

2022 -- S 2303 SUBSTITUTE A

LC003724/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS - CORROSION PREVENTION AND  
MITIGATION WORK REQUIREMENTS

Introduced By: Senators Quezada, Euer, Murray, Cano, and Burke

Date Introduced: February 15, 2022

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 37 of the General Laws entitled "PUBLIC PROPERTY AND WORKS"

2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 25

4 CORROSION PREVENTION AND MITIGATION WORK REQUIREMENTS

5 **37-25-1. Corrosion prevention and mitigation work requirements.**

6 (a) For purposes of this section:

7 (1) "NACE 13/ACS 1 standard" means the Society for Protective Coatings/NACE  
8 International standard for an industrial coating and lining application specialist.

9 (2) "Trained and certified personnel" means both of the following:

10 (i) To the maximum extent feasible, workers performing surface preparation and  
11 application of protective coatings and linings to steel, who are classified as journey-level painters,  
12 shall be certified by an organization generally accepted in the industry as meeting the NACE  
13 13/ACS 1 standard, or a similar standard, that is generally accepted in the industry. Coatings  
14 applied during assembly are excluded.

15 (ii) Workers performing surface preparation and application of protective coatings and  
16 linings to steel, who are classified as apprentices, shall be registered in an industrial apprenticeship  
17 program, approved by the department of labor and training, that provides training to meet the  
18 NACE 13/ACS 1 standard or a similar standard, that is generally accepted by the industry.

1           (b) A public entity that awards a contract after January 1, 2024, that is paid for in whole or  
2 in part with state funds, shall require all contractors and subcontractors performing corrosion  
3 prevention and mitigation work to comply with the standards adopted pursuant to this section.

4           (c) Contractors and subcontractors performing public works contracts for corrosion  
5 prevention and mitigation work must comply with the standards adopted pursuant to this section  
6 after January 1, 2024.

7           (d) On or before January 1, 2023, the director of the department of labor and training in  
8 consultation with the department of environmental management, shall adopt regulations  
9 establishing standards for the performance of corrosion prevention and mitigation work on public  
10 projects that reflect industry best practices. Such industry best practices shall include, but are not  
11 limited to, the following:

12           (1) Use of trained and certified personnel for surface preparation and application of  
13 protective coatings and linings to steel.

14           (2) Use of inspectors to ensure best practices and standards are met.

15           (3) A plan to prevent environmental degradation, including, but not limited to, careful  
16 handling and containment of hazardous materials including, but not limited to, lead paint.

17           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require all contractors and subcontractors who perform corrosion  
2 prevention and mitigation work, pursuant to public works contracts, to comply with industry  
3 standards for infrastructure corrosion prevention.

4           This act would take effect upon passage.

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