



Maine Renovator Faces Penalty for Violations of Lead Renovation Rule

(Boston, Mass. – May 16, 2011) – A Rockland, Maine renovator is facing penalties for allegedly violating requirements designed to protect children from exposure to lead-based paint during painting and other renovation activities.

According to information gathered by inspectors from the Maine Department of Environmental Protection, the U.S. Department of Labor's Occupational Safety and Health Administration and EPA, two workers employed by Colin Wentworth of Rockland failed to contain dust and debris generated by lead paint removal activities during a repainting project in October 2010. Although Mr. Wentworth had completed the eight-hour course required by the Lead Renovation, Repair and Painting (RRP) Rule, he did not provide the required training or supervision to his employees to ensure that they followed the required work practices prior to their use of high-speed dust-generating power tools to remove lead paint from the building. Mr. Wentworth also failed to take steps to obtain the mandatory lead-safe certification for his firm.

The violations were brought to EPA's attention via an anonymous tip linking to a video of the violations, posted on YouTube and taken in October 2010. The video documented workers using power equipment to remove lead paint from an exterior wall of a residential building without using any containment for lead-containing dust and debris.

At least six children, one of whom was under six years old, lived in the four-unit building at the time of the project. Infants and young children are especially vulnerable to lead paint exposure, which can cause developmental impairment, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity and behavioral problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

EPA's investigation found that Mr. Wentworth failed to: obtain required certification as a renovation firm from EPA; post warning signs in the work area; cover the ground in the work area with plastic sheeting to collect falling lead paint debris; contain waste from the renovation activities to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal; prohibit use of machines that remove lead-based paint through high speed operation without HEPA exhaust controls; and establish and maintain records necessary to demonstrate compliance with the Renovation Rule.

"In New England we have a high proportion of older houses where lead paint can still be present. It is critically important that all tradespeople understand and follow the RRP requirements so that during renovations, children are not exposed to lead and face serious, life-long health consequences," said Curt Spalding, regional administrator of EPA's New England office. "Many renovation firms have done the right thing by becoming certified, sending their employees to training and following the appropriate, health-protective work practices. Enforcement of these rules is important to protecting children and the business interests of those contractors who are following the rules."

EPA's Renovation, Repair and Painting Rule is designed to prevent exposure to lead-based paint and/or lead-based paint hazards. The rule requires individuals performing renovations for compensation at most pre-1978 housing to be properly trained. There are certification and



training requirements for individual renovators and firms performing renovations to ensure that safe work practices are followed during renovations.

This is the first action EPA has brought against a company or individual for lead safe work-practice violations, under the Renovation, Repair and Painting Rule which became effective on April 22, 2010. The maximum penalty for the alleged violations is \$37,500 per violation per day.

This case highlights the importance of high-quality tips that include the name, address, and phone number of the person who allegedly violated the rule, and contain details about the violations observed. While every such tip doesn't always result in a formal enforcement action, EPA follows through on tips to identify if violations have occurred and if public or environmental health has been jeopardized.