



# **Federal Lead-Based Paint Regulations: CDBG-DR Rehabilitation Programs**

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**2020 CDBG-DR and CDBG-MIT Webinar Series**



# Introductions

Kris Richmond, ICF



# Introductions

- Kris Richmond, ICF
- Clay Lloyd, HUD
- Karen Griego, HUD



# Goals for this Training

- Understand the significance of lead poisoning
- Gain a deeper understanding of the Federal Lead Paint Regulations, applicable to disaster recovery rehabilitation programs
- Assess the quality of documentation
- Identify available resources for use and reference





# CDBG-DR & Lead Paint

Clay Lloyd, HUD



# CDBG-DR and Lead Paint

- This webinar is being provided to grantees and their partners to increase their understanding of the lead paint requirements and to improve compliance with those requirements
- These requirements are especially important for HUD projects that use CDBG-DR and CDBG-MIT funds for:
  - Housing rehabilitation
  - Buyouts/demolition
  - Buyouts/relocation
- Housing units built prior to 1978 may contain lead-based paint



# CDBG-DR and Lead Paint

- HUD has found that some grantees are not fully compliant with lead regulations and requirements
- In addition to noncompliance with the regulation, this:
  - Poses a health risk for occupants, rehab workers, etc.
  - Could have legal ramifications for the grantee &/or its program partners





# Understanding the Problem

Karen Griego, HUD





# Defining the Problem

- Lead is a naturally occurring element
- Found in all parts of our environment:
  - Air, soil, water and inside our homes
  - Past use of leaded gasoline, industrial facilities
  - In our homes: lead-based paint, ceramics, pipes and plumbing materials, solders, batteries, ammunition and cosmetics



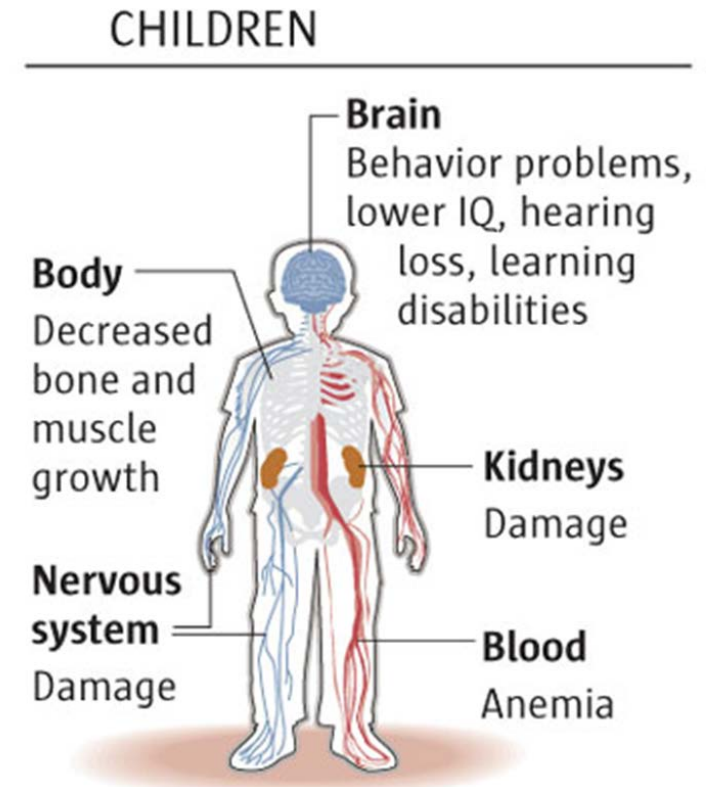
# Children and Exposure to Lead

How do children get lead in their blood?

- Putting their hands or other lead-contaminated objects into their mouths
- Playing in lead-contaminated soil **or on floors with lead dust**
- Eating paint chips found in homes with peeling or flaking lead-based paint

What is the “trigger level” of lead in a child?

- CDC recommends public health intervention when a child’s blood lead level (BLL is greater than **5 micrograms of lead per deciliter of blood ( $\mu\text{g}/\text{dL}$ )**



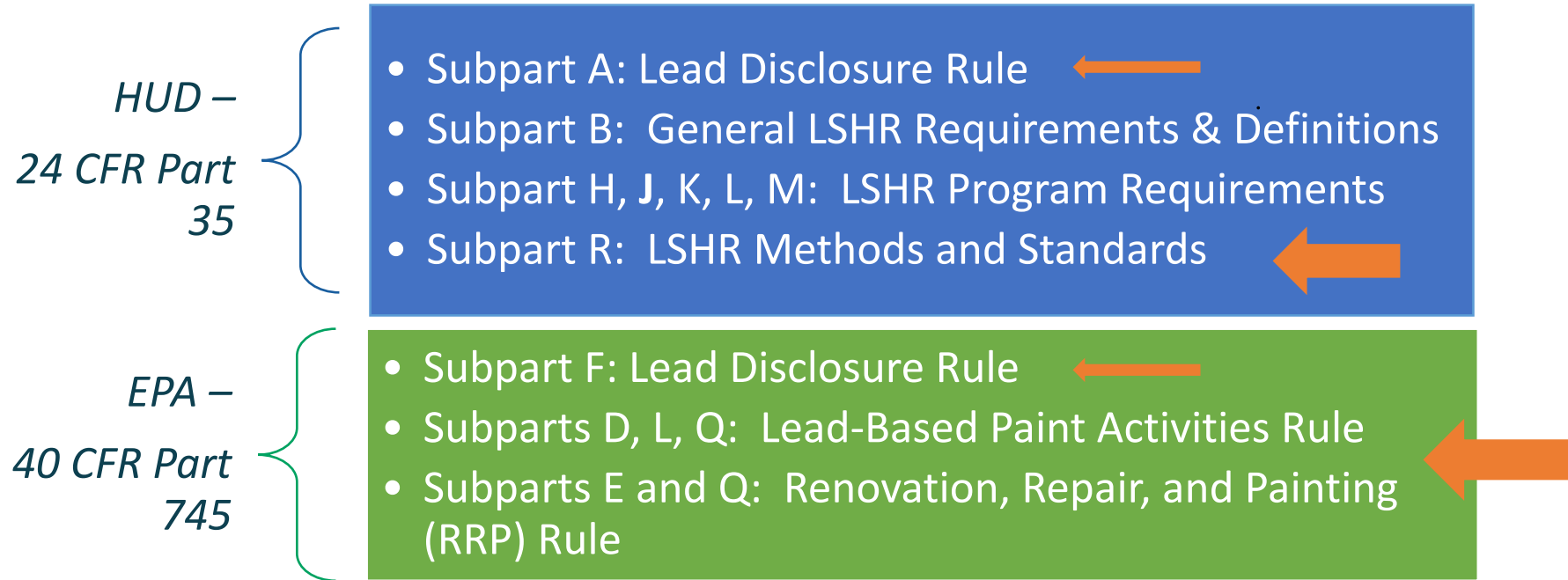
# Defining the Problem

- Who is at risk?
  - Everyone is at risk if lead is inhaled or ingested, however:
    - Children under the age of 6
      - Absorb more lead than adults do, and their brains and nervous systems are more sensitive to the effects.
      - They are more likely to ingest lead by putting their hands in their mouths after touching floors or other areas containing lead dust
    - Elevated blood lead level in pregnant women can result in exposure to the developing baby
    - Workers in certain construction and industrial fields may be exposed to high levels of lead – prevent “take-home” exposure





# Federal Lead Regulations



*Recent changes in the EPA rule went into effect on **January 6, 2020.***



# Federal Lead Regulations

## HUD/EPA's Lead Disclosure Rule

- Applies to all housing, public and private, built before 1978. Effective March, 1996

## HUD's Lead Safe Housing Rule (LSHR)

- Applies to Federally–assisted and Federally-owned housing built before 1978. Effective September, 2000
- *Amendments (EBLL) effective 2/13/17*

## EPA's Renovation, Repair, and Painting (RRP) Rule

- Applies to all housing, public and private, built before 1978, including child-occupied facilities such as schools and day-care facilities. Effective April, 2010



# Key Elements of the LBP Compliance Process

## Step 1



- **LOOK**

- Enhanced Visual Assessment
- Risk Assessment
- Inspection

## Step 2



- **TREAT\***

- Paint Stabilization
- Interim Controls
- Hazard Abatement

## Step 3



- **CLEAR\***

- Clearance

## Step 4



- **TELL**

- Notification to other residents



- **DISCLOSURE**

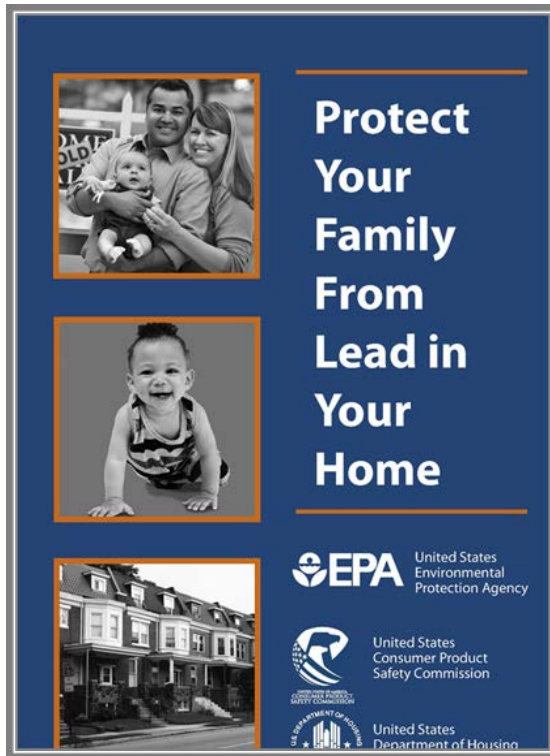
- Pamphlet



# Disclosure



# Lead Disclosure Rule- Subpart A



- Applies to almost all pre-1978 for **sale** and **rental** units
- The Owner or Lessor:
  - Provides Pamphlet
  - Provides warning statement
  - Disclose KNOWN information
- Must be completed BEFORE any contract is signed



# The Wrong Disclosure

## NOTIFICATION

### Watch Out for Lead-Based Paint Poisoning

**Sources of Lead Based Paint**  
The interiors of older homes and apartments often have layers of lead-based paint on the walls, ceilings, window sills, doors and door frames. Lead-based paint and primers may also have been used on outside porches, railings, garages, fire escapes and lamp posts. When these surfaces are painted, the paint chips or flakes off and is a real danger for babies and young children. Children may eat paint chips or chew on painted railings, window sills, or doors. Children can also ingest lead even if they do not specifically eat paint chips. For example, when children play on a painted surface or dust particles containing lead, they may get these particles on their hands, put their hands in their mouths, and ingest the lead.

**Hazards of Lead-Based Paint**  
Lead poisoning is dangerous—especially to children under the age of seven (7). It can cause blindness and even death.

**Symptoms of Lead-Based Paint Poisoning**  
Has your child been especially cranky or irritable? Is he or she eating less than usual? Has he or she had stomachaches and vomiting? Does he or she complain about headaches? Is your child unwilling to play? These may be signs of lead poisoning. Although there are no symptoms at all. Because there are no symptoms does not mean that you should not be concerned if you suspect your child is exposed to lead-based paint.

**Advisability and Availability of Blood Lead Level Screening**  
If you suspect that your child has eaten chips of paint or other lead-based paint, you should take your child to the doctor or clinic for testing. If the test shows that your child has an elevated blood lead level, treatment is available. If you are having an elevated blood lead level, you should immediately notify the Community Development or other local housing authority. If you or your landlord are unable to pay for the necessary steps, assistance can be taken to test your unit for lead-based paint hazard. If you have lead-based paint, you should take steps to remove the lead-based paint, or you should take steps to abate that hazard.

**Precautions to Take to Prevent Lead-Based Paint Poisoning**  
You can avoid lead-based paint poisoning by performing regular maintenance. Look at your work areas for frames and windowsills. Are there places where the paint is peeling, flaking, or chipping? If so, there are some things you can do to protect your child:

- (a) Cover all furniture and appliances;
- (b) Get a broom or stiff brush and remove all paint chips from walls, woodwork, window wells and ceilings. Put these chips in a paper bag or wrap them in newspaper. Put these bags in a container. DO NOT BURN THEM.
- (c) Sweep up all pieces of paint and plaster.
- (d) Do not leave paint chips on the floor in the work areas. Sweep mop floors and windowsills in and around the work areas. Do not leave paint particles. Keeping these areas clear of paint chips is very important, and
- (e) Do not allow loose paint to remain within reach since children may pick loose paint off the lower part of the wall.

**Homeowner Maintenance and Treatment of Lead-Based Paint Hazards**  
As a homeowner, you should take the necessary steps to keep your home in good shape. Water leaks from faulty plumbing, defective roofs, or broken windows can cause damage to the interior of your home. These conditions damage walls and ceilings and cause paint to peel, crack, or chip. Surfaces that are peeling, cracking, chipping or loose should be thoroughly cleaned. If you are unable to remove the lead-based paint, you should have two (2) coats of non-lead-based paint. Instead of scraping and repainting, the surface must be covered with other material such as wallboard, which may be hazardous. The dust can enter the lungs and cause poisoning if inhaled over a long period of time. The removal of lead-based paint should take place when there are no children or pregnant women on the premises. Simple paint removal does not eliminate the hazard. Remember that you as an adult play a major role in the prevention of lead poisoning. You should take steps to remove the lead problem can make a big difference.

**Tenant and Homebuyer Responsibilities**  
You should immediately notify the management office or landlord if you are purchasing your home if the unit has flaking, chipping, powdering or peeling paint, water leaks from plumbing, or a defective fire escape. You should cooperate with that office's effort to repair the unit.

**I have received a copy of the Notification, "Watch Out for Lead Based Paint Poisoning" AND I have received a copy of the pamphlet, "Protect Your Child From Lead in Your Home".**

Printed name of recipient \_\_\_\_\_

Signature of recipient \_\_\_\_\_

Exhibit V

After carefully reading this notice, please detach this receipt and return it to your local housing authority, landlord, management office, or community development office.

#### RECEIPT

I have received a copy of the notice entitled:

**Lead-Based Paint A Threat to Your Children**  
January 1993

Print name of recipient	Deloris Becker
Signature of recipient	Becker
Unit number	10-94

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# Lead Disclosure Rule

## The Correct Disclosure

**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

**Lead Warning Statement**  
Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

**Lessor's Disclosure**

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):  
(i) \_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
\_\_\_\_\_  
(ii) \_\_\_\_\_ Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

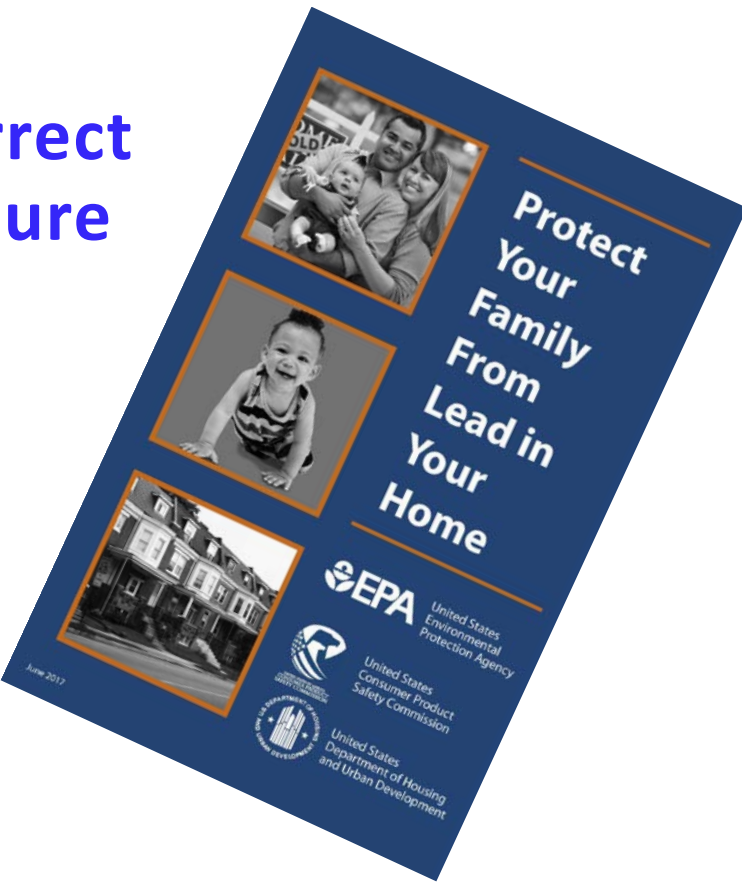
(b) Records and reports available to the lessor (check (i) or (ii) below):  
(i) \_\_\_\_\_ Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
\_\_\_\_\_  
(ii) \_\_\_\_\_ Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Lessee's Acknowledgment (initial)**  
(c) \_\_\_\_\_ Lessee has received copies of all information listed above.  
(d) \_\_\_\_\_ Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

**Agent's Acknowledgment (initial)**  
(e) \_\_\_\_\_ Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

**Certification of Accuracy**  
The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____ Lessor	_____ Date	_____ Lessor	_____ Date
_____ Lessee	_____ Date	_____ Lessee	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date



# Lead Safe Housing Rule





# Lead Safe Housing Rule (LSHR)

## PURPOSE:

To protect children in assisted target housing through primary prevention





# Lead Regulations Apply **Except** When:

- Property constructed **after January 1, 1978**
- **Zero-bedroom units** and SROs (in the works to be removed)
- Housing designated exclusively for the **elderly** or persons with **disabilities except** if a child less than 6 resides there
- Properties found to be **lead-free** by a LBP inspection or where all LBP has been identified, **removed**, and clearance achieved
- An **unoccupied property** that is to be demolished, provided that it remains unoccupied until demolition
- Rehab that **does not disturb** painted surfaces
- **Emergency Action** necessary to protect life, health and safety, or further damage to the structure (e.g., after a natural disaster or fire)
  - This exemption DOES NOT APPLY to rehabilitation of such damaged property



# Exemptions (continued):

- Rehab that **does not disturb** painted surfaces:
- Safe work practices are not required when maintenance or hazard reduction activities do not disturb painted surfaces that total more than de minimis levels:
  - 2 sq. ft. per interior space
  - 10% of small component type
  - 20 sq. ft. for exterior work



# Lead Requirements Screening Worksheet

## LEAD SAFE HOUSING REQUIREMENTS SCREENING WORKSHEET

This worksheet should be placed in the project file for any residential property that is assisted with Federal funds. Parts 1 and 2 should be completed for all projects. Parts 3 and 4 should be completed for rehabilitation projects.

Property Owner and Address: \_\_\_\_\_

\_\_\_\_\_

### Part 1: Exemptions from All Requirements of 24 CFR Part 35

*If the answer to any of the following questions is yes, the property is exempt from the requirements of 24CFR Part 35. The regulatory citation of each exemption is cited as additional guidance.*

- ❖ Was the property constructed after January 1, 1978? [35.115(a)(1)] ☐ YES ☐ NO
- ❖ Is this a zero-bedroom unit? (e.g. SRO, efficiency) [35.115(a)(2)] ☐ YES ☐ NO
- ❖ Is this dedicated elderly <sup>1</sup> housing? (i.e. over age 62) [35.115(a)(3)] ☐ YES ☐ NO
- ❖ Is this housing dedicated for the disabled <sup>2</sup>? [35.115(a)(3)] ☐ YES ☐ NO
- ❖ Has a paint inspection conducted in accordance with 35.1320(a) established that the property is free of lead-based paint? [35.115(a)(4)] ☐ YES ☐ NO



# Lead Safe Housing Rule - DOCUMENT, DOCUMENT, DOCUMENT

- Requires more documentation than any other LBP Rule
- Certifications, training, evaluations, abatement reports, and clearance
- Documents must be kept **at least** 3 years
  - Actual record keeping is life of the project/building(s)





# Regulation Subparts - 1

Program	Assistance Type	Subparts
All	Disclosure of Known Lead-Based Paint Hazards Upon Sale or Lease of Residential Property	A
All	General Requirements and Definitions	B
Non-HUD Federal	Disposal of Housing Project-Based Rental Assistance	C D*
SF Hsg	HUD-Owned Single Family Property	F
MF Hsg	Multifamily Mortgage Insurance	G
Hsg, PIH	Project-Based Rental Assistance	H*
MF Hsg	HUD-Owned and Mortgagee-in-Possession Multifamily Property	I*



# Regulation Subparts - 2

Programs	Assistance Type	Subparts
All	Rehabilitation	J
CPD, PIH	Acquisition, Leasing, Support Services, or Operation	K
PIH	Public Housing Programs	L*
PIH, CPD	Tenant-Based Rental Assistance	M*
All	Methods and Standards for Lead-Based Paint Hazard Evaluation and Hazard Reduction Activities	R
	Reserved	E, N-Q

\* Subparts D, H, I, L, and M have provisions dealing with children under age 6 who have elevated blood lead levels.



# Housing Rehabilitation Programs



# Why does the amount of assistance matter?

- The level of protection depends on the amount of hard cost investment in the rehab work as follows





# Subpart J – Rehabilitation Summary

	≤\$5,000	\$5,000 - \$25K	>\$25,000
Approach to Lead Hazard Evaluation & Reduction	1. Do no harm	3. Identify & control lead hazards	4. Identify & abate lead hazards
Notification	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing (surfaces to be disturbed)	Paint Testing & Risk Assessment	Paint Testing & Risk Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (interim controls on exterior not disturbed by rehab)
	Safe Work Practices Clearance	Safe Work Practices Clearance	Safe Work Practices Clearance
Ongoing Maintenance	HOME rental only	HOME rental only	HOME rental only
EBLL Requirements	No	No	No
Options	Presume LBP – Safe work practices on all surfaces	Presume LBP and/or hazards – standard treatments on all surfaces	Presume LBP and/or hazards – abate all applicable surfaces



# Notice CPD-15-07

## Guidance for Charging Pre-Application Costs...

- Rehab reimbursement – LSHR would apply to any work undertaken subsequent to, or beyond, emergency actions
  - Repairs necessary to respond to the emergency to safeguard against imminent danger to life, health, safety or protect structure from further damage
- Review §35.115 exemptions – use screening worksheet
- Documentation LBP was identified, removed, and clearance achieved



# Single-Family Reimbursement Program Example

- Texas General Land Office (GLO) Policy/Procedure
  - If property owner is unable to provide evidence of abatement and 3<sup>rd</sup> party clearance...
  - Pre-1978 homes require a LBP Risk Assessment
  - If LBP or LBP hazards are found, applicant is ineligible



# Step 1. of LSHR Compliance: Look – Assessment/Inspection





# LBP Evaluations

## LBP Inspection

- Surface-by-surface investigation to determine if LBP is present above HUD thresholds; does NOT determine whether the paint presents an immediate hazard
- Sampling of painted surfaces (dust, bare soil, and water testing is optional)
- Purpose – Abatement, renovation/weatherization, sale or turnover of property, remodeling/repainting
- Final Report - Whether LBP is present, where it is located, and at what concentrations
- *Combined Risk Assessment & Inspection* may prove more cost effective than separate investigations

## Risk Assessment

- Identifies LBP hazards - Sampling of deteriorated paint, dust, bare soil (risk based), water (optional)
- Purpose - Interim controls, sale of property or turnover, documentation of absence of lead hazards
- Final report - Lead Hazard Control Plan with options for interim controls or certification of LBP compliance
- Environmental Investigation is an enhanced Risk Assessment with review of other sources of lead exposure

## Visual Assessment

- Conducted to locate potential lead-based paint hazards and evaluate the magnitude of the hazard
- In dwellings where no inspection has been conducted, any painted surface that has not been replaced after 1977 must be assumed to contain lead-based paint
- Identifies deteriorated paint; visible surface dust, debris, and residue as part of a risk assessment or clearance exam; or confirms completion or failure of a hazard reduction measure

Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing - Chapter 5



# New EPA Dust Hazard Standards Effective 1/6/2020 (Not Yet for EPA Authorized States)

Media	Lead Level – Risk Assessment
Paint	1 mg/ cm <sup>2</sup>
Dust (wipe sampling only; single-surface or composite) Carpeted Floors Hard Floors Interior Window Sills	10 µm/ft <sup>2</sup> 10 µm/ft <sup>2</sup> 100 µm/ft <sup>2</sup>
Bare Soil: Bare soil in play areas Bare soil in non-play areas	400 µm/ft <sup>2</sup> 1,200 µm/ft <sup>2</sup>
Water (optional) – first draw, 250mL	20 ppb (µm/L)



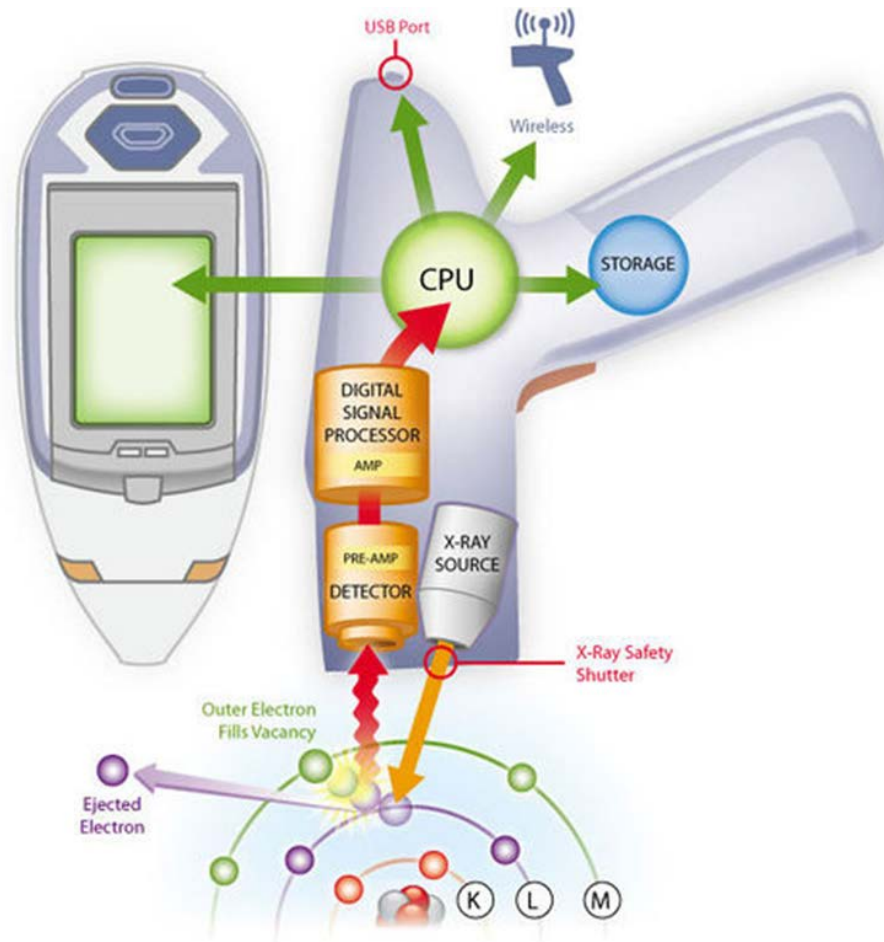
# (Old) EPA Dust Hazard Standards (Temporarily for EPA Authorized State Programs – expires 1/6/2022)

Media	Lead Level – Risk Assessment
Paint	1 mg/ cm <sup>2</sup>
Dust (wipe sampling only; single-surface or composite) Carpeted Floors Hard Floors Interior Window Sills	40 µm/ft <sup>2</sup> 40 µm/ft <sup>2</sup> 250 µm/ft <sup>2</sup>
Bare Soil: Bare soil in play areas Bare soil in non-play areas	400 µm/ft <sup>2</sup> 1,200 µm/ft <sup>2</sup>
Water (optional) – first draw, 250mL	20 ppb (µm/L)





# X-Ray Refractive Fluorescence (XRF) Device



# Locate Certified Inspection, Risk Assessment Firm

<https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearchAbatement>

- Lead Home
- Learn About Lead
- Protect Your Family
- Renovation, Repair and Painting Program
- Evaluating and Eliminating Lead-Based Paint Hazards
- Real Estate Disclosure
- Science and Technology
- Lead Laws and Regulations
- Outreach and Grants
- En Español: Plomo

You are here: [EPA Home](#) » [Lead](#) » Locate Certified Inspection, Risk Assessment, and Abatement Firms

## Locate Certified Inspection, Risk Assessment, and Abatement Firms

Include any criteria that you would like to use to limit the search results. For example, you could select a state where a firm is located, the jurisdictions in which they are certified, or enter the name of a specific firm to find out if it is certified. The more criteria you add the more restrictive your search and the fewer results will be returned.

**Note:** This locator only identifies certified firms in jurisdictions where EPA administers the lead-based paint training and certification program. For assistance identifying firms in one of EPA's 44 authorized programs (38 States, 4 Tribes, Puerto Rico, and Washington D.C.) contact the [National Lead Information Center](#). We also provide helpful links to the websites of the authorized programs on our [training and certification page](#).

### Find an Abatement Firm

To find your nearest EPA certified abatement firm, search by the criteria below.

**Discipline:**

- ☒ Inspection, Risk Assessment
- ☐ Abatement

AND

**Location:**



# HUD LSHR incorporates EPA Regulations

- **24 CFR 35.1320**
  - (a) *Lead-based paint inspections and paint testing.* Lead-based paint inspections shall be performed in accordance with methods and standards established either by a State or Tribal program authorized by the EPA under 40 CFR 745.324, or by the EPA at 40 CFR 745.227(b) and (h). Paint testing to determine the presence or absence of lead-based paint on deteriorated paint surfaces or surfaces to be disturbed or replaced shall be performed by a certified lead-based paint inspector or risk assessor.



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## LEAD HAZARD EVALUATION NOTICE – SAMPLE FORM

Address: \_\_\_\_\_

\_\_\_\_\_

Evaluation Completed (circle one):   Paint Inspection      Paint Testing      Risk Assessment

Date: \_\_\_\_\_

Summary of Results:

\_\_\_\_\_ No lead-based paint or lead-based paint hazards were found.

\_\_\_\_\_ Lead-based paint and/or lead-based paint hazards were found. See attachment for details





## Step 2. Treat - LBP Hazard Reduction



# Locate Certified EPA RRP Firm/Workers

<https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearch>

Lead Home

Learn About Lead

Protect Your Family

Renovation, Repair and  
Painting Program

Evaluating and Eliminating  
Lead-Based Paint Hazards

Real Estate Disclosure

Science and Technology

Lead Laws and Regulations

Outreach and Grants

En Español: Plomo

**You are here:** [EPA Home](#) » [Lead](#) » Locate Certified Renovation and Lead Dust Sampling Technician Firms

## Locate Certified Renovation and Lead Dust Sampling Technician Firms

Note: This locator identifies lead renovation, repair and painting (RRP) firms certified by EPA. EPA runs the lead RRP program in most states, tribes and territories. However, currently fourteen states and one tribe are authorized by EPA to administer their own RRP programs:

- [Alabama](#)
- [Delaware](#)
- [Georgia](#)
- [Iowa](#)
- [Kansas](#)
- [Massachusetts](#)
- [Mississippi](#)
- [North Carolina](#)
- [Oklahoma](#)
- [Oregon](#)
- [Rhode Island](#)
- [Utah](#)
- [Washington](#)
- [Wisconsin](#)
- [Bois Forte Band](#)

### Do you need to check your home for lead hazards?

This locator relates to renovation, repair and painting work; however if you want to check your home for lead hazards (abatement), [hire a certified risk assessment or inspection firm](#).

For assistance identifying certified firms in these states contact the [National Lead Information Center](#). For a list of entities whose certification has been suspended, revoked, modified or reinstated, [click here](#).

### Find a Firm

To find your nearest EPA certified firm, first select the type of company you're looking for (renovator or evaluation), then please enter either a complete address, or a Zip Code, or a City and State.



# Lead Hazard Reduction

- **Paint Stabilization (rehab  $\leq$ \$5000)**

- A method to fix deteriorated paint safely, reducing exposure to deteriorated paint on exterior and interior surfaces through repairs, safe paint removal, and repainting

- **Interim controls (rehab  $>$ \$5000 -  $\leq$ \$25,000)**

- Set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paint hazards
- Examples:
  - Repairs
  - Painting
  - Temporary containment
  - Specialized cleaning

- **Abatement (rehab  $>$ \$25,000)**

- Set of measures designed to permanently eliminate lead-based paint or lead-based paint hazards



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## Protection of Occupants' Belongings and Worksite Preparation for Projects with Lead Hazard Reduction Activities

Property Address:\_\_\_\_\_ Owner:\_\_\_\_\_

Name of Individual Completing this Form:\_\_\_\_\_

Organization:\_\_\_\_\_

Date Completed:\_\_\_\_\_

Instructions: Check all activities performed to protect occupants' belongings and prepare the worksite.

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Whether or not temporary relocation of occupants is required before and during lead hazard reduction activities, the worksite must be carefully prepared and occupants' belongings protected. Check all that apply.

- ☐ Occupants were appropriately notified that their belongings would be protected during the work and what, if anything, they would need to do to prepare for the project.
- ☐ Occupants' belongings in the containment area were (check one):
  - ☐ relocated to a safe and secure area outside the containment area.OR





## Step 3. Clear



# Perform Clearance Testing

Refers to the various environmental evaluation procedures used to determine if:

- The lead hazard control work was completed as specified
- The area is safe for unprotected workers to enter
- The area is a safe place for residents and young children to re-occupy/live



# Clearance

- Dust wipe samples must be collected (by certified risk assessor/inspector or his/her clearance technician) and submitted to an accredited laboratory for analysis
- LBP hazard control is not complete until clearance testing is performed and passed



## Sample Notice of Lead Hazard Reduction

Property Address: \_\_\_\_\_ Today's Date: \_\_\_\_\_

### Summary of the Hazard Reduction Activity:

Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

**Location and type of activity.** (List the location and type of activity conducted or attach a copy of the summary page from the clearance report or the lead hazard scope of work providing this information.)

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Date(s) of clearance testing: \_\_\_\_\_

Summary of results of clearance testing:

- (a) \_\_\_\_\_ No clearance testing was performed.
- (b) \_\_\_\_\_ Clearance testing showed clearance was achieved.
- (c) \_\_\_\_\_ Clearance testing showed clearance was not achieved.

List any components with known lead-based paint that remain in the areas where activities were conducted.  
List the location of the component (e.g. kitchen-door, bedroom-windows).

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### Person who prepared this summary notice

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Give to Property Owner with work-write up)

If you have any questions about this summary, please contact \_\_\_\_\_ at \_\_\_\_\_





## Step 4. Tell



## Step 4. Tell

- Notify residents of the results of:
  - Paint testing and risk assessment (*Lead Hazard Evaluation Notice*)  
and
  - Treatment (i.e., hazard control work) once clearance is achieved (*Sample Notice of Lead Hazard Reduction*)





# Other LSHR Related Issues



# Other Lead-Related Issues



- Historic Preservation: 24 CFR 58.5(a)
- Fair Housing: 24 CFR 100.50(b)(2)





# Historic Preservation

- Limited Exemption...
  - Properties listed on or eligible for inclusion on the National Register, if requested by the SHPO - may conduct interim controls instead of abatement
- Refer to:
  - Historic Preservation Brief 37
  - HUD Guidelines – Chapter 18



# Fair Housing Considerations

- 24 CFR part 100.50(b)(2) – it is unlawful to discriminate in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with sales or rentals, because of race, color, religion, sex, handicap, **familial status** or national origin
  - For example, it is illegal for a landlord to not sell or lease a pre-1978 target dwelling to a family with a child/children under 6 years of age



# EPA Renovation Repair Painting Rule

## PURPOSE:

- Minimize exposure from LBP dust during renovation, repair, or painting activities
- Effective April 22, 2010



# EPA Renovation, Repair and Painting Rule (RRP)

- Contractors performing renovation repair and painting projects that disturb lead-based paint in homes, child care facilities and pre-schools built before 1978
  - Have their firm certified by EPA or an EPA authorized state
  - Use certified renovators trained by EPA-approved training providers
  - Follow lead-safe work practices
  - Provide “Renovate Right” pamphlet
  - VIOLATIONS: Civil Money **Penalties** \$37,500





# Summary of Documentation Requirements – Subpart J



# Key Elements and Evidence of Compliance

Does the LSHR  
apply?

Screening  
Worksheet

## Step 1



- **LOOK**

- Copy of the Paint Testing and Risk Assessment Report

## Step 2



- **TREAT\***

- Interim Controls specified in bid specifications
- RRP Firm and Renovator certifications in bid docs or RFQ
- Hazard Abatement specified in bid specifications
- Abatement Contractor and Worker certifications in bid docs or RFQ
- Occupant protection & Worksite Prep in bid docs

## Step 3



- **CLEAR\***

- Clearance Report

## Step 4



- **TELL**

- Summary notices to residents





# Resources



# Lead Rule Compliance Advisor

 MONDAY, MAY 02, 2016

 Lead Rule Compliance Advisor

Start Over

Print

Resources

Interpretative Guidance

Glossary

Help

Healthy Homes and Lead Hazard Control website

## Welcome I

Skip This Introduction

Welcome to the **Lead Rule Compliance Advisor**. This Advisor was designed to present the requirements of the Lead Safe Housing Rule (LSHR). By analyzing your responses to a short number of questions, the Advisor generates a report of project-specific requirements that can be saved on your computer in a word-processing program or printed for the file. Along the way, the Advisor provides links to related resources including a glossary, related regulations, guidance, and sample forms used by many programs and field staff to implement the LSHR's requirements. By using the Advisor, HUD field staff will be better able to provide accurate and consistent guidance to HUD grantees and program participants, and to monitor their lead-related activities.

## Using the Advisor

Please note that you must complete these questions in one sitting or "session." The Advisor does not store your answers. If you close your browser or navigate away from the Advisor you will be required to start again from the beginning.

To transition from one screen to the next in the Advisor you must select one of the available answers and click the *Next* button at the bottom of the screen. If you do not make a selection, clicking on *Next* simply will reload the screen—you must select an answer before you can move on. Please note that your results and any external links may open in a new browser window or tab.

For more information on using the Advisor—including advice about compatible screen resolutions and browsers—please see **Advisor Help**. After using the Advisor please **email your feedback to HUD**.



<https://portalapps.hud.gov/CORVID/HUDLBPAdvisor/welcome.html>





# Guidance and Performance Criteria

[https://www.hud.gov/program\\_offices/healthy\\_homes/lbp/hudguidelines](https://www.hud.gov/program_offices/healthy_homes/lbp/hudguidelines)

FIGURE 5.4 Forms of Paint Deterioration



FIGURE 5.4a Peeling paint

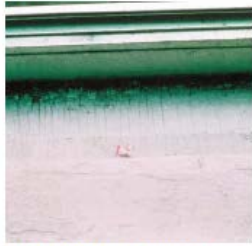


FIGURE 5.4b Alligatoring paint

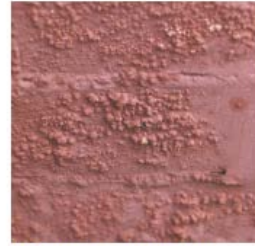


FIGURE 5.4c Blistering paint



FIGURE 5.5 Baseboard showing a de minimis amount of deteriorated paint.



FIGURE 5.7 Impact surface on door and frame.

- HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing
- OLHCHH has published two editions of the Guidelines, a technical manual for lead hazard evaluation and control in federally-assisted housing; cited by EPA in its lead rules as a “documented methodology.”

*Pictures from Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*



# Resources

- HUD Exchange CDBG-DR page:  
<https://www.hudexchange.info/programs/cdbg-dr/>
- HUD Exchange CDBG-MIT page:  
<https://www.hudexchange.info/programs/cdbg-mit/>
- Lead Regulations:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/healthy\\_homes/enforcement/regulations](http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/enforcement/regulations)
- Lead Safe Housing Rule (LSHR) Training:  
<https://www.hudexchange.info/trainings/lead-safe-housing-rule/>



# Q&A







# Thank you!

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## ■ Contact Info

- HUD DRSI Policy Unit, [DRSIPolicyUnit@hud.gov](mailto:DRSIPolicyUnit@hud.gov)
- Kris Richmond, [Kristen.Richmond@icf.com](mailto:Kristen.Richmond@icf.com)
- Clay Lloyd, [William.C.Lloyd@hud.gov](mailto:William.C.Lloyd@hud.gov)
- Karen Griego, [Karen.M.Griego@hud.gov](mailto:Karen.M.Griego@hud.gov)