

The News of the Home Builders Association of West Florida

CORNERSTONE

October 2016

15 Reasons to Talk about Building Codes



page 6



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Cornerstone

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4400 Bayou Blvd., Suite 45, Pensacola, Florida 32503

(850) 476-0318

www.westfloridabuilders.com

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In This Issue

Cornerstone



David Peaden II
Executive Director
dpeaden@hbawf.com



Vicki Pelletier
Director of Marketing & Communication
vicki@hbawf.com

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Cover Story

15 Reasons to Talk About Building Codes 12

CORNERSTONE COLUMNS

President's Message: Your Association Needs You,
Now More Than Ever 5

FEATURE STORIES

NAHB, Business Groups Sue to Block Overtime Rule 8
New Home Sales Remain Solid in August 10
Five States Reject Electronic Stormwater Reporting Requirements 14
White House Releases Housing Development Toolkit 15
A Houseful of Savings, Check it Out 16
ESA Changes to National Flood Insurance Program
Harm Housing Affordability 17
NAHB to EPA, Lead Paint Rule Needs Revising 18

ASSOCIATION NEWS

HBA Octoberfest Golf Outing on October 20th, Register Now! 9
Like Us on Facebook 10
For Future Upcoming Events Call 850.476.0318 10
Westerheim Properties to Build America
Dream Home For 2017 Parade of Homes 11
Exclusive Pricing for HBA Members 18
HBA Member Rebate Program 19
HBA Association Member Directory Registration 20
HBA Membership News: New Members,
Thanks for Renewing, & More 21
Top 10 Reasons to Do Business With HBA Members 21
Spike Club Update 22

DEPARTMENTS INDEX

Next Issue Deadlines 4, 11 & 18
Advertisers Index, Web, & Email Addresses 22

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YOUR ASSOCIATION NEEDS YOU, NOW MORE THAN EVER

You are subsidizing other businesses in your industry. How? You make an investment in the industry that supports your interest by paying membership dues to the Home Builders Association of West Florida, Florida Home Builders Association and the National Association of Home Builders.

Ask yourself this question, "How many people do I conduct business with who are not members of my HBA? Frankly, you are carrying the load for them. Your dues are paying for staff members at the local, state and national level who are working on your behalf, and the non-members are benefitting.

Membership Chair Sheila Billingham, of Fairway Independent Mortgage, and I need your help this November. I am personally asking you to bring in One Member in November. We are not having an organized Membership Drive and that should be happy news for you! So we are simply asking you to let prospective members know the correlation between their business success and the work of their trade organization. If they give you the response of, "What's in it for me?" Tell them to just imagine what our industry, and your business, would be like if home builders associations did not exist. We would have no "voice" on local, state and national laws and regulations that add thousands of dollars to our operating costs.

- ★ If there was no HBA, builders would not have the resources to fight unreasonable permit fees, or excessive impact fees, or expensive amendments to the statewide building code.
- ★ If there were no HBA, an equitable solution would not have been attainable for more densities for development in the new 2020-2030 re-write of the Escambia County Comprehensive Plan. Without having a good plan, Escambia County will not have land available for the foreseeable future for development.
- ★ If there was no HBA, land developers would not benefit from a state law that prevents environmental gadflies, competitors and extortionists from filing frivolous lawsuits against your development, and you would not be justly compensated when a local or state government action diminishes the value of your land.
- ★ If there was no HBA, remodelers would not have had input to the state rehabilitation code and would be limited in their efforts to engage in coastal reconstruction and post-disaster work.
- ★ If there was no HBA, associate members would miss out on hundreds of opportunities to promote their products and services to the state's leading builders and developers.
- ★ The HBA's cornerstone is its governmental affairs and legal action programs. The governmental affairs committee carefully reviews proposed legislation to determine its impact on the home building industry. HBA understands the need to defeat laws and ordinances that would negatively impact our industry.

Your HBA is deeply devoted to improving our community, and creating opportunities for young people to pursue rewarding careers in the construction trades. Please help me grow our membership. I am certain you know of one company who is not a member. Stop paying their way, ask them to join today! Thank you for caring enough to make a difference.

For membership information, contact Vicki Pelletier at 850-476-0318 or email: vicki@hbawf.com

President's Message



“Ask yourself this question, How many people do I conduct business with who are not members of my HBA?”

15 Reasons to Talk about Building Codes

Fire sprinklers. Building tightness tradeoffs. More stringent requirements to protect against natural disasters: There are thousands of IRC and energy code change proposals that officials will consider next month as the International Code Council (ICC) holds its public comment hearings in October 19-25 in Kansas City, Mo.

Fortunately, National Association of Home Builders (NAHB) Construction, Codes and Standards volunteers and staff have waded through the hundreds of pages of documents and code-speak to highlight the ones we need to think about the most. The list of the 15 Most Critical Changes highlights those proposals that, because of extraordinary expense or technical problems on the negative side or better building practices on the positive, are the most important to the home building industry and to home buyers, whose interests we represent.

The most controversial may be a proposal to move fire sprinkler requirements for one- and two-family homes and townhouses back to the appendix of the International Residential Code, which is where they were before being moved to the main body of the code in 2009. This would mean fire sprinklers would not be required unless the state or local jurisdiction moved to adopt the appendix.

So far, only two states — Maryland and California — have mandated sprinklers in new one- and two-family homes: a reflection of their high costs and unpopularity with home buyers, as well as ongoing fire safety improvements in materials, products and practices.

It's important that home builders, remodelers and their trade

partners share this information with their local building officials so they are prepared to vote in support of NAHB's voting recommendations at the ICC Public Comment Hearings.

1. RB129-16 – (IRC) Moves Fire Sprinkler Mandate to a new Appendix – This proposed code change will modify Section R313 of the International Residential Code (IRC) by moving the residential fire sprinkler requirements for one- and two- family dwellings and townhouses to a new optional appendix, and thus fire sprinklers will not be required in houses or townhomes unless the Appendix is adopted at the state or local level.
Vote to "Approve as Submitted"

2. ADM94-16 – (ALL) Referenced Standards Update – This proposed code change updates the publication date of existing referenced standards. The proposal includes an update to ASCE 7-16, the minimum design load standard for buildings, which will significantly increase the cost of construction in some regions of the country. Of particular concern are higher roof wind pressures which may limit roof covering options in high wind regions. NAHB's Public Comment #13 keeps the current reference to ASCE 7-2010.
Vote to "Approve as Modified by Public Comment # 13"

3. RE58-16 – (IECC) Building Air Tightness Trade-Off – This proposed code change to the International Energy Conservation Code (IECC) allows performance trade-off options for building tightness.
Vote to "Approve as Submitted"

4. RE134-16 – (IECC) Mechanical Equipment Trade-Offs – This proposed code change reinstates the mechanical equipment trade-off option in the International Energy Conservation Code (IECC), but incorporates a reduction of no less than 15% of the thermal envelope UA.
Vote to "Approve as Modified"

5. RE179-16 – (IECC) Additional Mandatory Energy Efficiency Requirements – This proposed code change to the International Energy Conservation Code (IECC) requires additional efficiency through a points based compliance process. The new multi-page table assigns points for various additional energy efficiency measures that need to be installed.
Vote to "Disapprove"

6. CE105-16 – (IECC) Building Air Tightness – This proposed code change to the International Energy Conservation Code (IECC) mandates building tightness testing for certain sized buildings in specific climate zones. This will include nearly all mid- and high-rise multifamily construction.
Vote to "Disapprove"

7. RB17-16 – (IRC) Seismic Design Categories – This proposed code change updates the seismic design maps in Section R301.2





to be consistent with those in ASCE 7-16. The new maps move portions of New Hampshire, Tennessee, and South Carolina into higher seismic design categories.

Vote to “Approve as Modified by Public Comment #1”

8. RB20-16 – (IRC) Wind Loads – This proposed code change updates Table R301.2 (2) based on new roof pressure coefficients in ASCE 7-16. Roofing costs in high-wind regions would increase significantly and material options would be limited. A new wind map reduces wind speeds in the West, but a fully coordinated revision of wind-related provisions to take advantage of the reductions has not been completed.

Vote to “Disapprove”

9. RB26-16, RB27-16 & RB190-16 – (IRC) Balconies and Decks – These proposed code changes increase the live load for decks and balconies in Table R301.5 from 40 psf to 60 psf. The change would conflict with current deck requirements in Section R507, current industry guidance and local deck details, and proposed code changes for decks that are all based on the traditional 40 psf deck live load requirement. The WABO/City of Seattle public comment does not fix all of the conflicts.

Vote to “Disapprove”

10. RB69-16 – (IRC) Underfloor Protection of Dimensional Floor Joists – This proposed code change to the International Residential Code (IRC) will remove the current exception which allows dimensional lumber used in floor assemblies to be installed without fire protection. The public comment submitted modifies the proposal by adding fire performance criteria for flooring systems based on ASTM E119 fire endurance testing with a loading factor of 100%.

Vote to “Disapprove”

11. S23-16 – (IBC) Hail-Resistant Roofing – This proposed code change requires roof coverings in areas at risk of moderate

and severe hail to be tested to UL 2218. No industry consensus exists on identifying high-risk areas, and the existing steel ball drop tests are overly conservative. In most states, the cost increase for the roofing is not offset by significant insurance discounts.

Vote to “Disapprove”

12. S137-16 – (IBC) Expands Special Inspection Requirements for Wood Construction – This proposed code change adds new requirements for special inspection of wood framing, including grade stamps, framing size and layout, and sheathing thickness and nailing for buildings over three stories.

Vote to “Disapprove”

13. S138-16 – (IBC) Expands Special Inspection Requirements for Wood Trusses – This proposed code change adds new special inspection requirements for the permanent truss bracing for all trusses over 60 inches in height.

Vote to “Approve as Modified by NAHB’s Public Comment #1” or “Disapprove”

14. F37-16 – (IFC) Fire Access Roads – This proposed code change will require a minimum of two (2) fire apparatus access roads for all buildings of combustible construction which are 4 or more stories in height.

Vote to “Disapprove”

15. F172-16 – (IFC) Multifamily Buildings Attic Height Restrictions/Fire Sprinklers – This proposal adds section 903.3.1.2.3 Attics, which may require a sprinkler system in the attic, if the roof assembly is located more than 55 feet above the lowest level of the fire department vehicle access.

Vote to “Approve as Modified by Public Comment #3” or “Disapprove”

Courtesy of NAHBNow.com

NAHB, Business Groups Sue to Block Overtime Rule

The National Association of Home Builders (NAHB) and a coalition of more than 55 Texas and national business groups have filed a lawsuit against the U.S. Department of Labor (DOL) seeking to halt its federal overtime rule set to take effect Dec. 1.

Earlier this year, the DOL issued the rule, which will double the current overtime salary limit of \$23,660 to \$47,476. It also allows the minimum salary requirements to be raised every three years.

NAHB and many groups not in favor of the rule have warned that such a huge jump in such a short period of time could actually hurt a significant number of the workers the rule was meant to help. Many small business owners would be forced to scale back on pay and benefits, as well as cut workers' hours.

The lawsuit filed on Sept. 20 in the U.S. District Court for the Eastern District of Texas asserts that the DOL exceeded its statutory authority in issuing the regulation and violated the Administrative Procedure Act, which governs the

way federal agencies can establish regulations. The legal action seeks to bar the DOL from implementing the rule. A coalition of 21 states this week also filed a separate challenge to the rule in the same court district.

NAHB has also been leading the charge to seek a legislative solution and worked closely with Rep. Kurt Schrader (D-Ore.), who recently introduced bipartisan legislation to help small businesses and their workers by mitigating the effects of the overtime rule.

The Overtime Reform and Enhancement Act (H.R. 5813) would allow small businesses operating on tight budgets sufficient time to adjust to the overtime rule by gradually raising the \$47,476 threshold under the following timetable:

- Dec. 1, 2016 – \$35,984
- Dec. 1, 2017 – \$39,814
- Dec. 1, 2018 – \$43,645
- Dec. 1, 2019 – \$47,476

Moreover, the legislation would eliminate a provision in the rule that requires automatic increases to the overtime salary threshold moving forward. NAHB is strongly urging Congress to swiftly pass this legislation.



Courtesy of NAHBNow.com

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NEW HOME SALES REMAIN SOLID IN AUGUST

Sales of newly built, single-family homes fell 7.6% in August from an upwardly revised July reading to a seasonally adjusted annual rate of 609,000 units, according to newly released data by the Department of Housing and Urban Development (HUD) and the U.S. Census Bureau. This marks the second consecutive month that sales have topped a 600,000 annual pace since the Great Recession.

“Given the huge jump in sales in July, the August reading remains robust,” said National Association of Home Builders Chairman Ed Brady.

“Sales are up 21% from August last year and year-to-date they are running 13% higher, indicating that the housing recovery remains firmly on track.”

“A low supply of homes, a broadening of the market with additional sales growth in lower price points and rising household formation all point to a growing demand for housing as we move into

2017,” said NAHB Chief Economist Robert Dietz.

The inventory of new homes for sale was 235,000 in August, which is a 4.6-month supply at the current sales pace. The median sales price of new houses sold was \$284,000.

Regionally, new home sales fell by 34.3% in the Northeast, 12.3% in the South and 2.4% in the Midwest. Sales rose 8% in the West.



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WESTERHEIM PROPERTIES TO BUILD AMERICAN DREAM HOME FOR THE 2017 PARADE OF HOMES

Since 1958, the Parade of Homes has been an exciting event for thousands of attendees throughout Northwest Florida. In preparing for the May 6 – 14, 2017 event, the HBA Board of Directors, at its September meeting, approved the gated community of Huntington Creek as site where the American Dream Home will be constructed. The Board tapped HBA President Thomas Westerheim, of Westerheim Properties, to build the American Dream Home.

Huntington Creek, located off Mobile Hwy., hosted the last two American Dream Homes in the upscale community in West Pensacola. It is a growing suburban area providing country living amenities



while affording residents the opportunity to be in close proximity to all of life's everyday conveniences.

"Thomas brings a wealth of experience of building the Dream Home," said Home Builders Association of West Florida Executive Director David Peaden. "He did a wonderful job a few years ago in Nature Trail and he gained a lot of insight during that process. I am confident he will do a great job for the HBA."

The people of Northwest Florida look forward to the Parade of Homes every year. It gives them the opportunity to see the latest in new home designs and amenities.

Attending the Parade of Homes can also afford individuals the chance to learn what to look for in home construction and know what mistakes to avoid.



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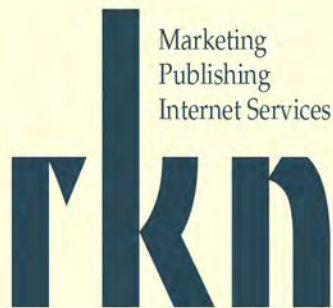


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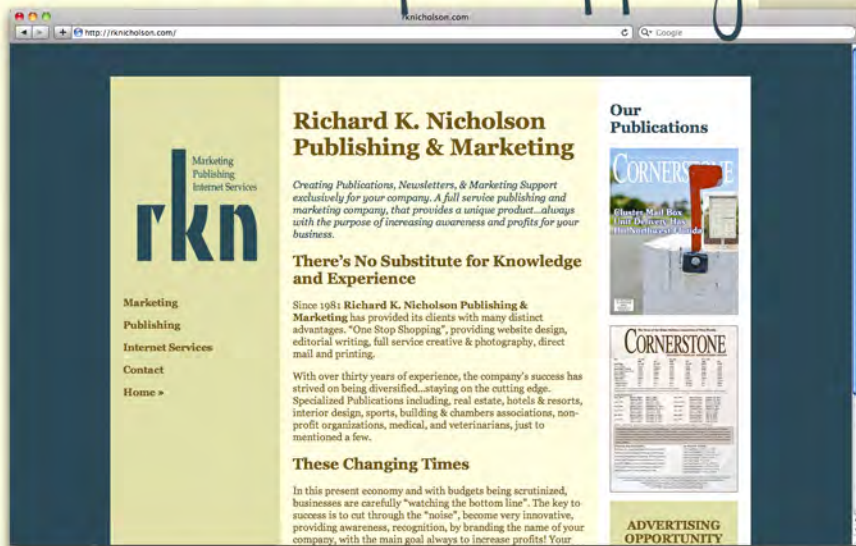
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Five States Reject Electronic Stormwater Reporting Requirements

Under EPA's recently finalized National Pollution Elimination System (NPDES) E-Reporting Rule, your state can either replace its paper-based systems with a state-run electronic reporting program or require permittees to report to feds directly using EPA's NPDES Electronic Reporting Tool.

Five states said they'd rather EPA handle these required stormwater reports.

Builders and developers applying for coverage under a state or EPA Construction General Permit (CGP) must now submit general permit forms such as Notice of Intent for coverage (NOI), Notice of Termination (NOT) and Low Erosivity Waivers (LEWs) by uploading them to a website. The rule does not require the electronic submission of Stormwater Pollution Prevention Plans, or SWPPPs.

According to EPA's new guidelines, builders in states and territories where EPA is the primary permitting authority (Idaho, New Mexico, Massachusetts and New Hampshire), will continue to report directly to EPA using NeT and EPA's existing eNOI system.

Now, builders in Georgia, Nebraska, Oregon and Rhode Island will need to use these tools to report to EPA directly as well. North Carolina chose to require builders to only report their LEWs directly to EPA – the NOI and NOT will continue to go to the state.

EPA's rule became effective Dec. 21, 2015. However, after NAHB asked for a less aggressive implementation schedule, EPA agreed to allow states and authorized NPDES programs five years from that date to start requiring builders to upload their forms. It's likely that many states will make the switch to electronic reporting when their 5-year construction general permit comes up for renewal.

HBAs should talk with state regulators early to ensure that builders are not forced to "double report" electronic data to EPA while still submitting paper forms or other additional data to state regulators.

Moving towards this new platform also means an increased potential for false or incomplete enforcement data to be published on public websites. Make sure your state ensures builders have ample opportunity to address reporting errors.

In its comments, NAHB asked that electronic reporting requirements be relaxed for rural construction sites with limited broadband access. In the final rule, EPA allows each state or authorized NPDES program to determine how it will issue waivers, subject to EPA review, and extends the total maximum waiver time from one to five years.

NAHB also voiced concern over requiring builders to use expensive authentication software to submit certified electronic signatures on compliance documents, which are required by law. EPA agreed, and so construction site operators can submit all paperwork online without one as long they print and send a signed hard copy of the forms as well.

Get more information on the final rule, or contact Environmental Policy Program Manager Eva Birk at 800 368 5242 x 8124.

Courtesy of NAHBNow.com



WHITE HOUSE RELEASES HOUSING DEVELOPMENT TOOLKIT

The White House, in late September, released a Housing Development Toolkit, which highlights regulatory barriers to housing development and outlines tools and strategies that local governments can use to diminish the impact they have on housing production and affordability.

The President's FY2017 HUD budget includes a \$300 million proposal for Local Housing Policy Grants to help facilitate the modernization of its recipients' housing regulatory approaches.

These tools and strategies include:

- Establishing by-right development
- Taxing vacant land or donating it to nonprofit developers
- Streamlining or shortening permitting processes and timelines
- Eliminating off-street parking requirements
- Allowing accessory dwelling units
- Establishing density bonuses
- Enacting high-density and multifamily zoning
- Employing inclusionary zoning
- Establishing development tax or value capture incentives
- Using property tax abatements

The National Association of Home Builders (NAHB) has long embraced a move toward fewer regulatory

roadblocks and more efficient development processes. Inefficiency costs developers and builders time and money, hurts housing affordability and availability, increases government offices' administrative costs, and stifles economic growth.

NAHB recently released a report—Development Process Efficiency: Cutting through the Red Tape—which offers examples of developers, builders, land use officials and other stakeholders who are working together to improve the local development review and approval process and create a win-win for all parties.

Case in Point

Within the last decade, development approvals in many parts of the country have shifted from taking only a few months to complete to two years or longer. An economic impact analysis recently commissioned by the Montgomery County Department of Permitting Services shows just how much is at stake.

Adding a year to the review process can reduce the value of that property

by an average of 20%. Or, from a more positive viewpoint, shortening the time from concept to occupancy by one year could save the business as much as 20% of the project cost, lowering the cost of housing for its residents.

The County Executive implemented a streamlining initiative in 2012, and since then record plat processing declined from 20-30 weeks to 8-12 weeks. Site plan reviews that used to take more than

a year are now required to be completed within 120 days. And the time frame for building permit approvals dropped from 12 weeks to 30 days.

While many of the recommendations in NAHB's report mirror those found in the White House toolkit, such as streamlining the permitting process and updating zoning codes, there are also key differences.

Namely, NAHB believes that there is too much focus at all levels of government on inclusionary zoning.

In fact, it's one of

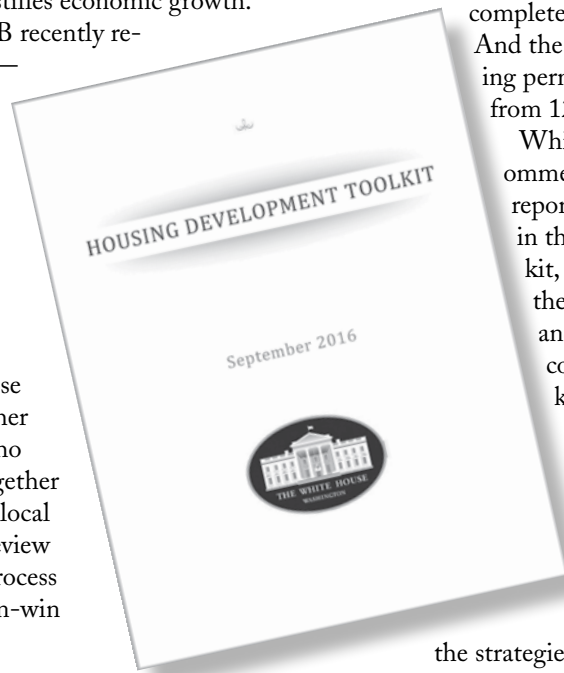
the strategies referenced in the

White House toolkit as a preferred method of achieving affordable housing goals. The problem with this is that inclusionary zoning is a complex market intervention, and like impact fees, is dependent on the pace of construction, which goes up and down.

Inclusionary zoning is not flexible enough to respond to changing market conditions and many communities have found that it does not produce the amount of affordable housing as hoped. Inclusionary zoning policies as implemented in some communities act like a tax on housing construction, the expense of which is passed on to consumers, builders and landowners.

NAHB urges government to encourage local communities to adopt long-term comprehensive strategies that will meet the demand for new housing and economic development. The association will continue to follow implementation of the White House report.

Visit nabh.org for more information or resources on affordable housing strategies and process efficiency.



Courtesy of NAHBNow.com



In 2016, FHBA worked to save builders and remodelers **over \$7,000***

- | | | |
|---|--|---|
|  <p>1. Guard Measurement = \$1,500
Reduces horizontal distance from 36 to 24 inches</p> |  <p>4. Stucco = \$1,100
Reduced time between coats and curing from seven days per ASTM 926</p> |  <p>7. Custom Doors = \$500
Provides criteria for custom one-of-a-kind doors (FBC-B & R)</p> |
|  <p>2. Fire Separation = \$2,500
Reverts to three feet and adds options to fire rating soffits</p> |  <p>5. Air Leakage = \$175
Provides option for testing in multi-family as single and modified 5 ACH to 7 ACH</p> |  <p>8. Shower Liner = \$75
Reinstates exception to shower liner on SOG (FBC-R & P)</p> |
|  <p>3. Duct Penetration Garage = \$300
Retained provisions allowing use of duct board</p> |  <p>6. Mechanical Ventilation = \$75
Reduced from 5 ACH to less than 3 ACH</p> |  <p>9. Door Swing = \$750
Revisions permitting doors to outswing over egress, two risers, and an exception for landings</p> |

FHBA also stopped issues from passing, which resulted in additional builder savings: Flood Provisions = \$10,000, Irrigation = \$1,000, and Water Saving Fixtures = \$250.

*Approximate cost savings per house/lot impacted.

To learn more on how FHBA saved builders through legislative and regulatory advocacy, go to www.fhba.com or call 800.261.9447

ESA Changes to National Flood Insurance Program Harm Housing Affordability

The National Association of Home Builders (NAHB) in late September urged Congress to oppose the inappropriate use of the Endangered Species Act to change the focus of the National Flood Insurance Program (NFIP) away from its mandate of protecting lives and property due to flooding loss.

As the result of a recent settlement with environmental groups, there are much tighter restrictions on any development in designated special flood hazard areas to protect certain kinds of fish, including species of trout and salmon that spawn in fresh water but live in seawater.

NAHB warned that mandated changes instituted by the National Marine Fisheries Service (NMFS) will harm housing affordability and economic activity in the communities that the NFIP serves.

Testifying on behalf of NAHB before the House Transportation and Infrastructure Committee, Jon Chandler, CEO of the Oregon HBA, told lawmakers that the changes will “add duplicative, burdensome and costly regulatory barriers that will prevent the development of communities near well-paying jobs, and increase the price of housing beyond the means of many middle-class working American families.”

Perhaps worst of all, communities nationwide that participate in the NFIP will have little choice but to comply with NMFS’s required changes. Failure to do so means they may be forced to drop out, keeping many banks and other financial institutions from offering federally backed mortgages in those communities. It is truly a lose-lose proposition for local govern-

ments, prospective home buyers and home building alike

The Federal Emergency Management Agency (FEMA) administers the NFIP, created in 1968 to provide affordable flood insurance to property owners and encourage communities to adopt and enforce floodplain management regulations.

Importantly, Congress did not give FEMA land use authority and the NFIP’s purpose is not to protect endangered species. However, due to a lawsuit from environmental groups, FEMA is now required to consult with the NMFS in many states to ensure the protection of endangered species.

The NMFS recently released its Biological Opinion in Oregon that calls for FEMA to implement the NFIP by imposing severe restrictions and bans on future statewide floodplain development to protect fish on the endangered or “threatened” species list and in areas designated as “critical habitat” for any endangered or threatened species.

Chandler told lawmakers that compelling FEMA to harshly tighten regulations applicable to floodplain standards in Oregon and other parts of the country to comply with the NMFS opinion would severely restrict development options for public and private landowners and harm property values.

“Home buyers should not be subject to increases in cost due to a regulation that not only conflicts with state and local interests, but was not the intent of the original program,” he said. “During the upcoming reauthorization of the NFIP, NAHB urges Congress to use its oversight authority to ensure the potential negative ramifications of the opinion do not needlessly harm communities and housing affordability,” Chandler added. “It is necessary to retain the NFIP’s original intent to focus solely on the protection of homes and communities from flooding.”

Courtesy of NAHBNow.com



NAHB to EPA: Lead Paint Rule Needs Revising

The National Association of Home Builders (NAHB) filed comprehensive comments with the Environmental Protection Agency (EPA) in September asserting that in its current form, the Lead: Renovation, Repair and Painting rule is an inefficient tool for achieving the environmental and health goals of the underlying issues.



NAHB strongly encouraged EPA to perform a new economic analysis because, to date, there has yet to be a lead test kit on the market that qualifies with the rule's standards.

Additionally, NAHB urged EPA to revise the unnecessarily complex and burdensome new renovator recertification requirements recently finalized by the agency and to ensure that certified renovators be provided the resources they need to comply with the program.

The extensive comments were part of a required retrospective review. Federal agencies are required to review rules that have a significant economic impact on a substantial number of small entities within ten years of publication of the final rule. EPA had initially planned for only a 60-day public comment period, but under the

direction of NAHB, a coalition of trade associations was formed and helped extend that time frame. The coalition coordinated a Small Business Administration Roundtable on Aug. 24 that brought EPA staff together with stakeholders from across the industry who voiced their questions and concerns regarding the review.

EPA expects to complete its review and issue a report by early to mid-2017. For additional information about the lead paint rule, contact Tamra Spielvogel at 800-368-5242 x8327.

Courtesy of NAHBNow.com

HBA

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For more information about the program, feel free to contact NPP:

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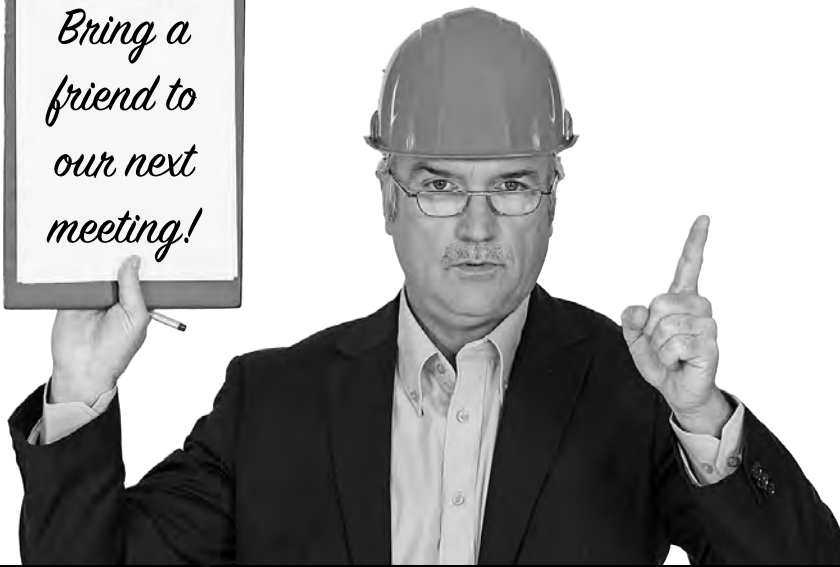
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