

LEAD BASED PAINT

AND

FEDERAL RENTAL ASSISTANCE

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SUMMARY OF LEAD-BASED PAINT REQUIREMENTS BY ACTIVITY

	Rehabilitation (Subpart J) Chapter 4		TBRA (Subpart M) Chapter 5	A, L, SS, O (Subpart K) Chapters 6 & 7 Homebuyer and Special Needs*
	<\$5,000	>\$5,000 - \$25,000		
Approach to Lead Hazard Evaluation and Reduction	1. Do no harm	3. Identify and control lead hazards	2. Identify and stabilize deteriorated paint	2. Identify and stabilize deteriorated paint
Notification	Yes	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing	Paint Testing and Risk Assessment	Visual Assessment	Visual Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Paint Stabilization	Paint Stabilization
	Safe work practices Clearance of work site	Safe work practices Clearance of unit	Safe work practices Clearance of unit	Safe work practices Clearance of unit
Ongoing Maintenance	For HOME rental only	For HOME rental only	Yes	Yes (if ongoing relationship)
EIBLL Requirements	No **	No	Yes	No
Options	Presume lead-based paint Use safe work practices on all surfaces.	Presume lead-based paint and/or hazards Use standard treatments	Test deteriorated paint. Use safe work practices only on lead-based paint surfaces.	Test deteriorated paint. Use safe work practices only on lead-based paint surfaces.

* Special Needs Housing may be subject to the requirements of Subpart J, M, or K depending on the nature of the activity undertaken. However, since most special needs housing involves acquisition, leasing, support services, and operations, for the purposes of this table, it has been placed in this column. Chapter 7 explains how other requirements may also apply.

Safe Work Practices

Safe work practices will be used to stabilize deteriorated paint surfaces, using qualified workers.

- **Prohibited methods of removal**
 - Open flame burning or torching
 - Machine sanding or grinding without HEPA local exhaust control.
 - Abrasive blasting or sanding without HEPA local exhaust control.
 - Heat guns above 1000 degrees Fahrenheit or charring the paint.
 - Dry sanding or dry scraping . Wet scraping should be done instead , except near electrical outlets where water could result in electrocution hazard and except for very small areas of deteriorated paint, such as nail holes and hairline cracks.
 - Paint stripping in a poorly ventilated space using a volatile paint stripper.

- **Acceptable Methods**
 - Wet scraping, wet sanding, and power sanding performed in conduction with a HEPA filtered local exhaust attachment operated according to mfg. Instructions.

- **Occupant Protection**
 - Property owners should protect residents and their belongings from exposure to lead-contaminated dust and debris during paint stabilization. Residents may need temporary relocation during treatment.

- **Work Site Preparation**
 - This preparation should ensure that leaded dust, lead-based paint chips and other debris are contained within the worksite until they can be safely removed. Warnings must be posted at the entry of each room being treated.

- **Cleanup**
 - After stabilization the site must be cleaned to remove lead-based paint dust. Clean up includes wet washing with lead-specific detergent, vacuum cleaners with HEPA filters, and debris in sealed containers in accordance with state and federal waste disposal requirements.

- **Exemptions**

Safe work practices are not required when maintenance or hazard reduction activities do not disturb painted surfaces that total;

- 20 Square feet on exterior surfaces
- 2 square feet in any one interior room or space
- 10 percent of a building component with a small surface area. Example, include window sills, and frames, baseboards and trim.

- **Clearance**

Clearance examination is completed by a certified risk assessor, certified lead base paint inspector, or a clearance examiner, unit wide .

- Clearance activities include,
- Visual assessment
- Dust sampling
- Submission of samples for analysis
- Interpretation of sampling results
- Preparation of the report

Clearance is not required if maintenance or hazard reduction activities do not disturb painted surfaces or meet the exemption section above.

- **On going maintenance**

Owners must now include ongoing maintenance in their regular building operations. Check for deteriorated paint every 12 months, stabilization of any deteriorated paint, use safe work practices when performing routine maintenance, and notification.

- **EIBLL**

Environmental Intervention Blood Lead Level

Both the administering agencies and the owners must take specific steps after receiving notice that a child with EIBLL is living in a household receiving assistance. These steps help asses risk, eliminate identified lead hazards, and ensure the appropriate health agency has updated information about ELBLL cases.

Or you perform paint testing on deteriorated paint as an option.

DEFINITIONS

1. ABATEMENT

MEANS ANY SET OF MEASURES DESIGNED TO PERMANENTLY ELIMINATE LEAD-BASED PAINT OR LEAD-BASED HAZARDS.

- REMOVAL OF LEAD PAINT AND LEAD DUST HAZARDS
- PERMANENT ENCLOSURE
- ENCAPSULATION
- REPLACEMENT OF COMPONENTS OR FIXTURES PAINTED WITH LBP
- REMOVAL OF OR PERMANENT COVERING OF SOIL-LEAD HAZARDS
- ALL PREP, CLEANUP, DISPOSAL, AND POST ABATEMENT CLEARANCE TESTING.

2. CLEARANCE EXAMINATION

- EXAMINATION FOLLOWING LEAD-BASED PAINT HAZARD REDUCTION TO INSURE LEAD HAZARD REDUCTION ACTIVITIES ARE COMPLETE, THAT NO SOIL LEAD HAZARDS OR SETTLED DUST EXISTS IN THE DWELLING AND THE WORKSITE.
- VISUAL INSPECTION, COLLECTION AND ANALYSIS OF SAMPLES.

3. INTERIM CONTROLS

- A MEANS TO REDUCE HUMAN EXPOSURE OR LIKELY EXPOSURE TO LEAD-BASED PAINT HAZARDS.
- INCLUDE BUT NOT LIMITED TO, REPAIRS, PAINTING, TEMPORARY CONTAINMENT, SPECIALIZED CLEANING, CLEARANCE, ONGOING LEAD-BASED PAINT MAINTENANCE ACTIVITIES, MANAGEMENT AND RESIDENT EDUCATION.

4. PAINT STABILIZATION

- REPAIRING ANY PHYSICAL DEFECT IN THE SUBSTRATE OF A PAINTED SURFACE THAT IS CAUSING THE PAINT DETERIORATION, REMOVING LOOSE PAINT AND OTHER MATERIALS FROM THE SURFACE TO BE TREATED, AND APPLYING A NEW PROTECTIVE COATING.

5. RISK ASSESMENT

- AN ON-SITE INVESTIGATION TO DETERMINE THE EXISTANCE, NATURE, SEVERITY, AND THE LOCATION OF LEAD-BASED PAINT HAZARDS.

- A REPORT EXPLAINING THE RESULTS OF THE INVESTIGATION AND OPTIONS FOR REDUCING LEAD-BASED HAZARDS.

6. STANDARD TREATMENTS

- A SERIES OF HAZARD REDUCTION MEASURES DESIGNED TO REDUCE ALL LEAD-BASED PAINT HAZARDS IN A DWELLING UNIT WITHOUT THE BENEFIT OF RISK ASSESMENT OR OTHER EVALUATION.

Section 8 Timelines

Project Based Rental Assistance Subpart H

- Multi-family residential projects receiving an average of more than \$5000.00 per unit annually is subject to the requirements for risk assessment and interim controls. Risk assessment must be completed by September 17, 2001, for properties constructed before 1960. And September 15, 2003 for properties constructed after 1959 and before 1978.
- Interim controls must be completed within 90 days after the risk assessment for units and common areas occupied by families with children under 6.
- On going lead based maintenance and reevaluation required.
- Multi family residential projects receiving up to \$5000.00 per unit annually in project based rental assistance and single family properties with project based assistance, thru section 8 mod rehab , visual assessment and stabilization of any deteriorated paint surfaces will be required effective September 15, 2000.
- On going lead based paint maintenance activities required.

Tenant Based Rental Assistance Subpart M

- The regulations only apply to units occupied or to be occupied with children under 6, common and common areas serving such units and associated exterior surfaces.
- Visual assessment and stabilization deteriorated surfaces using safe work practices and clearance apply effective September 15 2000.