



Proposed Regulation Agency Background Document

Agency name	Board for Asbestos, Lead, Mold, and Home Inspectors
Virginia Administrative Code (VAC) citation	18 VAC 15-50
Regulation title	Lead-based Paint Renovation, Repair and Painting
Action title	Initial promulgation of Lead-based Paint Renovation, Repair and Painting Regulations
Date this document prepared	October 22, 2010

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.

The new regulation establishes: 1) a regulatory program for the licensure of renovators, dust sampling technicians and renovation contractor firms; 2) requirements for the approval of accredited renovator and dust sampling technician training programs; and 3) standards of conduct and work practices that are consistent with the United States Environmental Protection Agency (EPA) Lead Renovation, Repair, and Painting Program Final Rule.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

This document does not contain acronyms or technical terms that are not defined in the "Definition" section of the regulations.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

1) Section 54.1-201.5 of the *Code of Virginia* (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-201>) states that the Board has the power and duty "To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1-300 et seq.) of this title."

The 2009 Acts of Assembly, Chapter 819 amended §§ 54.1-500, 54.1-500.1, 54.1-501, 54.1-503, 54.1-512, 54.1-516, and 54.1-517 of the *Code of Virginia* to mandate the regulation of lead renovation, repair, and painting activities.

Section 54.1-501.8 of the *Code of Virginia* (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-501>) states that the Board shall "Promulgate, in accordance with the Administrative Process Act, regulations necessary to establish procedures and requirements for the (i) approval of accredited renovation training programs, (ii) licensure of individuals and firms to engage in renovation, and (iii) establishment of standards for performing renovations consistent with the Residential Lead-based Paint Hazard Reduction Act and United States Environmental Protection Agency (EPA) regulations. Such regulations of the Board shall be consistent with the EPA Lead Renovation, Repair, and Painting Program final rule."

2) Pursuant to Chapter 819 of the 2009 Acts of the Assembly, the Virginia Board for Asbestos, Lead, Mold, and Home Inspector's authority to implement the regulation is mandatory.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

1) The proposed regulation fulfills specific statutory requirements and allows the Department to establish, monitor, and enforce a regulatory program that addresses lead-based paint hazards created by renovation, repair, and painting activities. Renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities increase the threat of lead-based paint exposure by dispersing lead particles in the air and over household items. Both adults and children can receive hazardous lead paint exposures by inhaling or ingesting lead-based paint dust. Studies have shown that lead poisoning can cause permanent damage to the brain and other organs. In children, lead poisoning can cause lower IQ levels and behavioral problems. 2) The goal of the proposed regulation is to ensure that individuals and businesses conducting lead-based paint renovation, repair and painting activities are properly trained and licensed so as to enhance the Department's ability to protect the health, safety, and welfare of Virginia citizens from the hazard of lead-based paint poisoning.

Substance

Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the "Detail of changes" section.)

The proposed regulation is necessary to establish the Lead-based Paint Renovation, Repair and Painting (RRP) regulatory program, pursuant to the 2009 Acts of Assembly, Chapter 819. The proposed regulation establishes procedures and requirements for the (1) training of individual workers, (2) licensure of individuals and businesses, (3) approval of accredited training providers, (4) conduct and work practice standards for individuals and businesses, and (5) recordkeeping for individuals and businesses conducting lead-based paint renovation, repair, and painting activities.

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please indicate.

Effective April 22, 2010, EPA began administering the RRP regulatory program in Virginia and other states that had not obtained authorization to administer the program. EPA's regulations at 40 CFR 745, Subpart Q allow states to seek authorization to administer the RRP regulatory program.

The primary advantages to the public and the Commonwealth of implementing the new regulation are the establishment of a regulatory program that sets the minimum competence for individuals and businesses conducting lead-based paint renovation, repair and painting activities, and an expected decline in the number of families exposed to lead from paint, dust, and soil. The expected reduction in exposure to lead-based paint hazards will benefit the quality of life for Virginia citizens, particularly young children, and the quality of the Commonwealth's environment.

An increase in the cost of lead-based paint renovation, repair and painting projects can be reasonably anticipated because of costs associated with training, licensure, and work practice requirements. At first glance, the anticipated increase may appear to be a disadvantage to the public or the Commonwealth. However, the anticipated increased cost will be offset by the expected reduction in the number of families exposed to lead-based paint hazards and the consequent reduction in the number of children affected by lead poisoning. As a result, medical costs and stress on families are likely to be reduced.

Requirements more restrictive than federal

Please identify and describe any requirements of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

Currently, EPA is administering the RRP Program in Virginia. Training programs obtaining federal accreditation expire four years after the date of issuance. Under the proposed regulation, accreditation of training programs will expire 24 months from the last day of the month in with the Board grants approval.

All boards within the Department of Professional and Occupational Regulation must operate within the Code provision of the Callahan Act (§ 54.1-113). Reports summarizing the Board's fiscal affairs are created biennially. If training programs are accredited for greater than a 24-month period, then the biennial fiscal reports prepared for the Board would not truly reflect the Board's expenses and income. The proposed regulatory program would initially generate a great amount of revenue that would not be seen in future years. Accrediting training programs for four years would create "peaks and valleys" in the revenue stream, and thus, very likely create the need to revise the fees for licensure and renewal every two years.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

We have not identified any localities that will be particularly affected by the proposed regulation.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so via the Regulatory Town Hall website, www.townhall.virginia.gov, or by mail, email or fax to:

Mail: David Dick, Executive Director
Board for Asbestos, Lead, Mold, and Home Inspectors
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

E-mail: alhi@dpor.virginia.gov

Fax: (804) 527-4297

Written comments must include the name and address of the commenter. In order to be considered, comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and the Commonwealth Calendar. Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirements creates the anticipated economic impact.

<p>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source, and (b) a delineation of one-time versus on-going expenditures.</p>	<p>All costs incurred in support of board activities and regulatory operations are paid by the department and funded through fees paid by applicants and licensees. All boards within the Department of Professional and Occupational Regulation must operate within the Code provisions of the Callahan Act (54.1-113), and the general provisions of 54.1-201. Each regulatory program's revenues must be adequate to support both its direct costs and a proportional share of agency operating costs. The department allocates costs to its regulatory programs based on consistent, equitable, and cost-effective methodologies. Licensing fees comprise the board's only source of revenue.</p> <p><u>One-Time:</u> Expected one-time costs include \$4,000 for printing and mailing new regulations, and \$1,000 for court reporters for public hearings.</p> <p><u>Ongoing:</u> Six staff positions and funding have been approved by the General Assembly to support the new requirements of this program. Salary and operating costs related to the new positions are expected to be \$490,255 annually. The Board is expected to meet an additional 4 times per year at a cost of \$10,725 annually.</p> <p>Because of the substantial increase anticipated in volume of regulants for this program, the Board is also expected to incur additional allocated expenditures related to its proportionate share of agency operating costs.</p> <p>Both one-time and ongoing expenses will be paid by fees charged to new licensees of the program.</p>
<p>Projected cost of the <i>new regulations or changes to existing regulations</i> on localities.</p>	<p>No change anticipated.</p>
<p>Description of the individuals, businesses or other entities likely to be affected by the <i>new regulations or changes to existing regulations</i>.</p>	<p>The new regulations will apply to businesses and individuals practicing renovation or modification of any existing structure which results in the disturbance of painted surfaces, and providers of training for such practice.</p>
<p>Agency's best estimate of the number of such</p>	<p>It is difficult to determine the number of individuals</p>

<p>entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>performing this work. Based on the best information available, the Department estimates that approximately 10,000 businesses and 10,000 individuals will be licensed under these regulations.</p>
<p>All projected costs of the <i>new regulations or changes to existing regulations</i> for affected individuals, businesses, or other entities. Please be specific and include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</p>	<p>Application and annual renewal fees for the new program are expected to be \$45 for individuals and \$60 for businesses. The cost of training courses is expected to be similar to that for other programs regulated by the Board, at an initial cost of \$400 per day of training, and \$50 for renewal. Training courses already approved by the EPA will not need to be audited by the Board, and so the initial licensing fee will be \$25. Costs and fees may vary based on the actual number of regulants entering the program.</p>
<p>Beneficial impact the regulation is designed to produce.</p>	<p>The new regulations are being proposed in accordance with HB2432 of the 2009 Session of the General Assembly. The licensure of businesses and individuals in the practice of conducting renovations for compensation that involve lead-based paint was determined to be necessary and beneficial to protect the health, safety, and welfare of the public.</p>

Fiscal Impact:

	FY 2011	FY 2012	FY2013	FY2014
Fund	NGF (0900)	NGF (0900)	NGF (0900)	NGF (0900)
Program/Service Area	560 46	560 46	560 46	560 46

Impact of Regulatory Changes:				
One-Time Costs	5,000	0	0	0
Ongoing Costs	500,980	500,980	500,980	500,980
Total Fiscal Impact	505,980	500,980	500,980	500,980
FTE	6.00	6.00	6.00	6.00
Expected additional revenue	1,056,300	1,051,775	1,051,775	1,051,775

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

Virginia statute requires regulations consistent with EPA. Therefore, no viable alternative exists.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

In developing the proposed regulations, the Board considered that the affected industry consists primarily of small businesses. Accordingly, the Board promulgated the regulation in a manner that ensures statutory requirements are met while minimizing the adverse impact on small businesses.

Public comment

Please summarize all comments received during the public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
Colleen Becker	<p>Suggests DPOR have a mechanism to recognize training providers and firms who have paid for and met the requirements for EPA approval or certification and states that EPA approved training providers and certified lead renovator firms should not have to pay an additional fee for Virginia approval.</p> <p>Says that post notification for lead renovators must include student digital photos and DPOR does not require this for other lead classes and has no mechanism to accept digital photos.</p>	<p>The Board is required to comply with the Callahan Act in establishing the fees for its programs. The Board will certainly consider the request as suggested in the comment and establish standards for the reaccreditation of training providers and firms which will be as least burdensome as possible.</p> <p>The Board's statutory authority includes developing RRP regulations that are consistent with the EPA's RRP regulations which currently require photo identification on training certificates for individual renovators and dust sampling technicians.</p>

<p>Tom Neltner, National Center for Healthy Housing</p>	<p>Asks that the Board consider the changes to the EPA Final Rule as a result of a settlement agreement reached between EPA and public interest petitioners. The changes include eliminating the owner-occupied opt out provisions, requiring post-renovation notification, amending clearance level criteria, adding work practice standards for exterior renovation, and adding renovation standards for the interior of non-residential buildings which may create a lead-based paint hazard.</p> <p>Suggests that DPOR consider 48 specific edits made by Healthy Housing to EPA's current final rule for RRP. The edits clarify language in the EPA's regulations under Purpose, Effective Dates, Applicability, Definitions, Information Distribution Requirements, Work Practice Standards, Recordkeeping and Reporting Requirements, Firm Certification, Renovator Certification & Dust Sampling Technician Certification, Fees, and State Program Approval Requirements.</p>	<p>The Board's statutory authority includes developing RRP regulations that are consistent with the EPA's RRP regulations. The Board will stay current of the EPA's regulations as they change. It will also consider the comments suggested here as it develops its regulations for Lead RRP.</p>

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

Families may experience an increase in housing costs as a result of the proposed regulation; however, the medical costs and stress related to children with elevated lead blood levels can be expected to decrease as a result of the proposed regulation.

Note: This regulation is an EPA regulation that is already in effect. In Virginia, the regulation is currently being administered by the EPA.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact if implemented in each section. Please describe the difference between the requirements of the new provisions and the current practice or if applicable, the requirements of other existing regulations in place.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all provisions of the new regulation or changes to existing regulations between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For new chapters, use this chart:

Section number	Proposed requirements	Other regulations and law that apply	Intent and likely impact of proposed requirements
10	Definitions.	§ 54.1-500 of the <i>Code of Virginia</i>	This section references specific definitions established in Virginia statute and provides an explanation of specific terms used throughout the regulation.
20	Licensure and training program approval requirements.		This section identifies persons required to obtain (1) licensure to conduct lead-based paint renovation or dust sampling activities and (2) approval to conduct training courses intended to satisfy training requirements.
30	Exemption from licensure requirement.		The section specifies persons not required to possess a renovator or renovation contractor license based on specific renovation activities

			performed.
40	Issuance of temporary licenses not applicable.	§ 54.1-201.1 of the <i>Code of Virginia</i>	This section provides that the board shall not issue temporary licenses.
50	Application procedures.		This section specifies the process by which an application may be submitted to the board; gives the Board the authority to confirm or amplify information provided on an application; and establishes a 12-month timeframe in which the application process must be completed.
60	Qualifications for licensure-individuals.		This section is intended to ensure the protection of Virginia families and the environment by requiring renovator and dust sampling technician applicants to demonstrate successful completion of required training courses, to disclose convictions and disciplinary action, and to be in good standing in every jurisdiction where licensed.
70	Qualifications for licensure-renovation contractor firms.		This section is intended to ensure the protection of Virginia families and the environment by requiring renovation contractor firms to meet State requirements for their business types; to ensure individuals performing renovation activities are licensed or properly trained by and under the supervision of a licensed renovator; to ensure work practice standards established by the proposed regulation, EPA, and OSHA are followed; to ensure the pre-renovation education rule is followed; to disclose convictions and disciplinary action, and to be in good standing in every jurisdiction where licensed.
80	Qualifications for accredited renovation training program approval.		This section establishes the entry requirements for approval of accredited renovator training programs and accredited dust sampling technician training programs.
90	General fee requirements.		This section establishes the Board's determination of the timely payment of fees and that fees are nonrefundable.

100	Application fees.		This section establishes the fees that must accompany the application for initial licensure for renovators, dust sampling technicians, and renovation contractors and initial approval of renovation training programs.
110	Renewal fees.		This section establishes the fees that must accompany the renewal application for licensed renovators, dust sampling technicians, and renovation contractors, and accredited renovation training programs.
120	Renewal required.		This section establishes a 12-month licensure period for renovators, dust sampling technicians, and renovation contractors, and a 24-month approval period for accredited renovation training programs.
130	Procedures for renewal.		This section provides an explanation regarding the renewal notice, required training documentation, the regulant's obligation to timely renew his license or accredited training program approval within 30 days after the expiration date on the license or accredited training program approval letter, and the consequences of failing to timely renew.
140	Qualifications for renewal.		This section establishes for individual licensees the requirement and frequency, at least once every 60 months, of discipline-specific board-approved refresher training; establishes requirements for renovation contractors to renew their licenses; establishes requirements for renovation training providers to submit specific information to the Board; and establishes the Board's authority to conduct audits for the purpose of verifying information submitted by training providers.
150	Grounds for denial of application, denial of renewal, or disciplinary action.		This section provides authority to the Board to deny initial and renewal applications and to invoke disciplinary action, including the imposition of fines, suspensions, and revocations,

			for the violation of certain standards of practice and conduct.
160	Maintenance of license.		This section establishes that regulants are required to report, within 30 calendar days, a change of name or address and changes in the business entity; prohibits the transfer of licenses or approvals; and mandates that regulants keep their training and licenses current.
170	Recordkeeping and reporting requirements for renovation contractors.	40 CFR 745, Subparts E and L	This section establishes the requirements for information distribution, records retention, and reporting requirements, in accordance with 40 CFR 745.
180	Notice of adverse action.		This section establishes the requirements for regulants to notify the board, within 30 calendar days, of any adverse action taken against them, such as criminal convictions and disciplinary action taken by a regulatory board.
190	Response to inquiry and provision of records.		This section specifies the regulant's responsibility to promptly comply with the Board's request for information and to provide accurate and complete information in response to a complaint filed.
200	Changes to an accredited renovation training program or provider.		This section establishes the training provider's responsibility to report substantial changes to any course item and seek the Board's approval before implementing the change, to report a change in ownership within 30 calendar days of the change, and to report the relocation of its business or transfer of records 30 calendar days prior to the change.
210	Qualifications of the training manager and principal instructor.		This section establishes the experience, education, and training requirements of the training manager and principal instructor employed by the accredited training program, and grants authority to the Board to approve a principal instructor.
220	Responsibilities of the training manager.		This section establishes that the training manager is responsible for ensuring that the training

			program complies with the Board's requirements; ensuring the validity and integrity of tests and assessments; and designating principal and guest instructors. Training managers who serve as a principal instructor must meet the qualifications of a principal instructor and submit documentation to the Board.
230	Training manager and principal instructor documentation.		This section establishes the documents recognized by the Board as evidence that the training manager and principal instructor meet the required education, work experience, and training qualifications.
240	Training facilities.		This section establishes that training programs shall provide, maintain, and update training facilities and training equipment.
250	Length of training courses.		This section establishes the minimum training hour requirements for initial renovator and dust sampling technician courses at eight hours; establishes the minimum training hour requirements for refresher renovator and dust sampling courses at four hours; and bans training courses from exceeding eight hours during a 24-hour period.
260	Course examination.		This section establishes the requirement for an end of the course written examination and hands-on skills assessment; a passing score of 70 percent on the examination; and the use of a proficiency test in lieu of the course test and skills assessment.
270	Course completion certificates.		The section establishes the requirement of training programs to issue a course completion certificate, and specifies the information that must be included on the completion certificate.
280	Quality control plan.		This section establishes the training manager's responsibility to develop and implement a quality control plan for the purpose of a periodic review of the quality of the training program, and specifies

			procedures that must be addressed in the plan.
290	Training program recordkeeping and provision of records to the board.	40 CFR 745, Subparts E and L	This section establishes that training program recordkeeping requirements shall be in compliance with 40 CFR 745, with the exception that the records must be retained for a minimum of five years and six months, the five-year period in which the training is valid and six months beyond the training expiration date; establishes course and participant notification procedures, including timeframes for notification of courses and participants; and grants authority to the Board to refuse training certificates from approved training providers that fail to observe the notification requirements.
300	Renovator initial training course requirements.		This section establishes that a minimum of two hours of hands-on training is required and specifies course topics for the renovator course.
310	Dust sampling technician initial training course requirements.		This section establishes that a minimum of two hours of hands-on training is required and specifies course topics for the dust sampling technician course.
320	Refresher training criteria.		This section establishes that a minimum of four hours of training is required for renovator and dust sampling technician refresher courses and specifies course topics for the renovator and dust sampling technician refresher courses.
330	General requirements.	40 CFR 745, Subparts E and L	This section establishes that renovation activities performed for compensation shall be conducted in accordance with 40 CFR 745, and persons licensed to conduct post-renovation clearance procedures shall be independent of, have no financial interest in or association with the renovation firm that performs the renovation activity being cleared or pre-cleans the renovation activity being cleared.
340	Pre-renovation education requirements.	40 CFR 745, Subparts E and L	This section establishes that renovation contractors shall distribute information related to

			lead-based paint renovation activities in accordance with 40 CFR 745.
350	Renovation activities.		The section establishes that renovation activities for compensation in target housing and child-occupied facilities shall be conducted by: (1) a licensed renovator who owns or works for a licensed renovation contractor firm or (2) an individual trained by and under the supervision of a licensed renovator who owns or works for a renovation contractor firm.
360	Renovator contractor.	40 CFR 745, Subparts E and L	This section establishes that renovation activities for compensation in target housing and child-occupied facilities shall be conducted in accordance with 40 CFR 745.
370	Renovator.	40 CFR 745, Subparts E and L	This section establishes that renovation activities for compensation in target housing and child-occupied facilities shall be conducted in accordance with 40 CFR 745, and that the renovator shall have at the work site a copy of his current training certificate and valid Virginia renovator license.
380	Dust sampling technician.	40 CFR 745, Subparts E and L	This section establishes that a licensed dust sampling technician, licensed lead inspector, or licensed lead risk assessor may conduct dust sampling for renovation activities; establishes procedures for collecting and managing dust samples, in accordance with 40 CFR 745; establishes the requirement for a written clearance report; and establishes that the dust sampling technician shall have at the work site a copy of his current training certificate and valid Virginia dust sampling technician license.
390	Activities conducted after successful cleaning verification or clearance testing.	40 CFR 745, Subparts E and L	This section establishes that activities that do not disturb paint are not regulated under this chapter if they are conducted after post-renovation cleaning verification has been performed or clearance testing results reflect dust lead levels below

			clearance standards specified in 40 CFR 745.
400	Emergency renovations.		This section establishes exemptions from certain work practices and licensure requirements for renovation contractors and renovators to the extent necessary to respond to an emergency.
410	Recognized testing methodologies.	40 CFR 745, Subparts E and L	This section establishes testing methodologies and procedures for a licensed renovator to test components and surfaces affected by renovation activities, and specifies recognized test kits shall meet or exceed positive and negative response criteria, as specified in 40 CFR 745.