



Lead-based Paint Abatement/Lead-Hazard Control and Renovation, Repair and Painting Activities

TENNESSEE REGULATORY REQUIREMENTS

The following matrix shows the demarcation of lead-based paint (LBP) abatement activities and Renovation, Repair and Painting (RRP) activities that can be performed by entities in Tennessee.

Abatement is a specialized activity designed to address lead hazards in pre-1978 target housing and child-occupied facilities. RRP activities (including most home contracting work) in target housing and child-occupied facilities may disturb LBP because of the activity, but RRP is often undertaken for reasons unrelated to lead-hazard issues.

Property Management Companies (PMCs) responsible for pre-1978 target housing or child-occupied facilities are regulated by Tennessee Rule Chapter 0400-13-01 Lead-based Paint Abatement and must possess a Tennessee Lead-based Paint (LBP) Firm Certification. All individuals and contractors hired by the PMC must also possess a Tennessee LBP certification if they disturb LBP. However, certification is not required for minor repair and maintenance activities that disturb 6 square feet or less of paint per room inside, or 20 square feet or less on the exterior of a home or building.

Lead-Based Paint Activities (Abatement)

- The state of Tennessee is authorized by EPA to implement and enforce lead-based paint activities in lieu of EPA.
- Lead-Based Paint Activities include certification of firms and individuals that conduct the following:
 - ✓ lead-based paint inspections,
 - ✓ lead-based paint risk assessments,
 - ✓ LBP abatement/lead hazard control project specifications,
 - ✓ project set-up and containment,
 - ✓ occupant protection plans,
 - ✓ abatements and lead hazard control processes,
 - ✓ final clearance testing,
 - ✓ abatements and lead hazard control final project reports
- Lead abatement projects are designed to permanently eliminate existing lead-based paint hazards. They may be ordered by a state or local government in response to a lead-poisoned child or other reason or may be undertaken voluntarily at any time.
- Lead risk assessments are designed to identify LBP hazards and management strategies, and lead inspections are designed to locate all lead-based paint in a home or child-occupied facility.
- Due to a 'conflict of interest', a contractor, firm, or individual **CAN NOT** perform all the LBP regulated activities on a distinct unit or project. The individual/firm conducting the LBP inspection,

risk assessment and clearance testing must be independent of the firm/individual conducting the LBP abatement/hazard control processes.

- Individuals must be trained and certified to conduct lead-based paint activities, and firms must be certified.
- Lead-based activities are regulated differently than RRP jobs, even though, in some cases, the activities appear to be similar.

Renovation, Repair and Painting (RRP)

- EPA has jurisdiction to implement and enforce RRP requirements in Tennessee.
- RRP projects are typically performed at the option of the property owner for aesthetic or other reasons, or as an interim control to minimize lead hazards. It is **NOT** designed to permanently eliminate lead-based paint hazards.
- Since RRP projects can disturb lead-based paint in homes and buildings built before 1978, thus creating new lead hazards, individual renovators must be trained and certified lead-safe RRP renovators, and firms must be certified.
- Learn more about [EPA's RRP certification and training program](#).

Lead Renovation, Repair and Painting Program Overview

Any renovation, repair, or painting (RRP) project in a pre-1978 home or building can easily create dangerous lead dust. EPA requires that RRP projects that disturb lead-based paint in homes, childcare facilities and preschools built before 1978 be performed by lead-safe certified contractors. Generally, EPA's Lead RRP rule does not apply to homeowners doing RRP projects in their own homes. However, it does apply if home-owners rent all or part of their home, operate a childcare center in their home or if a person buys, renovates, and sell homes for profit (i.e., a house flipper).

How can property managers comply with the RRP Rule?

- **Does your company perform, offer, or claim to perform RRP activities in a pre-1978 residential building or child-occupied facility?**
 - If yes, for the state of Tennessee, then you must [become an EPA Lead-Safe Certified RRP Firm](#).
 - If no, then hire only a Lead-Safe Certified firm for building maintenance, repair, or painting activities that could disturb lead-based paint. [Find an EPA Lead-Safe Certified RRP Firm](#)

WHAT MUST AN AFFECTED PARTY DO TO COMPLY WITH THE RRP RULE?

Property Management Companies (PMCs) subject to the RRP Rule must possess RRP certification from EPA (or from an authorized state or tribe), among other compliance requirements under the RRP Rule.

For additional detailed federal EPA requirements, click the following link: <https://www.epa.gov/lead>

Contractors, Special Trade Contractors, Property Managers, Home-owners and Lead-based Paint Entities

Lead-based Paint Activity in Target Housing and Child-occupied Facility	General Contractor	Special trade contractors, including painters, plumbers, carpenters and electricians	RRP Firm or RRP Renovator Certified by EPA or EPA Authorized State	Non-Tennessee LBP Certified Firm	Non-Tennessee LBP Certified Inspector	Non-Tennessee LBP Certified Risk Assessor	Non-Tennessee LBP Certified Supervisor, worker and project Designer	Tennessee LBP Certified Firm *	Tennessee LBP Certified Inspector	Tennessee LBP Certified Risk Assessor	Tennessee LBP Certified Supervisor	Tennessee LBP Certified worker	Tennessee LBP Certified Project Designer	Owners that rent all or part of their home, operate a child care center in your home or if you buy, renovate, and sell homes for profit (i.e., a house flipper).	Home Owners that live in their homes that are not a child-occupied facility
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: LBP inspection, risk assessment, clearance, abatement, project design, lead hazard control, write abatement report.	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Bid, offer to perform, or perform concurrently on the same regulated target housing or child-occupied facility: LBP inspection, or clearance.	NO	NO	NO	NO	NO	NO	NO	YES	YES	YES	NO	NO	NO	NO	NO
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: LBP risk assessment or clearance,	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	NO	NO	NO	NO	NO
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: LBP inspection, risk assessment or clearance.	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	NO	NO	NO	NO	NO
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: LBP abatement, and lead hazard control and interim control.	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	YES	YES	YES	NO	YES
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: Prepare LBP abatement, and lead hazard control specifications, prepare the occupant protection plan and write abatement report, for a single-family dwelling, a multi-family dwelling with 10 or fewer units, or a child-occupied facility less than or equal to 1200 feet or a conversion project less than or equal to 1200 square feet.	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	YES	NO	YES	NO	NO

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Lead-based Paint Activity in Target Housing and Child-occupied Facility	General Contractor	Special trade contractors, including painters, plumbers, carpenters and electricians	RRP Firm or RRP Renovator Certified by EPA or EPA Authorized State	Non-Tennessee LBP Certified Firm	Non-Tennessee LBP Certified Inspector	Non-Tennessee LBP Certified Risk Assessor	Non-Tennessee LBP Certified Supervisor, worker and project Designer	Tennessee LBP Certified Firm *	Tennessee LBP Certified Inspector	Tennessee LBP Certified Risk Assessor	Tennessee LBP Certified Supervisor	Tennessee LBP Certified worker	Tennessee LBP Certified Project Designer	Owners that rent all or part of their home, operate a child care center in your home or if you buy, renovate, and sell homes for profit (i.e., a house flipper).	Home Owners that live in their homes that are not a child-occupied facility
Bid, offer to perform or perform concurrently on the same regulated target housing or child-occupied facility: Prepare LBP abatement, and lead hazard control specifications, prepare the occupant protection plan and write abatement report for multi-family dwellings with 11 or more units or a child-occupied facility equal to or greater than 1201 square feet or a conversion project equal to or greater than 1201 square feet.	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	YES	NO	NO
Bid, offer to perform or perform RRP and interim controls in target housing and child-occupied facilities. **	NO	NO	YES	No	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES
Minor repair and maintenance activities that disturb 6 square feet or less of paint per room inside, or 20 square feet or less on the exterior of a home or building.	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Target housing and child-occupied facilities: Window replacement, and partial and full demolition activities, are always regulated activities requiring certification regardless of square footage.	NO	NO	YES	NO	NO	NO	NO	YES	NO	NO	YES	NO	YES	NO	YES
EPA Test Kits to test for the presence of lead-based paint.	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES
XRF Instruments to test for the presence of lead-based paint.	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO
Paint chip sampling to test for the presence of lead-based paint.	NO	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	YES
*note: The LBP firm must have on staff individuals that are certified in the LBP discipline to conduct the task requiring certification.															
	** note: EPA certification as an RRP firm and Renovator is required for Tennessee														