

YOU'RE INVITED!!

A WEDDING INVITATION



TOGETHER WITH THEIR PARENTS

RRP
and
MS MICHIGAN

REQUEST THE PLEASURE OF YOUR COMPANY AT THE
CELEBRATION OF THEIR UNION

DATE AND TIME
AS SOON AS POSSIBLE
SOMETIME THIS YEAR

MICHIGAN STATE CAPITAL BUILDING
LANSING MI



RECEPTION TO FOLLOW
**COST OF THE RECEPTION \$16.67 AT THE
DOOR OR \$8.33 IF PAID IN ADVANCE**



CAST OF CHARACTERS

- The **Bride**
- The **Groom**
- Parents of the Groom
- Godmother Michigan
- Godfather Michigan
- Knight in Shining Armor
- Minister
- **Mich Assoc Home Bldrs**
- The Knaves
- Country Cousins
- Prenuptials

Ms Michigan

Mr. RRP

EPA & HUD

Rep Warren

Sen Birkholz

Steve M. Smith

Wes Priem

**Certified Over Regulated
Family (CORF's)**

Unlicensed contractors

Rental Property Owners

Revised Abatement Act

CHAPTER ONE

- Congress passes Title X
 - Expects EPA to promulgate rules within 4 years to regulate abatement activities and renovation activities
 - CDBG goes fast and focuses on abatement
 - Renovation gets hung up
 - Many challenges by special interest groups such as home builders association thus delaying the law
 - Takes over a decade to conduct studies in order to resolve issues and move forward with a law on renovation
 - Dust study, HEPA vacuum study, Clearance study, etc.

CHAPTER TWO

- EPA attempts to reconcile differences of opinion among *interest* groups through compromises. For example
 - Clearance procedures are one of the biggest areas of compromise as lead advocates wanted clearance testing to be by 3rd party and similar to HUD standards
 - Deminimus levels are less restrictive than HUD
 - Intent of the law is to prevent introduction of new lead hazards into the home, not de-contaminate existing hazards
- The new law goes into effect April 22nd, 2008
 - Only parts of the law go into effect right away such as the new Renovate Right pamphlet, training provider requirements, etc.

CHAPTER THREE

- Few contractors even heard of nor knew about this law for the first two years.
- Then everyone started to hear about the April 22nd, 2010 deadline to get certified and the \$32,500 fine that the law imposes on those who violate the law

CHAPTER FOUR

- EPA wants the States to take over and run this program. This was the original intent
- Only the following 9 States have done this so far
 - Wisconsin, Iowa, N Carolina, Mississippi, Kansas, Rhode Island, Utah, Oregon, Massachusetts
- EPA wants Michigan to become an authorized State
 - Michigan could run its own program as long as it remained as restrictive or more restrictive than EPA's law
 - EPA indicated that they could provide some start up funding for Michigan until revenues came in to run the program ourselves
 - The money already going to the EPA from firm certifications at \$300 per firm is being deposited in the US Treasury. EPA is not seeing any of these funds.

CHAPTER FIVE

- Healthy Homes Section of Michigan Dept of Community Health begins incorporating RRP into the existing Lead Abatement Act
- This involves an extensive rewrite of the Act to incorporate new definitions, new training requirements, new fees, new certification requirements for firms and renovators, new renovation work practice standards, expanded enforcement language, etc, etc. etc. etc.
- Expanded language for the landlord penalty bill to clarify the path to enforcement and if necessary prosecution.
- 9 drafts were discussed with the EPA before, on one final conference call, all issues seemed to be worked out.

CHAPTER SIX

- Sponsors for the proposed legislation were found
 - Senator Birkholz.....Senate Bill 1210
 - Representative Warren....House Bill 5931
- Numerous groups and organizations requested someone to attend their meetings to explain RRP and what they had to do to comply.
 - Steve M Smith gave over 30 RRP presentations reaching more than a 1000 individuals.
 - Most of these organizations were home builders
- About 95% of those persons in contact with our office wanted Michigan to run RRP for three primary reasons
 - First to keep fees and fines in Michigan to support our program
 - Second to have a “voice in the matter” when it came to writing and interpreting rules. “If there is a problem I would much rather call Wes Priem then someone I don’t know in Chicago” said the Michigan Home Builders Association.
 - Third to ensure enforcement of the new law. At every meeting with stakeholders the question of “how will this be enforced?” was asked. Those attending wanted strong enforcement so that they were all on a level playing field and not competing against non-certified firms and renovators. The example given was the comparison of competing against unlicensed and uninsured builders.

CHAPTER SEVEN

- Everything seemed to be on track to approve the House and Senate Bills.
- However, one amendment was introduced requiring all revenue from citations be deposited into the general fund and not dedicated to or remain with the department. This was a significant issue as the department did not want to take on a program without sufficient resources to run the program.
 - This issue remained unresolved for several months until finally, a meeting between the MAHB and HHS was scheduled to discuss budget concerns involving running the program without revenues from citations.
 - At the conclusion of this meeting it was decided that no compromise could be reached on where revenues from citations would go but, to offset this revenue loss the fee for the renovator position would be increased from \$25 per 3 years to \$75 per 3 years – a net increase of \$16.67 per year.
 - The MAHB would consider this proposal at their July 22nd summer conference.
- This proposed compromise was considered and **rejected** by the MAHB who voted unanimously to have the EPA run the program in Michigan. The basis was the desire not to have any additional new fees as the EPA does not have a Renovator fee.
 - Additionally, the EPA is seeking to or already has made major changes to RRP
 - The opt out clause has been removed
 - Public and commercial buildings are now being considered to be part of RRP
 - New tougher clearance procedures are being considered for certain types of renovations
 - It appears that the Bills will ***not*** move forward because of the renovator fee.

CHAPTER EIGHT

- We met with our legislative liaison who will contact the lobbyist for the MAHB and find out if they are opposed to all fees for renovator or just the proposed increase in the renovator fee from \$25/3yrs to \$75/3yrs.
- The sponsors of the Bills will probably let them die in committee if the MAHB does not compromise or if there isn't a counter effort to the MAHB.
- Our department has let EPA know the great urgency in getting start-up funds from them
 - If EPA comes thru with some start-up funding this is likely to save the efforts to have Michigan run the RRP program.
- We may know the fate of RRP in Michigan within the next few weeks

CHAPTER NINE

- This chapter still needs to be written. How will the story end ??
- Feel like having and influence on the Ending?? Here are some important contacts.

IF YOU CHOOSE

– The Honorable Patricia Birkholz, Chair

- Senate Natural Resources and Environmental Affairs Committee
- 805 Farnum Building
- PO Box 30036
- Lansing, Michigan 48909

- [Regarding SB-1210](#)

– The Honorable Rebekah Warren, Chair

- House Great Lake and Environmental Committee
- 987 Anderson House Office Building
- PO Box 30014
- Lansing, MI. 48909-7514

- [Regarding HB-5931](#)

WHO YOU GONNA CALL?
RRP BUSTERS ??



- WWW.EPA.GOV/LEAD
- 1-800- 424- LEAD (5323)

EPA'S Q & A WEBSITE

“ANSWERS TO YOUR QUESTIONS”

- **Question:** “How do RRP requirements apply to pressure washing? What containment and other preparations are required?”
- **EPA's Answer:** “Pressure washing is not a prohibited practice under the RRP rule. Pressure washing is subject to the same containment requirements as other permissible work practices. Before beginning the renovation the firm must isolate the work area so that no dust or debris (including in the waste water) leaves the work area while the renovation is being performed. In Addition the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced and taking any other steps necessary to ensure that no dust or debris leaves the wrok area while the renovation is being performed. The firm must also ensure that the containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.”

***SOMEDAYS YOU'RE THE PIGEON AND
SOMEDAYS YOU ARE THE STATUTE!!***



RRP'S 9 CLOSE FRIENDS

	<u>Firm</u>	<u>Renovator</u>
• Wisconsin	• \$37.50	\$25
• Iowa	• \$0	\$60
• N Carolina	• \$300	\$0
• Mississippi	• \$350	\$150
• Kansas	• \$40	\$0
• Rhode Island	• \$8	\$8
• Utah	• \$200	\$150
• Oregon	• \$50	\$0
• Massachusetts	• \$75	\$0
• <i>Michigan</i>	• <i>\$60</i>	<i>\$8.33</i>

LIMITED INSPECTIONS

A New Business Opportunity ?

- PARAMETERS – Policy Forthcoming
 - For renovation activities only
 - Performed by State certified Risk Assessor
 - Each component disturbed by renovation must be tested
 - Testing is limited to the defined work area provided that the work area does not exceed 50% of the floor area of the home
 - A report is provided to the owner
 - Etc.