

## LRRP Rule Change Comments

The proposed EPA revision of the RRP ruling, particularly the requirement of a dust wipe testing by an independent third party certified dust sampling technician poses some issues for the Weatherization Assistance Program. These issues are as follows:

- Submission of dust wipe test to laboratory decreases overall efficiency of program (costs, energy savings)
- Cost of dust wipe testing and certified technician will increase unit costs, making viable measures less likely to SIR
- Increased costs will also cause undue burden to Health and Safety category to either cover costs of increased testing requirements or to address measures that do not meet minimum SIR requirement
- Lack of identification of 'dust sampling technician' resources, laboratory resources prior to proposed rule implementation leaves providers at risk of non-compliance with RRP
- Dependence of compliance relies on availability of technician and laboratory resources that can meet the three day timeline required by this proposed rule change
- Lack of available funding to relocate program participants while containments are up will further negatively impact the measures provided on low income housing units, notably window and door replacement

In order to minimize the above mentioned issues, the preference would be to require dust wipe testing only after a surface failed the cleaning verification three times. This would still impact the time spent verifying the lead hazard to occupants was not exasperated by provided Weatherization measures, but it would also minimize the time spent having a third party collect dust wipe samples. This would also reduce the impact of a limited amount of laboratory and/or dust technician resources.

We agree that lead hazards should be controlled and verification should be required after Weatherization measures are provided. We believe the weatherization program has established the requisite training and protocols, including comprehensive monitoring and inspections, to provide assurance of clean and safe homes following weatherization work. Therefore, it is redundant and costly to require third party and laboratory testing, except in the rare circumstance of failing surface wipe tests three times. The effects of lead on small children and pregnant women are well documented and undisputed. We believe our recommendation affords a reasonable solution that will reduce lead hazards in pre-1978 homes without causing a negative impact to program efficiency and costs.

Our understanding is the study completed that resulted in increased testing/cleaning requirements was due to Lead Safe Work Practices not being followed by workers; the lead safety protocols developed in 1993 were not determined to be inadequate, they simply were not followed. This is a training issue that can be addressed through development of training and on site monitoring systems/processes. We would like to also respectfully submit that time and program money is best spent on practical application and training, making sure people know how to contain the dust they create, work in a lead safe manner, and clean up properly. The more hands on understanding technicians have of how to do this work right, effectively and efficiently the better.

EPA curriculum spends an inordinate amount of time on the specifics of the rule and not near as much as we would like to see on the Health effects, a powerful motivator for workers (DOE lead safe curriculum does a good job). The hands on portion of the training it is limited to 2 hours although hands

on training has been proven to resonate extremely well with Weatherization workers. The practical hands-on of how to contain, clean and work lead safe could be expanded. As an example of increased training options, Washington weatherization requires a minimum of 6 hours hands-on work, with the idea of really demonstrating and working through the best practice and practical side of getting this work done properly. We do believe in lead safe work- not only does it prevent a potential hazard but it allows for a cleaner worksite and more professional image. We agree that building containments has prevented dust and construction debris from adversely effecting clients - but more rules and clearance testing is not the answer - training on proper setup, clean-up and safe work techniques is. We would like some consideration regarding the training aspect of this issue prior to a final decision being made by EPA.

The EPA-RRP Rule's intent is a good one – to safeguard workers, their families and the clients that we serve. It seems that it was EPA's desire was to implement a set of policies and protocols based upon lead abatement practices. This includes: the clearance inspection requirement for all phases of renovation, home repairs and painting.

There is one area of concern through. The RRP Rule uses a "swifter" test to verify the area in question has been cleaned. If a client raises the question of how comparing the color of a sample card against a cleaned surface can scientifically prove that a "tested" area is lead-safe. We respectfully request development of a protocol or document from EPA that verifies this type of testing in which to safe-guard the certified "Firm" contractor and/or Certified Renovator from legal action.

Christina Zamora  
Energy Programs Coordinator  
Community Action Partnership Association of Idaho  
5400 W. Franklin Rd., Suite G  
Boise, ID 83705  
208-375-7382 FAX: 208-342-2078  
czamora@capai.org  
www.idahocommunityaction.org