



State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Department of  
Environmental Quality

Alan Matheson  
*Executive Director*

DIVISION OF AIR QUALITY  
Bryce C. Bird  
*Director*

DAQ-022-16

**MEMORANDUM**

**TO:** Air Quality Board

**THROUGH:** Bryce C. Bird, Executive Secretary

**FROM:** Robert Ford, Air Toxics Lead-Based Paint, and Asbestos Section Manager

**DATE:** April 13, 2016

**SUBJECT:** FINAL ADOPTION: Amend R307-841-8. Renovator Certification and Dust Sampling Technician Certification.

---

On April 16, 2015, the EPA finalized a rule that extended the certification of certain renovators under the Lead Renovation, Repair, and Painting (RRP) rule. The EPA extended certifications so that renovators could take advantage of the new requirements for refresher courses. This rule has been amended to reflect the changes that the EPA made regarding certification extensions. The amended rule is almost a direct quote from 40 CFR 745.90.

A 30 day comment period was held from March 1 to March 31, 2016. No comments were received and no public hearing was requested.

Staff Recommendation: Staff recommends that the Board adopt R307-841-8 as proposed.

1 **R307. Environmental Quality, Air Quality.**  
2 **R307-841. Residential Property and Child-Occupied Facility**  
3 **Renovation.**

4

5 **R307-841-8. Renovator Certification and Dust Sampling Technician**  
6 **Certification.**

7 (1) Renovator certification and dust sampling technician  
8 certification.

9 (a) To become a certified renovator or certified dust  
10 sampling technician, an individual must successfully complete an  
11 initial lead-based paint renovator or dust-sampling technician  
12 course accredited by the director under R307-842-1, the EPA under  
13 40 CFR 745.225, or a state or tribal program that has been  
14 authorized by EPA pursuant to subpart Q of 40 CFR 745.

15 (b) Individuals who have successfully completed an  
16 accredited abatement worker or supervisor course, or individuals  
17 who have successfully completed a director, EPA, HUD, or EPA/HUD  
18 model renovation training course before October 4, 2011, but no  
19 later than the training course expiration date found on that  
20 training certificate, may take an accredited refresher renovator  
21 training course in lieu of the initial renovator training course  
22 to become a certified renovator.

23 (c) Individuals who have successfully completed an  
24 accredited lead-based paint inspector or risk assessor course  
25 before October 4, 2011, but no later than the training course  
26 expiration date found on that training certificate, may take an  
27 accredited refresher dust sampling technician course in lieu of  
28 the initial training to become a certified dust sampling  
29 technician. Individuals who are currently certified as lead-based  
30 paint inspectors or risk assessors may act as certified dust  
31 sampling technicians without further training.

32 (d) To maintain renovator certification or dust sampling  
33 technician certification, an individual must complete a renovator  
34 or dust sampling technician refresher course accredited by the  
35 director under R307-842-1, the EPA under 40 CFR 745.225, or by a  
36 state or tribal program that is authorized under subpart Q of 40  
37 CFR 745 within 5 years of the date the individual completed the  
38 initial course described in paragraph (1)(a) of this section. If  
39 the individual does not complete a refresher course within this  
40 time, the individual must re-take the initial course to become  
41 certified again. Individuals who complete a renovator course  
42 accredited by the director under R307-842-1, the EPA or an EPA  
43 authorized program on or before March 31, 2010, must complete a  
44 renovator refresher course accredited by the director under R307-  
45 842-1, the EPA or an EPA authorized program on or before March 31,  
46 2016, to maintain renovator certification. Individuals who  
47 completed a renovator course accredited by the director under

1 R307-842-1, the EPA or an EPA authorized program between April 1,  
2 2010 and March 31, 2011, will have one year added to their  
3 original 5-year certification.

4 (2) Renovator responsibilities. Certified renovators are  
5 responsible for ensuring compliance with R307-841-5 at all  
6 renovations to which they are assigned. A certified renovator:

7 (a) Must perform all of the tasks described in R307-841-5(2)  
8 and must either perform or direct workers who perform all of the  
9 tasks described in R307-841-5(1);

10 (b) Must provide training to workers on the work practices  
11 required by R307-841-5(1) that they will be using in performing  
12 their assigned tasks;

13 (c) Must be physically present at the work site when the  
14 signs required by R307-841-5(1)(a) are posted, while the work area  
15 containment required by R307-841-5(1)(b) is being established, and  
16 while the work area cleaning required by R307-841-5(1)(e) is  
17 performed;

18 (d) Must regularly direct work being performed by other  
19 individuals to ensure that the work practices required by R307-  
20 841-5(1) are being followed, including maintaining the integrity  
21 of the containment barriers and ensuring that dust or debris does  
22 not spread beyond the work area;

23 (e) Must be available, either on-site or by telephone, at  
24 all times that renovations are being conducted;

25 (f) When requested by the party contracting for renovation  
26 services, must use an acceptable test kit to determine whether  
27 components to be affected by the renovation contain lead-based  
28 paint;

29 (g) Must have with them at the work site their current Utah  
30 Lead-Based Paint Renovator certification card; and

31 (h) Must prepare the records required by R307-841-  
32 6(2)(a)(ii), (iii), and (f).

33 (3) Dust sampling technician responsibilities. When  
34 performing optional dust clearance sampling under R307-841-5(3), a  
35 certified dust sampling technician:

36 (a) Must collect dust samples in accordance with R307-842-  
37 3(5)(h), must send the collected samples to a laboratory  
38 recognized by EPA under TSCA Section 405(b), and must compare the  
39 results to the clearance levels in accordance with R307-842-  
40 3(5)(h); and

41 (b) Must have with them at the work site their current Utah  
42 Lead-Based Paint Dust Sampling Technician certification card.

43  
44 **KEY: paint, lead-based paint, lead-based paint renovation**

45 **Date of Enactment or Last Substantive Amendment: 2016**

46 **Notice of Continuation: February 5, 2015**

47 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)**