



Department of Commerce
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Washington Lead-Based Paint Program

Report on Performance and Outcomes ([RCW 70.103.050](#))

December 2011
Report to the Legislature
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ACKNOWLEDGEMENTS

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OVERVIEW

The Lead-Based Paint Program helps ensure that work performed within homes containing lead-based paint is completed in a safe and healthy manner. Lead-based paint is the number one environmental hazard to children under the age of six and exposure can lead to permanent learning disabilities. Most lead-based paint hazards are found in housing built before 1960. In 2003, the Washington State Legislature established the “lead-based paint activities program” within the Washington State Department of Commerce (Commerce). The program’s statutory authority is to protect the general public from exposure to lead hazards and to ensure the availability of a trained and qualified work force to identify and address lead-based paint hazards ([RCW 70.103.010](#)).

The program accredits lead-based paint training programs and certifies contractors who perform lead-based paint remediation work. Program staff process certification and accreditation applications, track licensees, review training and program effectiveness, provide technical assistance, investigate potential violators, enforce rules, conduct outreach, maintain website information, and represent the agency regarding all lead issues.

The Legislature directed Commerce to “prepare and submit a biennial report to the legislature regarding the program’s status, its costs, and the number of persons certified by the program” ([RCW 70.103.050](#)). This report gives updates on program status, costs and the number of persons certified.

PROGRAM ACCOMPLISHMENTS

Program Status

- During this biennium, the program was expanded to add new United States Environmental Protection Agency (EPA) requirements for renovators. Commerce sought delegation of the rule because we are able to provide lower fees to Washington businesses. Certification costs through EPA are approximately \$500. Washington’s Lead-Based Paint Program charges \$25 per certification, saving business more than \$400. In addition, Commerce delegation provides one-stop shopping for renovators rather than having two agencies for certification purposes.
- The Lead-Based Paint Program publishes an e-newsletter, [LeadLines](#), every six months. It goes out to all certified individuals and firms. This is a forum for the program to discuss compliance, legislative, or regulatory issues with the regulated public and other interested parties.
- Commerce started an enforcement program. Our interest is in ensuring homes with children are safe from lead. As a result, our first priority is education.

Between March 16, 2011 and June 30, 2011 we visited nine construction sites. Only two citations were issued, with fines totaling \$4,000.

- In 2010, the Washington State Legislature adopted the Renovation, Repair and Painting (RRP) Rule, which expanded the training and certification requirements to include renovations of pre-1978 properties.
- Because of the RRP rule, we are updating our database to accommodate the RRP certifications. Commerce Information Services employees are assisting the Lead Program with its design and implementation. The RRP certification module will model the abatement certification module and track individuals, firms, training providers, training notifications and cancellations.
- The Lead-Based Paint Program hosted a “train the trainer” for the RRP rule on October 19-20, 2009. This was a joint conference with the State of Oregon. Trainers from the Coalition of Healthy Homes provided a two day course to all training providers planning to teach the RRP rule.
- The program performed desk audits of clearance reports submitted to Commerce from the Recovery Act Lead Hazard Control sub grantees. A total of 165 of these reports were completed between January 1, 2009 and July 30, 2011.
- On March 16, 2011 the program issued the final rules for RRP. This process included hosting two public hearings, and writing and implementing the rules. More than 2000 renovators who live or work in Washington were grandfathered from EPA program into the new program. An additional 365 renovators certified through Washington by June 30, 2011.
- On March 22, 2010 Governor Gregoire signed [House Bill 2745](#) into law. This amended the current lead based paint rules to include the new RRP.
- Lead-Based Paint Program staff attended tri-regional lead training in Denver in June 2010 and participated in the Healthy Homes Conference in Denver, CO in June 2011.

Costs

The Lead-Based Paint Program is funded through an annual operating grant from EPA. In the 2010 federal fiscal year (October 1, 2009 to September 30, 2010), the program:

- Received \$367,644
- Generated \$17,500 in fees

In the 2011 federal fiscal year (October 1, 2010 to September 30, 2011), the program:

- Did not receive a federal grant

- Spent down older federal reserves
- Generated \$17,500 in fees

Biennial totals were \$367,644 federal funds and \$35,000 program income. Program income offsets federal funds and must be expended first. Including older federal reserves, the program spent \$523,838 for the biennium.

Number of Persons Certified

From July 1, 2009 through June 30, 2011, the Commerce Lead-Based Paint Program issued lead-based paint certifications to:

- 166 Lead-Based Paint Firms
- 695 Lead-Based Paint Individuals
- 2403 Renovation, Repair and Painting Firms
- 3052 Renovation, Repair, and Painting Individuals