

# THE FUTURE OF LEAD PAINT ABATEMENT: THE LEADING EDGE OF LEAD

## Contractors are figuring this game out. Maybe it's not so bad after all

BY ROBERT LOWES

Industrial painting contractors are entering Phase II of the war on lead paint. It's about time.

In Phase I, everyone was fazed by government regulations, the technologies they spawned, and the fear of lawsuits. Excess ruled the day. The cost of recoating steel structures bearing lead paint doubled and tripled.

In Phase II, however, the industrial painting field is recovering a sense of calm. What used to be experimental in the way of lead paint removal is becoming routine. Contractors are adjusting to OSHA's lead paint dictums. Owners are realizing the wisdom of overcoating. Reflecting this new sense of sanity, once-soaring costs are sinking. "The marketplace is working out the problems," said Eric Kline, manager of technical services with consulting firm KTA-Tator Inc. in Pittsburgh.

As some see it, the field's recovery from lead poisoning is another example of history repeating itself. The asbestos abatement industry waxed and then waned as government regulators stopped preaching costly total removal and gave building owners the more affordable option of managing asbestos in place -- which often amounted to leaving it alone.

"I believe that 10 years from now, lead paint will parallel asbestos," said Phil Calvo, president of Eagle Industries, a manufacturer of containment structures. "The lead scare will die down."

Lead paint still poses a health threat, but for many observers, a 1994 report from the Centers for Disease Control (CDC) has deflated its size. Blood lead levels among Americans dropped 78 percent from 1976-1980 to 1988-1991, according to the National Health and Nutrition Examination Surveys conducted by the CDC. The study attributes the decline largely to the removal of lead from gasoline and soldered grocery-store cans.

"The study doesn't mean there isn't a problem," said Marc Freedman, PDCA director of government affairs, "but it will take some of the steam out of the industry we've developed to respond to lead paint."

At the cusp between Phases I and II of the lead wars, industrial contractors still struggle to breathe easy -- figuratively and literally -- as they go about repainting bridges and water tanks. Proposed EPA regulations on worker training and certification could subject contractors to another round of reg shock. And ironically, folks who used to make a killing in asbestos abatement have converted to the lead field, and in the process made it more costly than it should be.

Enough blame for everybody: The extent of the lead problem in industrial America is enormous. Approximately 300,000 highway and railroad bridges, as well as 240,000 water and oil tanks, are coated with lead paint, according to the Steel Structures Painting Council. Of these, 16,000 are repainted each year. "We have a long way to go," said Lloyd Smith, vice president of Corrosion Control Consultants and Labs.

And while contractors may be getting the upper hand, lead is still a nasty foe. Robert Ziegler, PDCA Industrial Painting Committee chairman, said the high cost of lead removal hurts contractors like himself in hidden ways. State transportation departments sometimes find it more economical to replace a bridge or bridge components instead of repainting. And new bridges are being built with concrete components that don't require paint. "We're driving away our market," said Ziegler. Without saner regulations, "we won't have nearly as much to do."

SSPC President William Medford made a similar point in an editorial in a recent issue of his organization's Journal of Protective Coatings and Linings. "If cost-effective maintenance painting solutions are not found, a significant portion of the industry will be lost to alternative materials and other technologies," wrote Medford, a chemical testing engineer with the North Carolina Division of Highways. The blame for increasing costs, he wrote, lies with facility owners who prepare unreasonable job specs, consultants who "feed on turmoil in the industry," material suppliers "who furnish expensive products with an overstated service life, slipshod contractors, and regulators oblivious to the impact of their rules."

Perhaps it's appropriate that owners headed Medford's list of culprits. Their fear of a \$1 million lead pollution/poisoning lawsuits is the engine that pulls the rest of the runaway cost train. "Some people have extraordinary expectations," said Eric Kline. "They think, 'If we're going to pay all this money, we'd better have zero emissions of lead.' But getting that last 1 percent of compliance may dramatically increase the cost of the project."

The obsession with zero emissions partly reflects the influence of asbestos abatement companies who have switched to lead. When they ripped asbestos out of schools, for example, they did it within caulked, airtight containments designed to prevent the escape of a single fiber. "They're just as stringent with lead," said Phil Calvo. "They assume that one grain of lead that escapes is too much." Calvo and others, however, note that lead and asbestos are different health risks. Lead levels in construction workers can be monitored through blood tests; once levels start rising, a worker can be pulled off a job until they subside. Ingested asbestos can't be monitored, and one fiber can indeed cause cancer, said Calvo.

The recent influx of asbestos contractors into the lead abatement field, said Calvo, has represented a setback. "From 1987 to 1993, we were doing it considerably better. Painting contractors were providing self-made solutions for specific needs. The carry-over contractors from asbestos are doing a poorer job at a higher price."

Asbestos tactics have also guided the U.S. armed services as they let contracts to remove lead paint from both barracks and water towers. "I've seen where they've literally replaced the word asbestos with lead in their specifications," said Calvo.

Lloyd Smith cites one way in which the asbestos model for lead abatement has translated into unnecessary tedium. On asbestos jobs, workers are supposed to shower and change clothes whenever they leave the containment area -- even for a break -- exiting through an attached decontamination facility. This same regimen has been adopted for lead jobs, even though OSHA requires only one shower per day for workers and allows decontamination facilities to be free-standing, said Smith.

Less dread of lead: Despite the price-inflating influence of the asbestos boys, lead jobs in industrial painting are becoming more affordable.

"I've seen the price per square foot on recoating jobs go from around \$25 to about \$10 to \$12," said Sam Wineman, marketing manager for Philadelphia contracting giant Cannon-Sline. "I wouldn't be surprised if it falls to about \$7.50 per square foot." Kirk Shields, chief estimator for KTA-Tator, reports a similar

downturn. "Two years ago, prices for major steel bridges ranged between \$15 and \$18 per square foot," said Shields, a former contractor. "This year, the range is between \$12 and \$15 per square foot.

"Prices for elevated tanks haven't dropped much at all, but they eventually will as contractors in that market get serious about mastering lead abatement."

Price reductions represent an industry that's closer to the top of the learning curve. Contractors who groped through their first five lead projects now can better predict their costs and assemble more realistic bids. "They're more knowledgeable," said Steve Pinney, CEO of consulting firm and PWC contributor S. G. Pinney and Associates. "They're not afraid of lead abatement anymore."

Technological progress is giving them courage. Take hazardous waste disposal. "Early on, contractors were paying \$500 a drum for cradle-to-grave waste handling," said Eric Kline. "Now we can render the waste non-hazardous with a product like Blastox and get rid of it for \$40 per ton. People are talking about \$40 per ton. A technological solution that everyone thought was far off has come about pretty quickly.

"We're also getting into our fourth and fifth generations of containment structures, dust collectors, and grit recycling gear. The machinery folks are turning out equipment that works pretty well. It's expensive, but it doesn't wear out after one job," Kline said.

While recyclable steel grit is perhaps the most favored method for lead removal, the contractor's arsenal of techniques is becoming more varied. "High-pressure waterblasting is significantly improving," said Steve Pinney. "You generate no dust and you can catch the water with tarps." California contractor Steve Murphy has tried everything from walnut shells to abrasives encapsulated in sponge to dampen their rebound. "We pick the right media for the right job," he said. Someday, contractors may be using lasers to burn off the binder of a paint film, leaving a lead-containing pigment that can be sucked up with a HEPA vacuum, said Kline.

"American ingenuity is coming to the fore," Kline said. "When you have skyrocketing costs due to knee-jerk regulations, then the free market focuses on that and purveyors come forward with solutions. The marketplace votes on the most viable solution." Kline thinks the trend will continue. "How we remove it, contain it, and dispose of it will be ordinary activities -- old hat," he said.

Marc Vink, vice president of loss control at Fidelity Environmental Insurance Co. in Princeton, NJ, has a similar outlook. "Ten years from now, regulations will be stabilized as opposed to being in flux," he said. "Our knowledge base will have improved. Jobs will be done more safely and economically. All of this is moving a fledgling industry toward maturity."

Currently, premiums for lead abatement insurance policies for contractors amount to between 4 and 8 percent of the cost of lead removal on a particular project, said Fidelity President Robert Woop. Those rates are admittedly high, Woop said, but rates for asbestos in the mid-1980s were even higher -- around 9 percent. Insurers have cut premiums for asbestos coverage to between 2 and 6 percent as they have gained a more realistic picture of their liability exposure. Woop said that as lead abatement develops its own claims track record, insurance coverage also could become less expensive.

Title X commandments: As contractors finish out the 1990s, they will continue to watch the political weather map in Washington, D.C. for regulatory storm clouds. The Republican takeover of Congress has raised some hopes that regulatory agencies like OSHA might become less heavy-handed. Indeed, President Clinton announced a plan last May to reward OSHA inspectors not for how many citations they write, but how many injuries they prevent through safety programs they supervise at businesses. The strategy comes at a time when Republican members of Congress want to reduce OSHA's budget by 50 percent.

Yet the possibility of a tamer OSHA shouldn't encourage contractors to shrug off existing lead regulations, warned PDCA's Marc Freedman. "There may be fewer citations for paperwork or other things that don't directly affect safety, but that doesn't mean they won't look for egregious violations," he said. "There's no reason to let down your guard."

Actually, it appears contractors will dance to more regulatory music. The EPA is drafting a final version of model minimum standards that states would adopt for training and certifying lead abatement workers. Known as Title X, one proposed provision is 32 hours -- or four eight-hour days -- of worker training. Contractors think the EPA is going overboard.

"Two days of concentrated training would be enough," said Steve Murphy. Freedman thinks that the EPA, barraged with contractor complaints, may very well shave off some hours.

States, though, can go beyond EPA minimums in their training and certification programs. Marketplace competition could suffer if states don't accept each others' credentials, said Chip Stein, vice president of Tank Industry Consultants in Speedway, IN. The result? Contractors will find it economically prohibitive to become trained and certified in more than their home state. So bridges and tanks in Michigan would be repainted mostly by certified Michigan contractors. The EPA wants to avoid this scenario with a national certification exam.

There are other booby-traps in the proposed EPA regulations, said Stein. The training requirements would increase project costs and drive up wages. Confronted with demands for heftier paychecks, employers will be under the gun to comply so they don't lose trained workers and have to fork out more lead-school tuition for new hires. And finally, the EPA regulations would classify the contractor, not the property owner, as the generator of the hazardous waste.

For his part, Eric Kline thinks that Republican red-tape haters in Congress may abort the EPA regulations before they see the light of day. "I think the federal regulators have lost momentum," he said. But even if the EPA does hand down Title X commandments to states and contractors, the resulting hardships will only be a "a blip," Kline said. In the long run, lead abatement still will become a matter of routine.

"Three years ago, people treated it like colon cancer," said Kline. "Now it's becoming something that people can understand and do, whether they like it or not."

Contractors may never reach Phase III of the lead war -- actually liking it -- but any progress is appreciated.