

INTEGRITY



BUILDERS PLAN

MAY 2010

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ASHTABULA COUNTY BUILDERS

"The Voice of the Industry in Ashtabula County"

LOOKING FOR SUGGESTIONS FOR
NEXT YEARS PROGRAMS!
PLEASE CONTACT
THE BOARD.

PRESIDENT'S COMMENTARY

Hello everyone,

I would like to thank everyone that attended last months meeting. Messer's Tom Lundgren and Glenn Powers of The Blue Book, one of our member companies, put on a very informative program showing some of their products that are available to us all. These products are designed to help us to go after more work efficiently and hopefully increase our bottom line. The best part about these products is that they are all free to anyone. Spring is here and it appears that things may be looking up! There seems to be a lot of new bidding activity in the commercial sector. This should help to bring more work on down into the residential sector as well. Our speaker for the coming month is Tamara Wood. She is the president of NARI (National Association of Remodeling Industry). She will be talking about the benefits of NARI and what it sees happening with some of the issues coming up for contractors. Remember our meeting place has been changed this month to Casa Capelli but the time is still the same. I look forward to seeing everyone there.

Thank you,
Rick Miller

MARK YOUR CALENDAR

May 13th	General Meeting CASA CAPELLI
June 10th	Steak Fry Elks
July 8th	OLD FASHION Golf Outing Hickory Grove
August 12th	Summer Social TBA
September 9th	Clam Bake TBA

Happy Hour is 6:00pm - 7:00pm
Dinner 7:00pm

RSVP by Sunday prior to meeting date and if you need to cancel please call by Monday evening.

Page 2	Board of Trustees
Page 2	Old Fashion Golf Outing
Page 2	May Meeting
Page 3	What Remodelers Need To Know About Working Under the Impending Lead Paint Rule
Page 4	Continued
Page 5	Continued

**MARK YOUR CALENDAR
OLD FASHION GOLF OUTING
Step Back in time to the 90's**

**Thursday, July 8th, 2010
at
Hickory Grove**

If you have any questions regarding the golf outing please contact Bill Romanko (440) 993-1046. If you would like to donate door prizes please call Michelle (440) 997-1866 or Bill (440) 993-1046.

Call early for reservations we expect to sell out quickly!

BOARD OF TRUSTEES

2010

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CHANGE OF LOCATION

NEXT MEETING

Thursday, May 13th

Speaker:

Tamra Wood
NARI

Casa Capelli Restaurant

4641 Main Avenue

Happy Hour is 6:00pm - 7:00pm

Dinner 7:00pm

DINNER CHOICES:

Broccoli Fettucini Alfredo
New York Strip Steak
Boston Scrod

Please RSVP to (440) 997-1866 with your dinner choice by **Sunday, May 9th.**

BRING A GUEST ON THE BUILDERS!

What Remodelers Need to Know About Working Under the Impending New Lead Paint Rule

The [U.S. Environmental Protection Agency](#)'s new regulation, [Lead: Renovation, Repair and Painting](#), which goes into effect on Thursday, April 22, will require that remodelers and contractors working in homes built before 1978 be trained and certified by the EPA on lead-safe work practices before they can legally work in those homes.

Remodelers who have not meet the rule's requirements by Thursday, April 22 should avoid working in homes built before 1978; the business and legal consequences of violating the rule — including fines — could be substantial.

The EPA also has proposed to remove the lead-paint rule's opt-out provision that allows home owners without children under age six or pregnant women residing in the home to sign a waiver and avoid the requirements of the rule. NAHB expects this amendment to be approved and released by the EPA within the new several weeks.

With little time left before the rule takes effect, NAHB has compiled a list of frequently asked questions and answers to help members in their efforts to comply:

- **What are the requirements of the EPA's new lead paint renovation and repair regulation?**

The regulation requires that renovators working for compensation in homes built before 1978 whose activities disturb paint — more than 6 square feet for interior work and 20 square feet for exteriors — be • [trained and](#) • [certified](#).

Everyone working in these home — remodelers, contractors, carpenters, HVAC workers, insulation installers, electricians, plumbers and even volunteers such as Habitat for Humanity or Rebuilding Together workers — is subject to the rule.

After completing their training, remodelers must obtain their firm's certification by paying a \$300 fee and submitting a • [certification form to the EPA. These firms must also employ an EPA-certified renovator who has successfully taken an eight-hour training course from an EPA-approved training provider.](#)

Before starting a home's renovation, remodelers must provide their customers with a copy of the education pamphlet, “• [Renovate Right, and obtain a signed receipt confirming that they received pre-renovation education. Remodelers must also post warning signs, contain the work area around paint disturbances, clean up and safely dispose of dust and debris, and conduct cleaning verification.](#)

The certified renovator must oversee the activities to ensure compliance with the rule. Additionally, the firm must keep records of their work under the rule for at least three years.

- **Who is required to follow the rules of the regulation?**

Anyone working for compensation in the targeted housing whose activities include disturbing painted surfaces is subject to the rule. This includes carpenters, HVAC workers, insulation installers, electricians, plumbers and, in some cases, volunteers.

- **How can I obtain training and certification?**

The EPA has a search tool on its Web site for • [finding approved training providers. Additionally, the National Center for Healthy Housing has a calendar of](#) • [lead paint training classes on its Web site.](#)

NAHB also recommends that remodelers contact their •

Remodelers should make the best possible effort to register for a class to demonstrate to the EPA that they are working to comply with the law. If no training is available locally, call the EPA at 800-424-LEAD.

- **I am waiting to hear about the status of my firm's certification, what should I do?**

The EPA takes up to 60 days to reply to firm certification applications and the approval time may take longer if the application is missing information or contains errors. After 60 days, remodelers should check on the status of the application by calling the EPA at 800-424-LEAD.

- **What if I cannot get trained and certified by the deadline?**

Do not work on jobs that disturb paint in homes built before 1978 where children under six or pregnant women reside. The EPA has confirmed that anyone compensated for renovation activities may not disturb paint in target housing after April 22 unless they are a certified firm with a certified renovator on staff. The fines for infractions range up to \$37,500 per violation per day.

- **Is online training available to become an EPA-certified renovator under the lead paint rule?**

Yes, the Oregon Home Builders Association, with funding through a grant from NAHB's State & Local Issues Fund and working with the National Center for Healthy Housing, is one organization that has developed an EPA-approved online training course that can substitute for the lecture portion of the required certified renovator training. Once completed, remodelers and contractors will still be required to complete the hands-on portion of their training and to take the EPA certification test.

This online course will effectively reduce required classroom time from eight hours to about three and should enable more contractors to take the necessary training.

Remodelers can preview course and enrollment information at • www.homebuildersuniversity.com. Additional information is also available [at the Oregon HBA Web site](#). • www.oregonhba.com, or by e-mailing the HBA's • [Jon Chandler](#) or • [Marri Lamoureux](#).

- **How do I handle a remodeling job in target housing that started before the deadline but will not be finished until after April 22?**

Remodelers in jobs underway as of April 22 will have to comply with the rule completely. This includes providing a pre-renovation notice, dust containment, work practices, cleanup, cleaning verification and record keeping.

NAHB recommends that members talk with the home owners in advance, prepare appropriate contact language (• [samples available are from NAHB](#)) and be ready to comply with the rule on April 22.

- **What is the opt-out provision and how can I use it?**

The opt-out provision allows home owners of pre-1978 single-family housing to sign a waiver for "opting out" of the requirements of the regulation. The opt-out provision only applies to homes where there are no children under age six or pregnant women residing. If the home owner elects to opt out, the requirements of the rule do not apply and the work practices are not required. NAHB recommends keeping the signed waiver in your records for the job.

Note that the EPA has proposed an amendment to the rule for removing the opt-out provision. If this amendment is enacted, the EPA will

announce the change and renovators will have 60 days until the opt-out is no longer available under the rule.

- **I heard there are lead detection kits available. What are they and what do I need to know about them?**

The EPA has approved only the • [LeadCheck lead detection kits for test components for the presence of lead in houses built before 1978. Components found to be lead-free do not need to be renovated under the lead paint rule requirements. These test kits are sold at big box stores and by contacting LeadCheck directly.](#)

The kits are scarce and in many places they are back-ordered. In addition, the kits are extremely unreliable: They have a “false positive” probability of between 48% and 75%.

The EPA is also evaluating new lead detection kits for approval and release in the fall. The EPA is requiring that these new kits have a lower percentage of false positive tests before they are approved. NAHB will notify members when they become available.

- **Should I add provisions concerning lead paint and the new rule to my contracts?**

NAHB has created • [sample contract language to help members adapt their contracts to the new lead paint regulation. The sample contract templates, available to NAHB members only, can be downloaded from the NAHB Web site.](#)

- **How do I handle general liability insurance under the lead paint rule?**

Many general liability insurance policies contain some form of a pollution exclusion, which may or may not explicitly include lead. The best way to ensure adequate coverage is to contact your insurer about the regulation and inquire about any changes that may need to be made to your policy.

- **Who will be enforcing the regulation?**

In general, the EPA is enforcing the lead paint regulation through its regional offices. In some states where that state has assumed administration of the program, the relevant state agency will enforce the program. EPA enforcement actions with other regulations are often complaint-driven or conducted by reviewing contractor records for violations. The federal law that authorizes the EPA to issue the LRRP Rule also allows citizens to bring lawsuits against contractors for regulatory violations as long as the EPA is not already pursuing an enforcement action against the contractor.

- **What states have taken over enforcement of the regulation and what does that mean?**

• [Wisconsin](#) • [Iowa](#) • [North Carolina](#) and • [Mississippi](#) have adopted regulations that are similar or stronger than the EPA rule and will be enforcing the program within their state. Members in those states should contact the state for details about the requirements and training.

- **What materials are available to explain the rule to customers?**

The EPA has created the “• [Renovate Right” pamphlet, which is available free and can be downloaded from NAHB. Remodelers must give a copy of this pamphlet to their customers. NAHB is also developing a fact sheet and sample article for explaining the rule to consumers. Members will be able to download these materials from the NAHB Web site when they become available.](#)

The EPA also is providing certified firms with a lead-safe certified logo, which can be used on promotional materials and for marketing. NAHB recommends that remodelers market their lead paint training and certification to demonstrate to prospective customers their commitment to education, to keeping home owners and their families safe and to their business professionalism.