



February 13, 2015

Gina McCarthy, Administrator
Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Re: Docket Identification #: EPA-HQ-OPPT-2014-0304;
Lead-Based Paint Programs: Jurisdiction-Specific Certification and Accreditation
Requirements and Renovator Refresher Training Requirements

Dear Administrator McCarthy;

I am writing on behalf of the 1,117 members of the Northeastern Retail Lumber Association (NRLA) in response to the Environmental Protection Agency's (EPA) proposal to remove the hands-on training requirement for refresher training to recertify their license for lead paint remediation under the Lead Renovation, Repair, and Painting (RRP) Rule. NRLA represents independent lumber and building material dealers, manufacturers, wholesalers, distributors, and other associated businesses in the Northeast, including Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont, which employ over 80,000 residents and constituents across the Northeast.

On behalf of NRLA's members, I would like to express our strong support for this amendment. The proposed amendment will maintain the protections provided in the original Lead RRP Rule while reducing the burden on those helping maintain compliance.¹ The amendment would only apply to those who received hands-on training during their original certification and would help guarantee trainers can continue to provide hands-on training and certify new renovators, while still allowing those already trained to recertify. Without this amendment, a substantial number of renovators will find it difficult, if not impossible to recertify in time. This amendment allows for a wider adoption of the rule and higher compliance.

The Amendment Only Applies to Refresher Training

The Lead RRP Rule requires that all certified renovators complete a refresher course every five years.² The first round of certified trainers will have to meet this requirement by July 1, 2015. As noted, a key aspect of this amendment is that it only applies to the refresher training for those that have already completed their hands-on training, are currently certified, and now are just required to receive their refresher training to be recertified. This guarantees that all certified renovators conducting lead remediation have completed substantial training and all of the protections intended in the original Lead RRP Rule will still be maintained.

As this is only a refresher course to learn new practices or updated rules, there is no need for continued hands-on training. Every applicant for recertification has already demonstrated their proficiency and received the proper level of training, if not exceeded that level. Recertification is meant to make sure new rules and procedures are learned, not to require that every renovator start back at square one.

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¹ 40 C.F.R. §745.90(a)(4).

² 40 C.F.R. §745.90(a)(4).

System Cannot Handle New Training and Recertification Simultaneously

When the original Lead RRP Rule was issued, and renovators were required to receive training, the system became inundated and was unable to keep pace and train enough renovators by the proposed deadline. A six-month delay had to be enacted³, and even with that it was an arduous task, filled with delays for many renovators. While more trainers have been added since then, that number is easily outpaced by the number of new renovators in the market. If EPA requires those already trained to be recertified with hands-on training, the system will once again be overloaded and there will be shortages of available training. This will only be further compounded by renovators looking for the training for their original certification; who will not be able to find open trainings and will either skip the required certification or be unable to start their new business endeavor. Either of those scenarios hurts the cause of the original Lead RRP Rule, leads to reduced compliance, and can only hurt small businesses.

NRLA is pleased that the EPA has put forth this change to address the concerns of all looking to promote LRRP compliance and remove the hands-on training requirement for the refresher course for renovators. NRLA strongly supports this proposal and would like to extend its support to help facilitate this change promptly in light of the upcoming recertification deadline. If you have any questions or if you would like to discuss this matter further, please contact Jeff Keller, Director of Legislative & Regulatory Affairs, at 518.880.6376 or by email at jkeller@nrla.org for additional information.

Sincerely,



Joe Miles
Chairman
Northeastern Retail Lumber Association
585 North Greenbush Rd.
Rensselaer, NY 12144
518-286-1010
www.nrla.org

³ U.S. Environment Protection Agency. (2010) *Further Implementation Guidance for the Renovation, Repair, and Painting Rule*. Office of Enforcement and Compliance Assurance (OECA). June 10, 2010. Washington D.C.