

Renovation, Repair, and Painting (RRP) Outreach and Enforcement

**National Center for Healthy Housing
Webinar for RRP Training Providers**

U. S. Environmental Protection Agency
March 2012



Overview

- RRP Phase 1 Outreach
 - Initial Efforts
- Overview of RRP Lead-Safe Certified Campaign Materials
 - EPA's Lead-Safe Certified Logo Trainer Provider Guidance
 - Consumer Outreach
 - Contractor Outreach
- RRP Phase 2 Outreach Ideas
- RRP Enforcement
- Questions and Answers
- Feedback



EPA's RRP Lead-Safe Certified Campaign

Phase 1 Outreach



EPA's RRP Lead-Safe Certified Campaign: Phase 1 Outreach

- EPA Conducted Two Outreach Media Campaigns
 - RRP Lead-Safe Certified Outreach Campaign
 - Ad Council Lead Poisoning Awareness Campaign
- Phase 1 Efforts Targeted
 - Training Providers
 - Consumers/General Public
 - Contractors and Renovators
- Initial Communication
 - Emails and Letters
 - Webinars
 - Speaking Engagements at Conferences and Meetings with Major Trade Associations
 - Web Site Updates



EPA's RRP Lead-Safe Certified Campaign: Phase 1 Outreach

- Trainers
 - Multiple E-Mails to Potential Trainers
 - Webinars
 - To Date, EPA Has Accredited 610 Training Providers; With 371 Travelling Trainers.



EPA's RRP Lead-Safe Certified Campaign: Phase 1 Outreach

- Consumers/General Public
 - Consumer PSA Print Ad
 - Placed in 517 Magazines Across the Country (Forbes, Fortune, American Baby, Family Fun, Parenting, Parents, etc.)
 - Subscriptions Reached ~6.5 Million People
 - PSA Ads Have Media Value of \$2.4 Million
 - Radio Ads
 - English Version Aired on 165 Stations with Nearly 7000 Airings
 - Spanish Version Aired on 34 Stations with Over 1000 Airings



EPA's RRP Lead-Safe Certified Campaign: Phase 1 Outreach

- Contractors and Renovators
 - EPA's Lead-Safe Certified Logo
 - Distributed to All Lead-Safe Certified Renovators With E-mail Addresses (All Were Mailed Information Flyer)
 - Downloaded by Over 36% of Renovators
 - Website Developed: epa.gov/getleadsafe
 - 463,000 Hits to website
 - 46,330 Hits to the Marketing Media Download Pages



EPA's RRP Lead-Safe Certified Campaign: Logo

Guidance for Training Providers



- May principal instructors, either employed by, under contract to, or under the umbrella of an accredited training provider, *independently* advertise, provide training, or use the EPA Lead-Safe Certified logo?
 - No. Principal instructors who advertise, provide training, and use the logo, must do so only under the name of the accredited training provider for whom they work. They may also state that the organization which employs them is assisting with the training.



EPA's RRP Lead-Safe Certified Campaign

Overview of EPA's Outreach Materials



EPA's RRP Lead-Safe Certified Campaign: Consumer Materials



- Marketing Materials Targeting Consumers
 - Print Ads
 - Placed in 517 Magazines
 - Radio Ads (English & Spanish)
 - 6173 (English) Airings
 - 1,068 (Spanish) Airings
 - Web Banners
 - Flyers
 - Home Depot Distribution

EPA's RRP Lead-Safe Certified Campaign: Contractors Materials



- Marketing Materials Developed Targeting Contractors
 - Print Ads (Full, $\frac{1}{2}$ & $\frac{1}{4}$)
 - Sell Sheets
 - Buck Slips
 - Post Cards
 - Web Banners (3 sizes)
 - Flyers (English & Spanish)
 - Articles (Long, Med & Short)
 - Tri-fold Brochure
 - EPA Lead-Safe Certified Logo
- Updated Renovate Right



RRP Phase 2 Outreach Ideas

Phase 2 Outreach Ideas



Update on EPA-Recognized Test Kits

- March 21, 2012, EPA Recognized Use of the 3M Lead Check Test Kits on Two Additional Substrates, Plaster and Drywall.
 - In the Past, Only Recognized for Wood and Metal
 - Requires Slightly Different Procedure Than Previous Diagonal V-Notch
 - After April 1, Kits With Updated Instructions Will Be In Retail Stores
 - Previously Purchased Kits Still Useable, Just Must Use Updated Instructions
- Other EPA-recognized Test Kits
 - D-Lead (For Plaster, Drywall, Wood, & Metal)
 - State of Massachusetts (For Plaster & Drywall; State Certified Users Only)



RRP Phase 2 Outreach Ideas

Overall Strategy

- Focus on New Groups Using Different Approaches
- Collaborate With Children's Health Organizations
- Coordinate Outreach Through Contractor Influencers
- Highlight Enforcement Actions



RRP Phase 2 Outreach Ideas: Consumers/General Public

- Focusing on New Groups Using Different Approaches
 - Increase Consumer Demand
 - Home Improvement TV Episode
 - Redistribute Some Marketing Materials
 - Print Ad
 - Radio Ads
 - Collaborate with Large Health Organizations and Public Health Community
 - Health Insurance Companies
 - HMOs



RRP Phase 2 Outreach Ideas: Consumers/General Public

- Collaborate with Children's Organizations
 - Collaborate with EPA's Office of Children's Health Protection to Foster Partnerships with Children's Organizations
 - Health Organizations
 - Social Organizations
 - Consider Recommendations from the Children's Health Protection Advisory Committee



RRP Phase 2 Outreach Ideas: Contractors

- Focusing on New Groups Using Different Approaches
 - Reach Uncertified Contractors
 - Mass Mailing to Contractors
 - Social Media Placement



RRP Phase 2 Outreach Ideas: Contractors

- Coordinate Outreach Through Contractor Influencers
 - City/State Government and/or Permitting Office Collaboration
 - Establish partnerships with Insurance Companies and Apartment Owners
- Highlight Enforcement Actions in Collaboration with Enforcement Office
 - GovDelivery
 - Press Alerts
 - Fact Sheets



EPA's RRP Enforcement Program

EPA's RRP Enforcement Program



RRP Rule

- Establishes Regulatory Standards and Requirements For:
 - Lead-Safe Work Practices
 - Recordkeeping and Certification Activities
 - Waste Disposal, Cleanup and Cleanup Verification
- Requires:
 - Training and Certification – Workers
 - Certification – Certified Firms
 - Accreditation – Training Providers
 - Compliance – Standards and Requirements



Inspection and Information Gathering Authority

- Inspection Authority
- Information Collection/Subpoena Authority



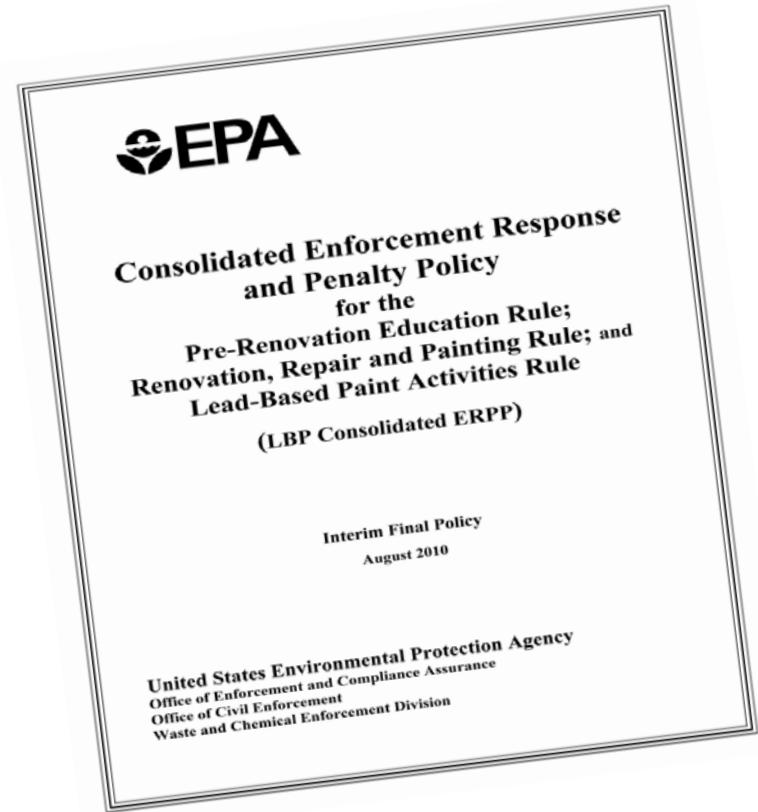
Enforcement Authority

- TSCA § 16 Authorizes
 - Civil Penalties
 - Currently Up To \$37,500 Per Violation, Per Day
 - Criminal Fines For Knowing and Willful Violations
 - Up To \$25,000 Per Day of Violation
 - Jail Time For Not More Than 1-Year



Enforcement Response Penalty Calculations

- Predictable Enforcement Response
- Comparable Penalty Assessment



EPA's Lead Enforcement Focus

- EPA's Enforcement Program Guidance Directs Regions To:
 - Target Regulated Activities Located in Areas of Interest Such as Areas With Known Elevated Blood Lead Levels
 - Commit Almost All Lead-Based Paint Resources to RR&P Enforcement



EPA's Lead Enforcement Strategy

- EPA Practice is to Not Discuss:
 - Specific Strategies for Compliance Monitoring
 - Resources
 - Ongoing or Contemplated Investigations
 - The Existence of Specific Enforcement Actions
- EPA Practice is to Follow-Up on Tips and Complaints
 - Many Have Insufficient Information
 - Many Are Not Timely
- EPA Implements a Neutral Inspection Scheme – Not Specifically Targeting Certified Firms or Renovators



RRP Compliance Monitoring

- Record Reviews of Renovation Firms:
 - Certifications for All Firms on File and in EPA Database
 - Documentation and Certification of Compliance With:
 - Information Distribution, Renovator Training Certification, Work practice Standards, Cleanup and Post-Cleanup Verification Requirements.
 - Lead-Free Inspection and Dust Sampling Records
- On-Site Inspections:
 - All Firms are Certified
 - Trained, Certified Renovator is Assigned and Working or Available to:
 - Train All Uncertified Renovation Workers at the Site
 - Prepare Records and Certify to Compliance With All Requirements
 - Conduct or Oversee Specific Activities
- All Applicable Work Practice Standards Are Being Followed



RRP Enforcement Focus

- Ensure Firms Are Following All Lead-Safe Work Practices
- Ensure Workers Are Trained (Certified or OJT)
- Ensure All Firms Working in Target Housing Are Certified
 - Use Electronic Data Sources
 - Partner With Local and State Governments
 - Encourage Competitors and Land owners to Provide Tips to EPA
- Ensure Training Providers Are Providing Required Training



EPA's Civil Enforcement Process

- Phase 1 – Monitoring Compliance
 - Federal Inspections Conducted
 - In Response to a Tip or Complaint, or
 - As a Neutral Scheme Inspection
 - To Monitor Compliance With:
 - RRP Work Practices, Recordkeeping, and Firm Certification
 - Training Provider Requirements
 - Inspection Report Developed
 - **Supplemental Information** May Be Requested
 - Information Request Letter or a Formal Federal Subpoena



EPA's Civil Enforcement Process

- Phase 2- Enforcement Response
 - Notices of Noncompliance
 - Minor Violations
 - Administrative Penalty Actions:
 - Notices of Violation
 - Informal Settlement Negotiations Begin
 - Can Settle Without Going to Hearing
 - **Administrative Complaint filed**
 - Civil Administrative Proceedings Begin
 - Legal Briefs Filed
 - Hearing Before an Administrative Law Judge
 - » Either party Can Appeal Decision of the ALJ



Enforcement Results

- Inspections Conducted
- Notices of Noncompliance Issued
- Civil Administrative Complaints Issued
 - One Administrative Complaint Filed
- Civil Administrative Case Settlements
 - Three (3) Settlements to Date



What Can You Do To Help?

- Keep Communicating the Consequences of Non-Compliance to Trainees
- Communicate the Benefits of Compliance – Insist That Fellow Renovators Follow the Law to Protect Everyone’s Health, But Particularly Children, and to Limit Liability
- Continue to Raise Awareness With Homeowners About the Dangers of Lead Poisoning to Themselves and Their Neighbors
- Keep Sending Tips and Complaints to EPA
 - Provide Sufficient Information for Follow-Up



We Want Your Feedback

- Questions and Answers
- Suggestions on Reaching Contractors and Consumers



Contact Information

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