



**HB 388 – Regards Renovation Repair, and Painting Rule  
Sponsor Testimony  
Representative Rachel Baker & Representative Andrea White**

Chair Lipps, Vice Chair Stewart, Ranking Member Liston, and members of the Public Health Policy Committee, thank you for allowing us to provide sponsor testimony on House Bill 388, which will transfer the responsibility for administration and enforcement of the renovation, repair, and painting rule (RRP) from the United States Environmental Protection Agency to the Ohio Department of Health.

The number one source of child lead poisoning is lead dust from old lead paint in houses built before 1978. Pre-1978 homes make up two thirds of Ohio's housing stock, including 425,325 homes with children under 6 years old living in them. In Ohio, about 3 in every 100 children have tested with elevated blood lead levels. Here in Ohio we have taken many good steps toward reducing child lead poisoning over the years, however, the urgent problem of child lead poisoning still persists.

The RRP rule protects the public from lead-based paint by requiring work on projects that could disturb lead paint in buildings including homes, childcare facilities, and preschools built before 1978 be conducted by lead-safe certified contractors. The rule requires that contractors and firms meet education and training requirements and requires specific practices be followed in these projects, including things like containing the work area, avoiding abrasive blasting to remove paint, and specific waste practices and cleaning of the renovation site.

This legislation will not impact anything or add anything to the current federal regulations. The change that would happen with this bill, is that instead of the administration and enforcement of the RRP rule being a responsibility of the US EPA, this administration and enforcement would be completed by the Ohio Department of Health. I'd like to hand this sponsor testimony over to my colleague Representative White to explain why we would want to make this change.

Since October 2019, the US EPA has taken enforcement action in 16 RRP noncompliance cases in Ohio. These are typically large firm violations and anecdotally, there's a concern that smaller contractor firms may not be following the RRP rule. Whether contractors are not following the lead-safe practices because they are unaware of the hazard and the RRP rule and need more education or because they know there is limited EPA federal enforcement, both of these can be addressed by moving the oversight to the state level.

To date, 18 states have transitioned to administering the RRP rule at the state level. We have had discussions with the Ohio Department of Health and they are committed to providing more education and resources to be supportive of contractors ability to follow the RRP rule. Our goal is not to increase red tape, but to increase access to training and resources for our partners across the state so that we can continue to make strides in reducing our lead poisoning in the state. By moving training and enforcement from the federal government to the state level, we are increasing access for contractors and others participating in the RRP rule to training and funding for these lead safe work practices. A transition to state oversight of the RRP rule has occurred in 18 states to date.

In summary, this legislation will not change the rule or purpose of the rule but just changes who administers and enforces the rule bringing oversight into Ohio. When construction occurs without proper procedures, there is an increased risk of lead exposure to persons living in the house, particularly troubling if children reside in the house, and the contractors doing the work may unknowingly be bringing lead dust home to their own children. Lead paint exposure is particularly hazardous for children – this legislation is an attempt to protect Ohio’s children from lead exposure and its devastating consequences.

Chair Lipps, Vice Chair Stewart, Ranking Member Liston, and members of the Public Health Policy Committee, thank you again for allowing us to testify and we will now stand for any questions.