



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

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October 27, 2011

RE: RRP Updates for Licensed Training Providers

Dear Massachusetts Lead Safe Renovation Training Provider:

As you are aware, it has now been over one year since the Massachusetts Department of Labor Standards (DLS) received delegated authority from the U.S. Environmental Protection Agency (EPA) to administer and enforce the Renovation, Repair and Painting Rule (RRP), through amendments to the Massachusetts Deleading and Lead-safe Renovation regulations at 454 CMR 22.00. Since that time, DLS has been working to increase compliance among contractors by enforcing the regulations, engaging in consumer outreach efforts, and partnering with other state agencies and local authorities to raise awareness of the regulation.

As a licensed Lead-Safe Renovation Training Provider, you may find the following updates of particular interest.

New Department of Public Safety Construction Supervisor and Building Official Continuing Education Requirement

Beginning in July, 2011, the Massachusetts Department of Public Safety's (DPS) licensed Construction Supervisors (CS) are required to participate in continuing education to maintain licensure. The renewal cycle for a CS license is every two (2) years. I am pleased to inform you that DLS has secured DPS approval to recognize the Lead-safe Renovator-supervisor (LSRS) training for continuing education credit for CS licensed by the DPS.

In order for a CS to receive continuing education credit for the LSRS course, training providers must register and be approved as a Course Coordinator by DPS AND must file an application for approval of each individual course with DPS. Applications and further information can be found on the DPS webpage at www.mass.gov/dps.¹ To take advantage of this opportunity, or to obtain more information about the filing procedures, training providers may contact Ms. Kimberly Spencer of DPS at 617-826-5236 or Kimberly.Spencer@Massmail.State.MA.US.

¹ As you may be aware, local building officials have continuing education requirements pursuant to 780 CMR 110.5.4. The LSRS training is recognized for those continuing education requirements as well, provided the training provider has received approval from DPS as provided in those regulations.

By making it easier for CS to achieve LSRS training, coupled with recognition for continuing education requirements for CS licensure (by DPS-approved Course Coordinators and courses), it is the hope that work practice and various licensing requirements will further protect the health and safety of workers and consumers among regulated activities in the Commonwealth.

EPA RRP Rule Changes Effective October 5, 2011

Recently, many of you have contacted DLS to determine how the recent amendments to the federal RRP affect the Massachusetts RRP regulations. Massachusetts has the delegated authority to administer and enforce the RRP law. Like other states with such authority, DLS is not required to amend its regulations to incorporate the amendments to the federal RRP regulations until October of 2013. The Massachusetts regulation, 454 CMR 22.00, as promulgated, is the law in Massachusetts. We are working on amendments to 454 CMR 22.00 to address the federal amendments and to address comments and concerns we have received from the regulated community. We will keep you apprised of this process.

454 CMR 22.00 Regulatory Change Hearings

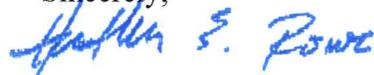
As discussed in the preceding paragraph, DLS is working on amendments to the RRP regulation. As part of the regulatory process, the draft regulations will be released for comment and public hearing before any changes are adopted. We find the public process to be informative in crafting our regulations. The feedback we receive from those who are affected by the regulations provides valuable perspective that strengthens the effectiveness of the final product. I invite you to contact my staff and me to suggest improvements to the DLS Deleading and Lead-safe Renovation Regulation. Once a public hearing is scheduled, I hope you will participate in the process.

DLS Lead-safe Renovation Contractor License Requirement

During field inspections, DLS enforcement staff have noted a significant percentage of LSRS-trained individuals on jobs where the contractor has not obtained an RRP license from DLS. We are asking all licensed training providers to stress to their students that contractors who perform RRP work are required to be licensed under the regulation and that DLS officials will assess a civil penalty to an unlicensed contractor performing work covered by the regulation.

This year, DLS created a user-friendly URL to assist in information and compliance efforts. Please visit and bookmark www.mass.gov/leadsafe to keep informed about Lead Safe Renovation regulatory changes and administrative updates.

Sincerely,



Heather E. Rowe
Director

cc: Kimberly Spencer, DPS