

Renovation, Repair & Painting (RRP) Rule Firm Responsibility Synopsis

(Caveat: This document is not exhaustive or all inclusive of RRP Rule requirements imposed on firms performing RRP Rule covered residential improvements.)

§745.81 Effective dates.

(a) Training, certification and accreditation requirements and work practice standards. The training, certification and accreditation requirements and work practice standards in this subpart are applicable in any State or Indian Tribal area that does not have a renovation program that is authorized under subpart Q of this part. The training, certification and accreditation requirements and work practice standards in this subpart will become effective as follows:

(1) [...]

(2) Firms. (i) Firms may apply for certification under Sec. 745.89 beginning October 22, 2009.

(ii) **On or after April 22, 2010, no firm may perform, offer, or claim to perform renovations without certification from EPA** under Sec. 745.89 in target housing or child-occupied facilities, unless the renovation qualifies for one of the exceptions identified in Sec. 745.82(a) or (c).

§745.83 Definitions.

For purposes of this part, the definitions in Sec. 745.103 as well as the following definitions apply:
[...]

Firm means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a Federal, State, Tribal, or local government agency; or a nonprofit organization.

[...]

Minor repair and maintenance activities are activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that **disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities** where none of the work practices prohibited or restricted by Sec. 745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.

[...]

Renovation means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part (40 CFR 745.223). The term renovation **includes (but is not limited to)**: The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, **window repair**, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); **weatherization projects** (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping), and interim controls that disturb painted surfaces. A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart. The term renovation does not include minor repair and maintenance activities.[...]

§745.86 Recordkeeping and reporting requirements.

(a) Firms performing renovations must retain and, if requested, make available to EPA all records necessary to demonstrate compliance with this subpart for a period of 3 years following completion of the renovation. This 3-year retention requirement does not supersede longer obligations required by other provisions for retaining the same documentation, including any applicable State or Tribal laws or regulations.

(b) Records that must be retained pursuant to paragraph (a) of this section shall include (where applicable):

[...]

§745.86 Firm Certification.

(a) Initial certification. (1) Firms that perform renovations for compensation must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed "Application for Firms," signed by an authorized agent of the firm, and pay at least the correct amount of fees. If a firm pays more than the correct amount of fees, EPA will reimburse the firm for the excess amount.

[...]

[Note: Red font added for emphasis.]