the plans and studies used to determine the methods selected;
 - A detailed schedule for implementing the compliance program;
 - A report of the technology considered in meeting the PEL;
 - Air monitoring data that documents the source of the lead exposure;
 - Specific work practice procedures which will be used on the project;
 - Schedule of administrative controls, if these are to be used;
 - Description of all arrangements on multi-employer work sites to inform affected employers about the lead project.



Compliance Plan (cont.)

- **ALSO includes info on jobsite inspections – performed by a competent person**
 - Update plan at least every six months
 - Make plan available to employees, their representatives and appropriate enforcement agencies



Recordkeeping

- **Company must keep records**
 - Air test data, sample location and procedure
 - Training
 - Employees subject to medical surveillance
 - Any medical removals
 - Monitoring results



Contractor's Perspective

- IF you don't want to have to continually monitor the exposure levels – **STAY BELOW THE ACTION LEVEL** at all times on your jobsites.
- IF you don't want to wear a respirator, suit, gloves - **STAY BELOW THE PEL** at all times on your jobsites.



For More Information

Leah F. Pilconis

Consultant on Environmental Law & Policy
Senior Environmental Advisor
to AGC of America

Tel: 703-837-5332
Fax: 703-837-5401
pilconisl@agc.org