

# Renovate, Repair, and Paint Stakeholder Meeting: Questions & Answers

DATE: December 20, 2024

Topic: Credentialing

**Q: How long will MDH recognize certification renovation firm certification issued by EPA?**

A: MDH will recognize a certification issued by EPA through 12/31/2025.

**Q: Why a change in the process?**

A: MDH has costs associated with program implementation and administration.

Topic: Permit/notification fees

**Q: Are we paying MDH another permit fee?**

A: MDH will not be issuing a permit or charging a fee for RRP projects. Unlike lead abatement projects regulated under M. Rules, chapter 4761, there is no requirement to notify MDH of pre-1978 renovation work.

MDH will collect a fee for the certified renovation firm credential required under Minnesota Statutes, section 144.9505, subdivision 1h.

Topic: Incorporation by reference & model building code

**Q: Has MDH consulted the Department of Labor and Industry (DLI) in the process?**

A: Yes. MDH has consulted with DLI on several occasions and most recently regarding the crosswalk document. Interagency communication with DLI is ongoing.

**Q: Some states have adopted the EPA rule, why not MDH?**

A: MDH opted not to adopt the EPA regulation by reference. Some states adopted the entire EPA RRP regulation by reference, some wrote their own rules, and some have a combination of both.

**Q: Which states have adopted EPA's regulation by reference and which ones have a hybrid and/or rewrite?**

A: North Carolina, Oklahoma, Oregon, and Utah have adopted EPA's regulation by reference. The remaining RRP-authorized states have written their own regulations and/or incorporated portions of 40 CFR 745 Subpart E by reference. (AL, DE, IA, GA, KS, MA, MS, RI, VT, WI)

Topic: Cost analysis

**Q: Has MDH done a cost analysis?**

A: Yes, MDH has done a cost analysis required by Minnesota Statutes, section 14.131, paragraph (5). Where the requirements differ from EPA, MDH has prepared a cost analysis. The cost analysis will be available in the Statement of Need and Reasonableness when the rule is proposed.

#### Topic: Local delegation

**Q: Is there a scenario in this rule where RRP gets turned over to the municipalities?**

A: MDH is seeking program authority from EPA to administer and enforce the RRP program. The program will not be administered by or delegated to local authorities.

**Q: What about a pre-1978 project applying to city? Are there more fees with that? Can local authorities (cities) charge more, or add a surcharge?**

A: The proposed draft rules do not affect the application of Minnesota Statutes, section 326B.106, subdivisions 13 and 14.

#### Topic: MDH operations

**Q: Is MDH hiring a lot of new inspectors for RRP?**

A: MDH does not intend to hire additional inspectors for RRP inspections.

#### Topic: Education and outreach

**Q: Will MDH meet individually with certified renovation firms when they take over RRP program administration like MDH did with the radon program.**

A: MDH is planning to do a lot of education and outreach regarding RRP. MDH wants to be sure everyone understands the changes to the program including transition timelines, how to comply with the rules, and answer questions.

There are a lot of requirements related to RRP recordkeeping. MDH created a comprehensive compliance document that will be on MDH's website that contractors can download and use.

**Q: So, MDH is not anticipating meeting with everyone individually like the radon program?**

A: No, MDH is not requiring individual meetings with certified renovation firms, but MDH is happy to meet with contractors or associations one-on-one if requested. MDH will post all relevant RRP program information on its website.

#### Topic: Training courses

**Q: Scenario: A contractor with current EPA certification that expires at the end of 2025. What details will happen by the end of 2025? Courses, certification, how to be prepared to start in January 2026? In the 3<sup>rd</sup> or 4<sup>th</sup> quarter in 2025, it will be hard to start taking classes to be ready for 2026.**

A: MDH is working with training course providers and has developed a pre-approval process.

**Q: But then we need to train a group again and there is a cost for that. Any consideration for this?**

A: Depending on when the rules are proposed and adopted, the 12/31/2025 date in proposed parts 4620.6100, subp. 3 and 4620.6125, subp. 2 may not work. MDH may consider revising that date.

**Topic: Timeline**

**Q: When would the rule be put out for comment? When would the rule be approved?**

A: MDH is confident that we will be able to propose the rules in 2025 but MDH does not have sole control over the timeline for the rule's ultimate approval.

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