

STOP LEAD POISONING IN NEW YORK

The Renovation, Repair and Painting (RRP) program establishes safe work practices for contractors, landlords and others who disturb lead based paint during renovations in pre-1978 target housing and child occupied facilities. Numerous studies demonstrate that dust generated from renovations creates lead dust hazards that have put hundreds of thousands of New York children at risk. It's well known that lead exposure causes development delays and other permanent health effects to children and has a significant impact on the well-being of all residents and renovation workers.

USEPA implemented RRP in 2010 with an expectation that States would adopt oversight shortly thereafter. 39 of 50 states and two tribes operate their own State programs. Notable exceptions include South Dakota, New Mexico and **New York**. Our state accounts for the vast majority of Federal oversight of RRP, placing considerable strain on the EPA's resources for outreach and enforcement.

Regardless, EPA lacks the means to effectively enforce RRP, to the point that they are incapable of following up on numerous RRP specific complaints directed to the agency. Renovation contractors continue to operate without the necessary training and licensure, and lead safe renovation practices are ignored, even by RRP certified contractors, who recognize the absence of enforcement and the additional costs of compliance. There are over 3 million households in New York. It's safe to assume that most renovations in these homes do not include lead safe work practices, and that the very conditions prompting the Federal initiative continue uncontrolled across the State.

New York is home to approximately 25,000 renovation contractors who employ thousands of workers and thousands of property management, maintenance and handymen affected by the rule. EPA currently charges \$300.00 per firm for certification. Were the State to adopt only what EPA now require, RRP revenue would be appx \$7,500.00 initially and every third year. This income compares favorably to the revenue from the asbestos and mold certification programs. Were the State to require licensing of staff, annual or semi-annual renewals, like asbestos and lead, respectively, revenues would increase substantially.

New York State can adopt the RRP certification program without legislation. The Governor or Attorney General can advise EPA of intent to adopt the certification program. In fact, EPA has provided grant funds to states to assume the program and would undoubtedly welcome the effort. NYS Labor Department Division of Safety & Health has expressed interest in operating the RRP program. It's not yet clear if the issue is still in the Labor Department or has if it has been forwarded to the Governor's office.

Now is the time to encourage the Governor to adopt RRP. Recent actions to control lead exposure in drinking water in public schools reflects Gov. Cuomo's commitment to the issue, and the uncertainty surrounding the future of EPA and environmental health programs makes the need for immediate action imperative. Western New York is the logical genesis for this initiative. With an older stock of housing, a high percentage of low income housing, and a recent surge in renovations and development, it's reasonable to assume that this issue affects WNYers disproportionately.