

Lead based Paint Hazard Tutorial

Bidding and WWU

On April 22, 2008, EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Beginning in April 22, 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. The EPA requires anyone performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes must be an EPA-certified renovator and follow lead-safe work practices. There are some differences between the EPA RRP Rule and the HUD Lead Safe Housing Rule (LSHR).

1. A major difference is that the LSHR requires clearance examinations, while RRP does not. All housing receiving federal assistance must still comply with the LSHR requirements that are outlined throughout the rest of the chapter. However, there are training requirements associated with both RRP and LSHR. Simply being trained for the LSHR requirements is not sufficient.

As a general policy, THDA requires that actual testing be performed on any pre-1978 housing that is eligible for rehabilitation. This testing may be a Lead Hazard Screen, a Risk Assessment, or Paint Inspection, as defined in Section 2 below, performed by a Certified Risk Assessor. The goal of this testing is to determine through testing whether or not LBP exists in the house and whether or not a LBP Hazard exists. The results of this testing and the corrective measures shall be incorporated in the rehabilitation work write-up.

Definitions

ABATEMENT - Any set of measures designed to permanently (at least twenty-years) eliminate lead-based paint or lead-based paint hazards.

CLEARANCE EXAMINATION - An activity conducted following lead-based paint hazard reduction activities to determine that the hazard reduction activities are complete and that no soil- lead hazards or settled dust-lead hazards exist in the dwelling unit or worksite. The clearance process includes a visual assessment and collection and analysis of environmental samples.

INTERIM CONTROLS - A set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paints hazards. Interim controls include, but are not limited to, repairs, painting, temporary containment, specialized cleaning, clearance, ongoing lead-based maintenance activities, and the establishment and operation of management and resident education programs.

LEAD-BASED PAINT HAZARDS - Any condition that causes exposure to lead from dust-lead hazards, soil-lead hazards, or lead-based paint that is deteriorated or present in chewable surfaces, friction surfaces, or impact surfaces, and that would result in adverse human health effects.

LEAD-BASED PAINT INSPECTION - A surface by surface testing of all painted, shellacked, or varnished surfaces to determine the presence or absence of lead.

PAINT TESTING - The process of determining, by a certified lead-based paint inspector or risk assessor, the presence or the absence of lead-based paint on deteriorated paint surfaces or painted surfaces to be disturbed or replaced.

RISK ASSESSMENT - An on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards; and the provision of a report by the individual or firm conducting the risk assessment explaining the results of the investigation and options for reducing lead-based paint hazards.

LEAD SAFE WORK PRACTICES – Lead based paint hazard reduction using approved methods of paint stabilization, occupant protection, specialized cleaning.

Subpart J of Title X deals specifically with rehabilitation. The requirements in regards to lead-based paint are dependent on the cost of the rehabilitation. HUD designates three categories of rehabilitation: property receiving less than or equal to \$5,000; property receiving between \$5,000 and \$25,000; and property receiving more than \$25,000. Costs of site preparation, occupant protection, relocation, interim controls, abatement, clearance and waste handling attributed to lead-based paint hazard reduction are not to be included when determining cost of rehabilitation. *However, these costs, plus the cost of rehabilitation, must not exceed the HOME subsidy limits.* The following is a breakdown of what is required for each of these three categories in pre-1978 units:

**PROPERTIES RECEIVING BETWEEN
\$5,001 AND \$25,000 PER UNIT**

1. Provide the household with a copy of the pamphlet *Protect Your Family From Lead in Your Home* (LBP-1).
2. Conduct paint testing of all of the surfaces of the structure.
3. Perform a risk assessment in the dwelling unit receiving federal assistance and in associated common areas and exterior painted surfaces before rehabilitation begins.
 - a. A *Lead Hazard Screen* may be conducted first to determine whether a full risk assessment is required.

- i. The Lead Hazard Screen is a limited risk assessment activity that involves dust and soil sampling and may include paint testing on deteriorated paint surfaces or surfaces to be disturbed during rehabilitation.

- ii. A full risk assessment must be performed if any part of the Lead Hazard Screen fails.

4. Provide homeowner with a copy of the COMPLETE Risk Assessment, Lead Hazard Screen within 15 days of completion of the report or receipt by the administrator. (Documentation that the homeowner has received the Risk Assessment or Lead Hazard Screen must be maintained the in the project record.)

LEAD-BASED PAINT RISK ASSESMENT REPORT

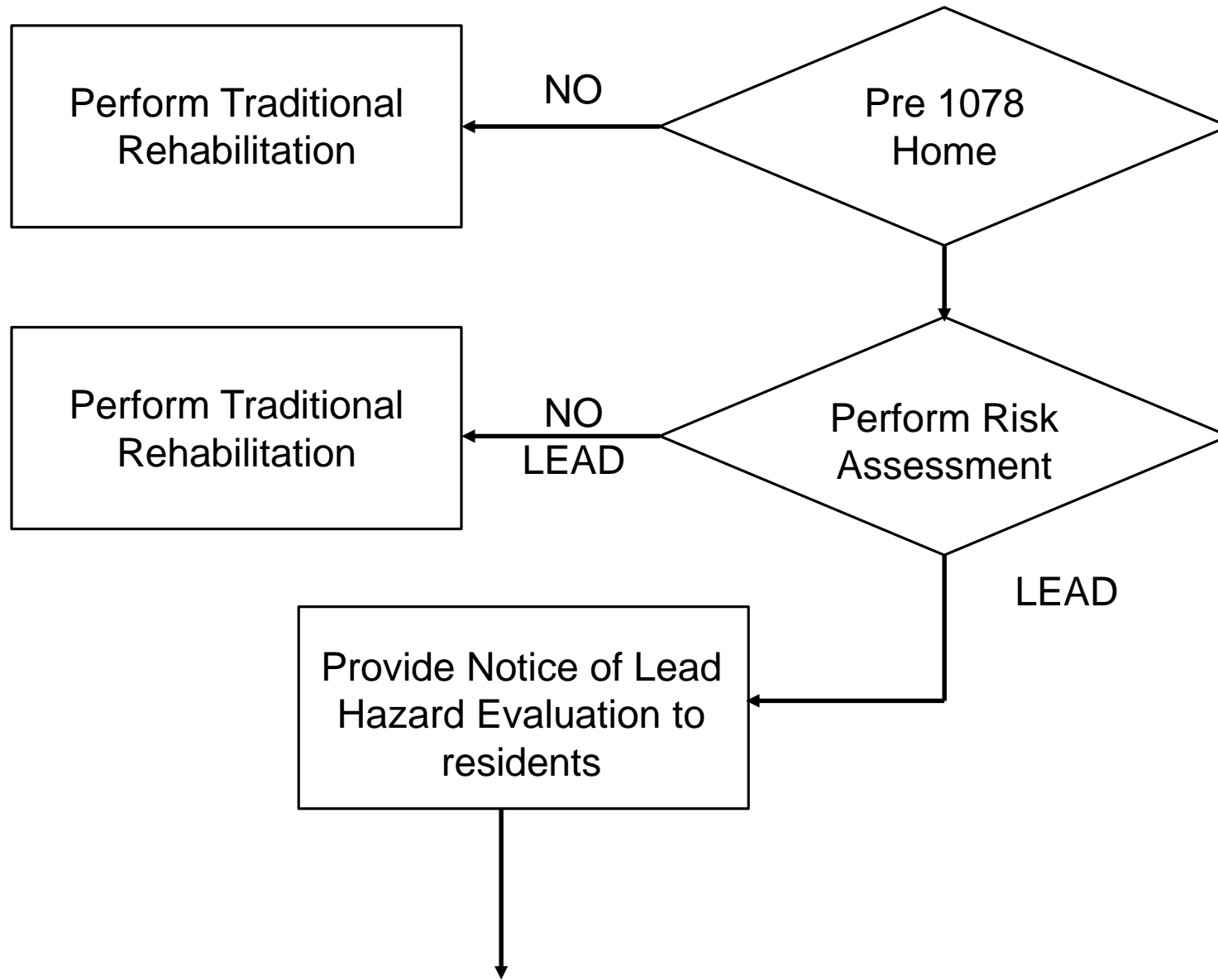


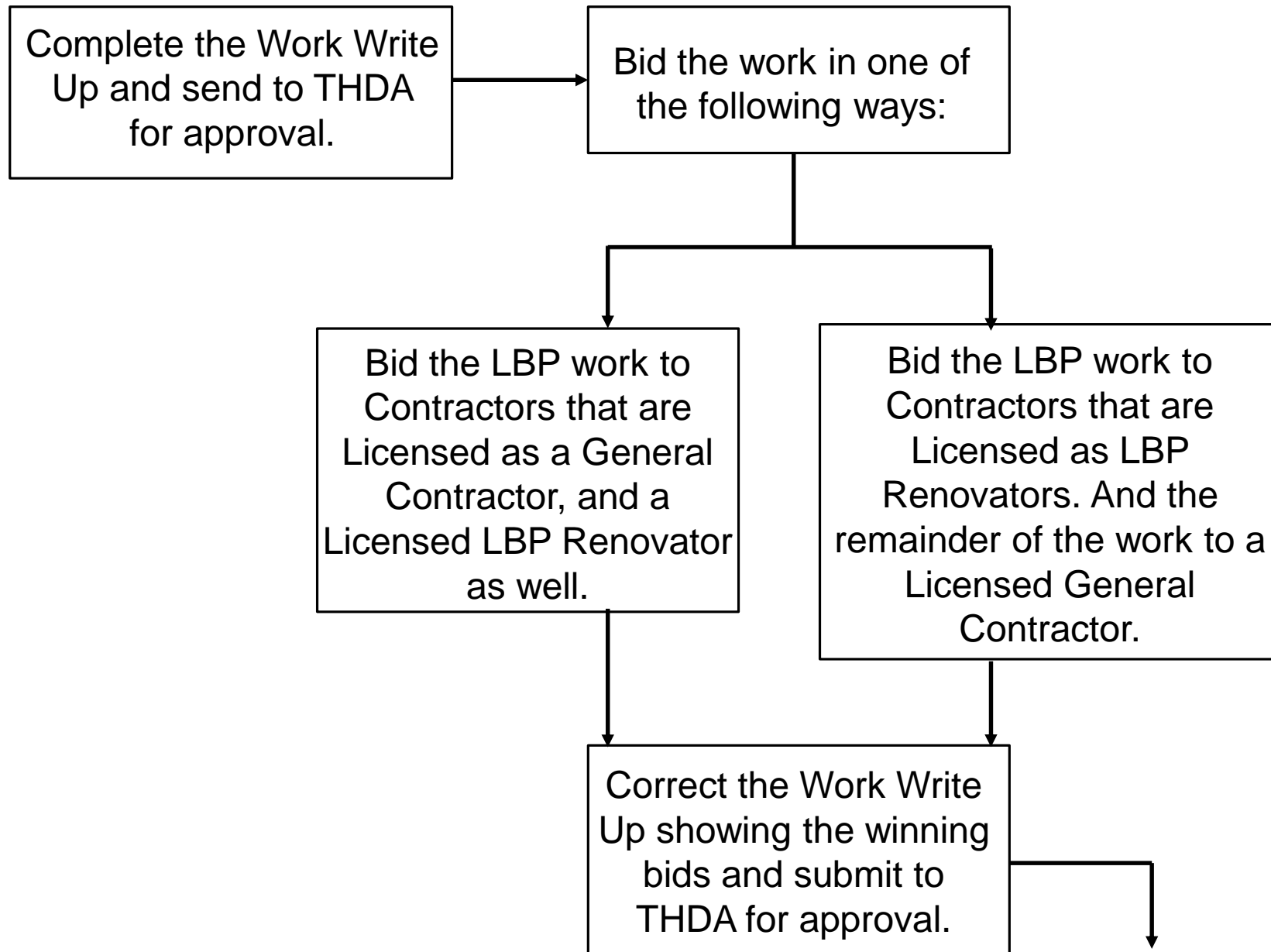
REPORT DATED:
MARCH 29, 2016

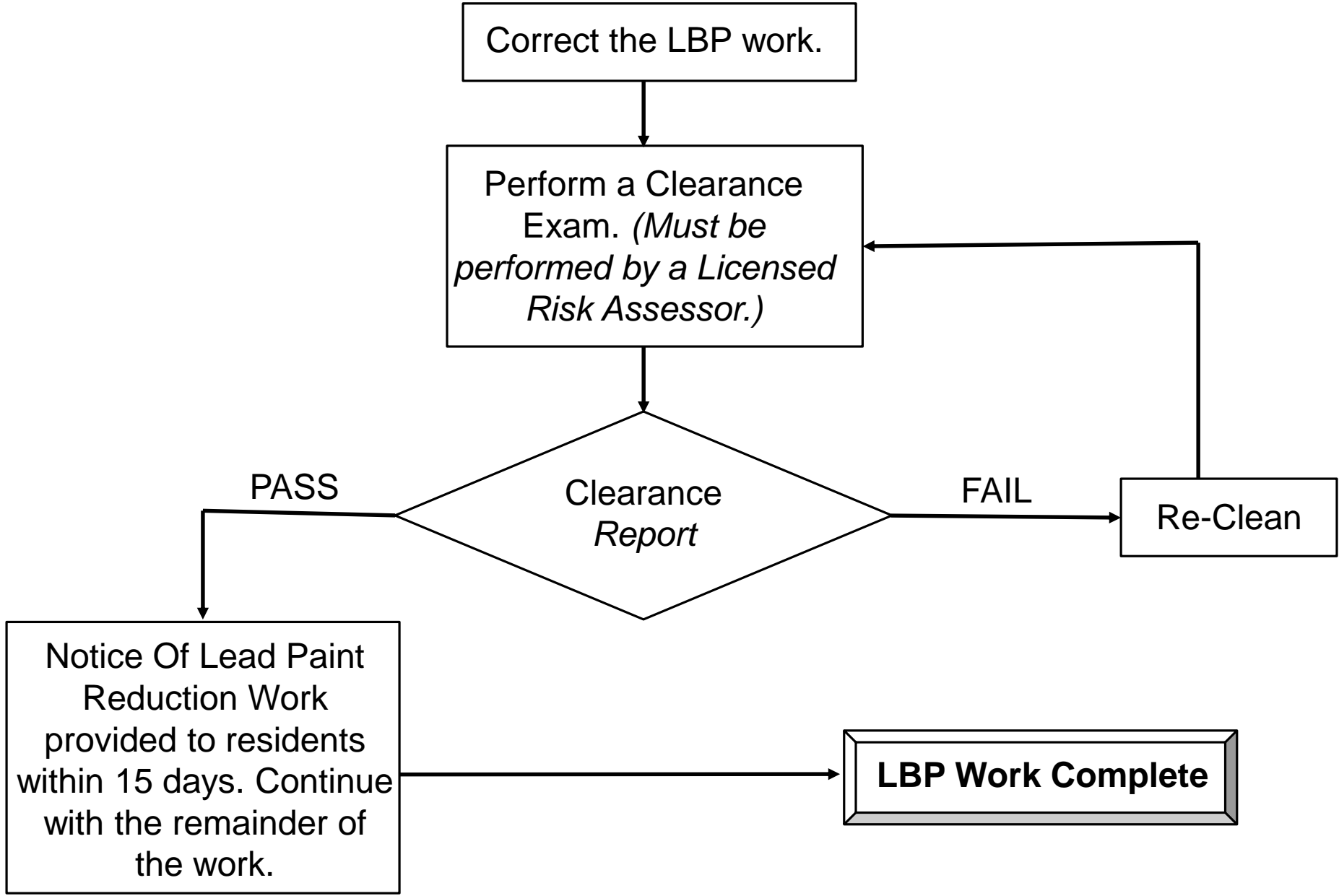
5. Perform interim controls of all lead-based paint hazards identified by the paint testing and risk assessment, as well as lead-based paint hazards created as a result of the rehabilitation work. If interim controls are necessary they must be performed by a person trained in accordance with CFR 1926.59 (Hazard Communication) and either be supervised by an individual certified as a lead-based paint abatement supervisor or have successfully completed one of the following courses: a lead-based paint abatement supervisor or worker course accredited in accordance with 40 CFR 745.225; The Lead-Based Paint Maintenance Program; or The Remodeler's and Renovator's Lead-Based Paint Training Program.

6. After completion of rehabilitation, conduct clearance testing of the entire unit and common areas.

7. Provide the household with a copy of the COMPLETE Clearance Report within 15 days of completion of the hazard reduction activity or receipt by the administrator of the clearance report. (Documentation that the homeowner has received the complete Clearance Report must be maintained in the project record.)







**PROPERTIES RECEIVING MORE THAN
\$25,000 PER UNIT**

1. Provide the household with a copy of the pamphlet *Protect Your Family From Lead in Your Home* (LBP-1).
2. Conduct paint testing of all of the surfaces of the structure.
3. Perform a risk assessment in the dwelling unit receiving federal assistance and in associated common areas and exterior painted surfaces before rehabilitation begins.
 - a. A *Lead Hazard Screen* may be conducted first to determine whether a full risk assessment is required.

- i. The Lead Hazard Screen is a limited risk assessment activity that involves dust and soil sampling and may include paint testing on deteriorated paint surfaces or surfaces to be disturbed during rehabilitation.

- ii. A full risk assessment must be performed if any part of the Lead Hazard Screen fails.

4. Provide homeowner with a copy of the COMPLETE Risk Assessment, Lead Hazard Screen within 15 days of completion of the report or receipt by the administrator. (Documentation that the homeowner has received the Risk Assessment or Lead Hazard Screen must be maintained the in the project record.)

LEAD-BASED PAINT RISK ASSESMENT REPORT



REPORT DATED:
MARCH 29, 2016

5. **Abate** all lead-based paint hazards identified by the paint testing and risk assessment, as well as lead-based paint hazards created as a result of the rehabilitation work. Perform abatement on all painted surfaces. **All abatement work must be performed by a Certified Abatement Contractor.**

7.1 Abatement strategies include the removal of lead-based paint. There are five basic methods of abatement for components that contain lead-based paint:

1. **Component replacement** – The removal of building components that contain lead-based paint.
2. **Paint removal** – The separation of paint from the substrate using safe heat, chemical, or abrasive methods. It is the least preferred method and requires the greatest care and most careful clean-up. It is most appropriate for small surfaces.

3. Enclosure – The installation of a barrier (such as paneling) that is mechanically attached to the building component, with all edges and seams sealed to prevent the escape of lead-based dust. It is appropriate for large surfaces such as walls, ceilings, floors and exteriors.

4. Encapsulation – Involves a liquid or adhesive material that covers the component and forms a barrier that makes the lead-based paint surface inaccessible by relying upon adhesion. It is most appropriate for most kinds of smooth surfaces but cannot be used effectively on friction surfaces, surfaces in poor condition, or surfaces that may become wet. It must also be compatible with the existing paint.

5. Soil Abatement – Includes removal of at least the top six inches of soil but may go to two feet in areas with heavy contamination; and paving the contaminated soil with high quality concrete or asphalt.

7.2 All abatement strategies require worksite preparation, cleanup, waste disposal, clearance testing, recordkeeping and monitoring.

In the State of Tennessee that means that the contractor must have had the specified training and testing to be eligible to be placed on the Tennessee Department of Environment and Conservations approved list of Certified Abatement Contractors.

The FIRM list can be found on the TDEC Website
at:

https://www.tn.gov/content/dam/tn/environment/solid-waste/documents/sw_lead-hazard_certified-firm-list.pdf



State of Tennessee
Department of Environment and Conservation
Division of Solid Waste Management - Toxic Substances Program
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 14th Floor
Nashville, TN 37243

Certified Firm List - Lead Based Paint Abatement Program

State of Tennessee Certified Firm List for Lead Based Paint

1-888-771-5323 615-532-0794

AABLE ENVIRONMENTAL INSPECTORS, LLC

FTN-2000-37

4531 TOMBEE COURT

MURFREESBORO TN 37128

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EXPIRES: 9/27/2017

AAT ENVIRONMENTAL, INC.

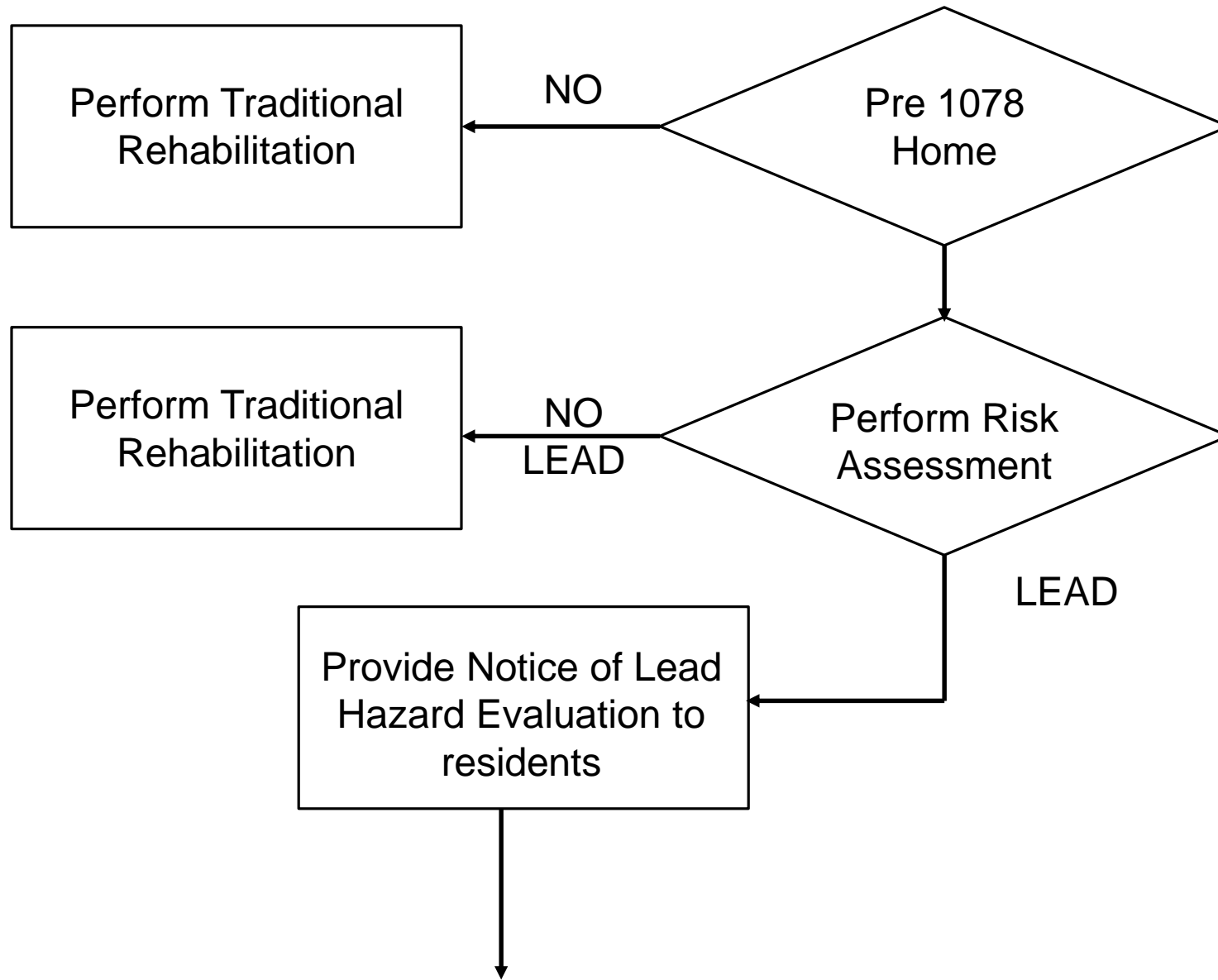
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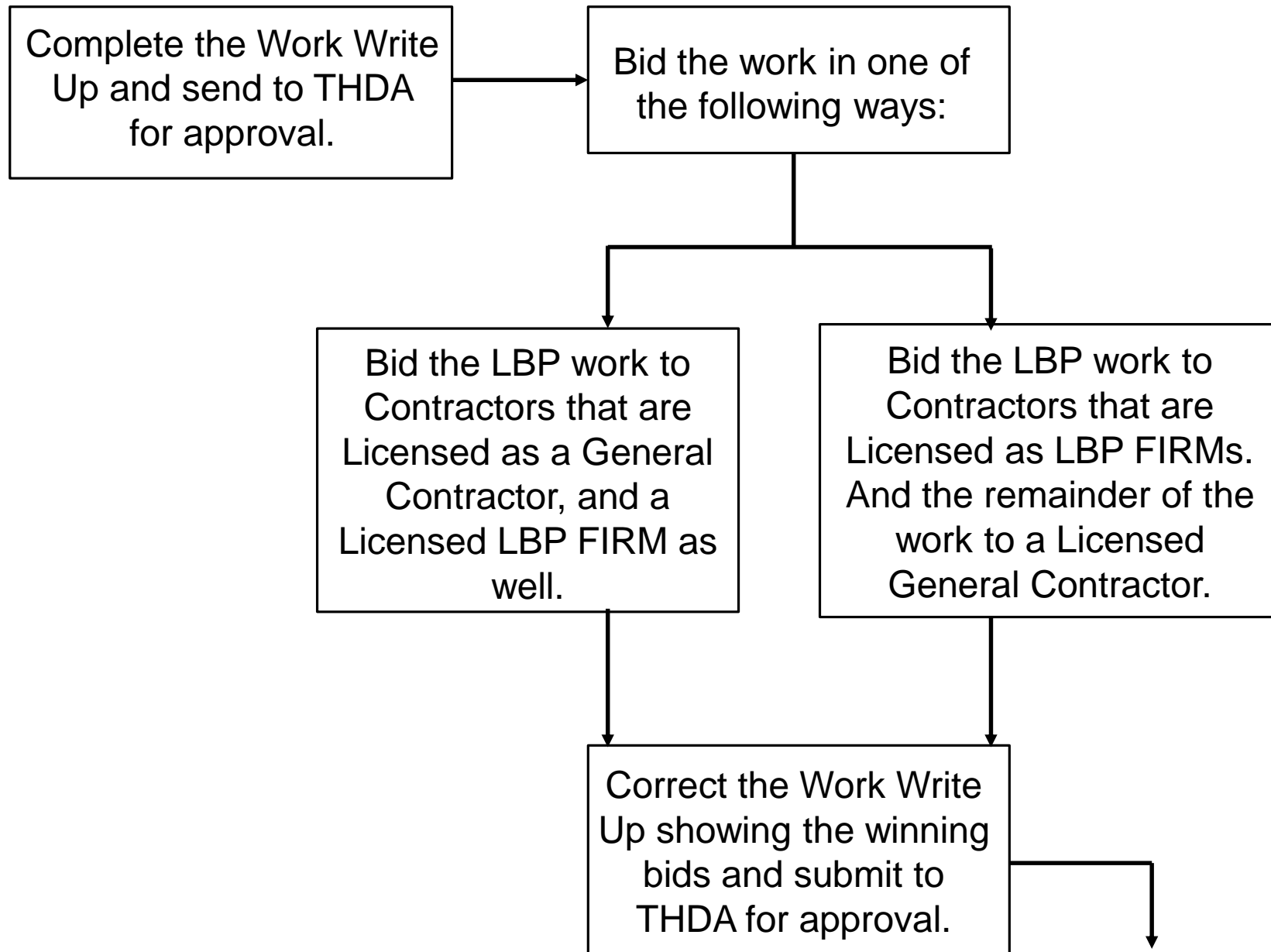
2515 BURGESS STREET

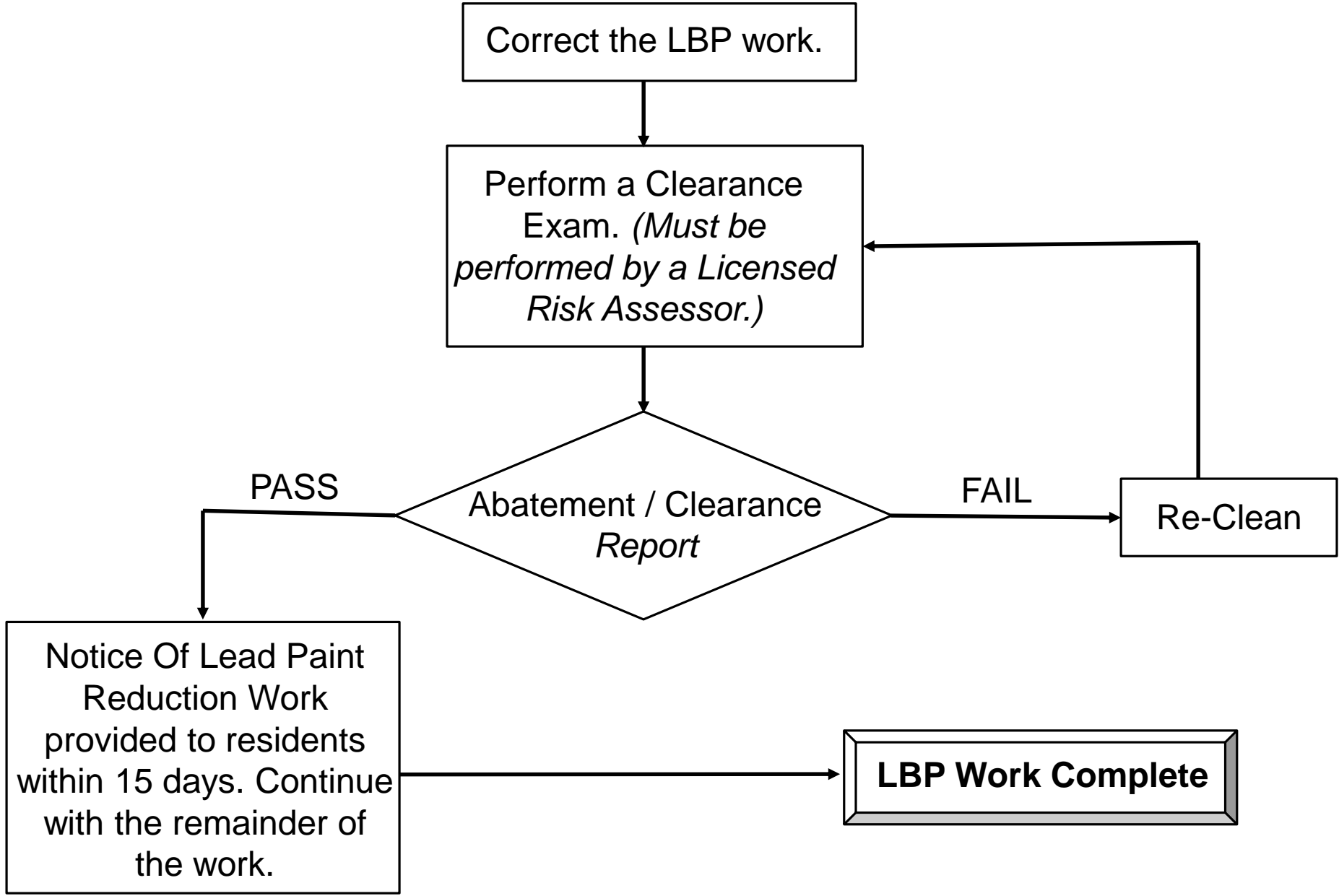
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6. After completion of rehabilitation, conduct clearance testing of the entire unit and common areas.

7. Provide the household with a copy of the COMPLETE Clearance Report within 15 days of completion of the hazard reduction activity or receipt by the administrator of the clearance report. (Documentation that the homeowner has received the complete Clearance Report must be maintained in the project record.)







All homes to receive funds for rehabilitation built prior to 1978 must have a Lead Based Paint Assessment performed. Any LBP Hazard(s) included within the LBP Risk Assessment must be included in within the Work Write Up (Form HO-6A). The cost estimate for the work shall be listed separately from the rehabilitation costs on that form.

All homes having a Lead Based Paint Assessment performed must notify the Tennessee Department of Environment and Conservation 15 days prior to beginning any LBP work. TDEC provides a form on their website for making this notification.

After ALL lead based paint work has been completed, there must be a follow up inspection to show that the home is now clear of all the lead issues that was identified in the LBP Risk Assessment. The final report shall be a Lead Based Paint Clearance Letter, signed by a licensed LBP Risk Assessor. This letter must be received and approved by THDA prior to the making of the Final Payment to the Grantee.

If you have further questions, please feel free to contact

**Dwayne Hicks at 615-815-2044
Or Bill Lord at 615-815-2018**