

RI Citation	RI Regulations	EPA Regulations	Meets EPA standard	Comments
PART 1				
3.2.2(A)(3)(c)	Exemptions: c- Temporary Housing	Federal regulations do not provide for temporary housing exemption for RRP or lead-based paint activities.	No	Federal regulations do not provide for temporary housing exemption for RRP or lead-based paint activities. The only exemption is 0 bedroom dwelling or housing for the elderly. Temporary housing is exempt from the federal lead disclosure rule only.
3.2.1.(A)(6), 3.2.2, 3.2.2(A)(2)(e)	"Child Care Facilities" Any pre-1978 building or part of a building being converted into child-occupied facilities		Yes - comment only	RI does not provide a definition for "child-occupied facilities" in 3.2.2(A)(2)(e) In RI regulation, it appears that the common term is child care facilities. The definition seems to be consistent with EPA, but there are a few places in the regulations where "child-occupied facilities" are referenced, and there is no definition that we found. Will this cause confusion?
PART 2				
5.8.4	Environmental Lead Standards		Question	Are clearance standards listed anywhere or are clearance standards stated to be less than the acceptable hazard standard?
PART 3				
8.3(A)(2)(c)	Spot removal or minor repair and maintenance activities include activities that disturb less than six square feet (6 ft2) of interior lead-based paint per room or less than twenty square feet (20 ft2) of exterior lead-based paint, provided that the work does not include: a. b. c. interior or partial demolition activities ; or d.	Minor repair and maintenance activities are activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by §745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas . When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.	Question	Federal regulations prohibit demolition of painted surfaces, but RI regulations prohibit only "partial demolition". How does RI define partial demolition? Why did RI use the language "interior or partial demolition"? In EPA regs, any demolition (unless it is the entire standing structure) is covered by RRP Rule.
8.5.4	Interior containment	Federal regs: "Remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting or other impermeable material with all seams and edges taped or otherwise sealed." [745.85(a)(2)(i)(A)]	No	Fed regs specifically address securing objects/furniture/etc in the area of interior renovation. RI regs do not address any objects that may be in the area. Is this addressed anywhere in guidance?
8.5.6(A)(4)(b)	[wall/baseboards must be] "Sealed with an additional layer of six (6)-mil polyethylene sheeting attached with duct tape above the top of the baseboard, extending down the wall and out onto the floor at least six inches (6") from the wall, and secured with duct tape"	Fed regs: "Cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces" [745.85(a)(2)(i)(D)]	No	Fed regs specify at least 6 feet of floor covering from wall. RI regs specify at least 6 inches from baseboards/wall joints
8.5.13(A)(4)(a)	Interim control by complete covering of the existing soil with mulch to a depth of at least six inches (6"); stone or gravel to a depth of at least four inches (4"); lead-safe soil to a depth of at least three inches (3"); sod, new grass, or other live ground cover;	§745.227 SUBPART L Work practice standards for conducting lead-based paint activities: target housing and child-occupied facilities. (a)(3) Documented methodologies that are appropriate for this section are found in the following: The U.S. Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing ; the EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead-Contaminated Soil; the EPA Residential Sampling for Lead: Protocols for Dust and Soil Sampling (EPA report number 7474-R-95-001); Regulations, guidance, methods or protocols issued by States and Indian Tribes that have been authorized by EPA; and other equivalent methods and guidelines.	Please see Soil Interim Controls tab - consulted with HUD	Please see Soil Interim Controls tab
8.5.8(c) (1)(a) (6)	RI: Using mechanical paint removal equipment not controlled by a HEPA vacuum system with a shroud or containment system , and/or with a sanding or scraping disk wider than the direct surface upon which it is being used;	EPA: The use of machines designed to remove paint or other surface coatings through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, is prohibited on painted surfaces unless such machines have shrouds or containment systems and are equipped with a HEPA vacuum attachment to collect dust and debris at the point of generation. Machines must be operated so that no visible dust or release of air occurs outside the shroud or containment system. [745.85(a)(3)(ii)]	No	EPA regs state machines must have "shrouds or containment systems" in addition to HEPA vacuum. RI regs do not specifically say shrouds or containment systems Is this implied / interpreted the same way in RI?
PART 4				
11.3.7(A)(5)(a)	Notwithstanding any other provision of this Part to the contrary, during a State of Emergency declared by the Governor pursuant to R.I. Gen Laws § 30-15-9 and with approval from the Director, the hands-on training may be completed virtually.	EPA regulations require hands-on portion of class to be done in person.	No	During COVID-19 public health emergency EPA allowed authroized states flexibilities. RI (and other R1 authorized states) is allowing full virtual training for the duration of the public health emergency. In other areas in RI regs, it states that hands-on training must be done in person, consistent with federal regs. If this were to occur without EPA allowing authorized states increased flexibility, it could be in direct contradiction to federal regulations.

8.5.13(A)(4)(a)

RI Reg	HUD Guidance	EPA / HUD Comment
mulch to a depth of at least six inches (6");	If mulch or bark is selected, apply the covering 4-6 inches deep (3 inches is more appropriate for gravel).	ok
stone or gravel to a depth of at least four inches (4")	If mulch or bark is selected, apply the covering 4-6 inches deep (3 inches is more appropriate for gravel).	ok
lead-safe soil to a depth of at least three inches (3")	Soil Alteration Interim controls usually involve some alteration of the soil. Examples include surface cultivation, additives, or rototilling clean soil into existing soil to assist in establishing ground cover (e.g. grass, ivy). Grading of the soil is sometimes needed to assure proper drainage. Typically surface alteration is not effective enough to be used as the sole interim control measure. Tilling and mixing the soil to a depth of at least 8 inches may be effective	The depth should be increased from 3" to match the HUD guidance at 8"
sod, new grass, or other live ground cover	Establish soil alteration. Impermanent surface coverings include grass (as seed or sod), other ground covers (e.g., ivy), artificial turf, bark, mulch, and gravel. If the area to be controlled is heavily traveled, impermanent surface coverings, such as grass, are not appropriate.	Add the "if area to be controlled is heavily traveled this may not be appropriate" language
	Monitoring and Maintaining Soil Interim Controls If grass or sod is planted, or if bark, gravel, or other similar covering is used, it should be monitored visually. The monitoring should occur frequently immediately after installation and can be reduced thereafter. If ongoing monitoring shows that bare soil remains or reappears within 12 months of an interim soil control, the selected interim control is not effective. Soil abatement should be conducted (see Chapter 12), unless other interim controls can be shown to be effective for the specific site. (Page 11-16)	There is discussion in HUD guidance on monitoring and maintaining interim controls. Regular maintenance is critical to most interim control work - if this or something similar isn't in the package or guidance, consider adding.