

BASED UPON THE FEDERAL EPA REQUIREMENTS:

When the owner of a house that was built prior to 1978 wants to remodel or perform any work that would disturb existing paint or building material that could potentially contain lead, they must abide by one of the following options.

- 1) A Homeowner can hire a contractor who has a **"Renovator's Certificate"** (this means they have taken the required eight (8) hour course in lead abatement); *"Certified abatement worker" means an individual who has been trained as a lead-based paint abatement worker by an EPA or any EPA authorized state or Indian Tribe accredited training program, and is certified by the Commissioner.* This contractor must also have a certificate as being a **"Certified Firm"**. *"Certified firm" means a company, partnership, corporation, sole proprietorship, association, or other business entity that performs lead-based paint activities, to which the Commissioner has issued a certificate of approval pursuant to subparagraph (7)(d) of this Rule.* This contractor can then pull permits to **perform** the remodel/renovation work with no further questions asked by the City regarding their practices for potential lead-based paint. [A Certified Renovator does not however have the authority to simply perform tests for the presence of lead-based paint for another contractor or homeowner to pull a permit.]
- 2) A homeowner (or non-certified contractor) can hire a "Certified Risk Assessor or Supervisor". *"Certified risk assessor" means an individual who has been trained as a lead-based paint risk assessor by an EPA or any EPA authorized state or Indian Tribe accredited training program, and is certified by the Commissioner. "Certified supervisor" means an individual who has been trained as a lead-based paint supervisor by an EPA or any EPA authorized state or Indian Tribe accredited training program, and is certified by the Commissioner. "Commissioner" means the Commissioner of the Tennessee Department of Environment and Conservation or his authorized representative.* The Certified Risk Assessor or Supervisor will come to the home and test the areas that may harbor lead-based paint or materials that will be disturbed in the proposed construction. The Risk Assessor or Supervisor will provide a report of the tests performed as well as their credentials as being a State of TN Certified Risk Assessor and EPA Certified Firm. If all tests come out negative, then the homeowner can proceed normally. If any part of the testing proves to be positive, then it wraps back around to option 1 or 3.
- 3) If the homeowner is going to perform the construction work themselves, then they can sign an affidavit in the Brentwood Planning & Codes office, only after being given a brochure created by the Federal EPA entitled "The Lead-Safe Certified Guide to Renovate Right". This office has this brochure in English and Spanish. The affidavit declares that the homeowner has indeed been given this brochure (EPA requirement) and they are indeed going to perform all of the work in the home that they own and are living in or will live in. If renters are living in the home, then the homeowners cannot perform the work themselves.
- 4) One last option; the homeowner or the non-certified contractor can hire a remediation contractor for the purpose of removing the materials identified as containing lead. The remediation contractor must have their Renovators Certificate and be a Certified Firm. They will pull a Remodel Permit for remediation alongside the Remodel Permit for construction that the non-certified contractor applies for. The two permits will typically be issued at the same time with the understanding that the remediation contractor will do his/her work first and then the general contractor second.

Activities Subject to the Lead-Based Paint Requirements:

In general, any activity that disturbs paint in housing and child-occupied facilities built before 1978, including remodeling, repair, maintenance, electrical work, plumbing, painting, carpentry and window replacement, is subject to the requirements.

Most minor repair and maintenance activities of less than six square feet per interior room or 20 square feet of exterior projects are exempt from the work practice requirements. However, this exemption does not apply to window replacements, demolitions or the use of prohibited practices.

<http://www.tn.gov/environment/article/sw-lead-based-paint-certification-program>

Conduct Lead-Based Paint Activities

- Become certified as an Individual (CN-1297)
- Become certified as a Firm (CN-1298)
- Form N Notification of Lead-Based Paint Activity (CN-1329)
- 1200-01-18 Lead Based-Paint Abatement Regs
- New HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing - Second Edition, July 2012
- Renovate Right Brochure — English & Spanish
- Certified Lead-Based Paint Abatement Program Professionals
 - Certified Firm List
 - Inspector List
 - Project Designer List
 - Risk Assessor List
 - Supervisor List
 - Training Provider List
 - Worker List