

SUMMARY OF THE LEAD BASED PAINT REGULATIONS FOR UNITS BUILT BEFORE 1978

This notice is to inform you of your responsibilities as a Participating Section 8 Landlord. The Lead Safe Housing Rule is designed to protect you, your employees and your tenants from lead poisoning.

The regulations set hazard reduction requirements that give much greater emphasis to reducing lead in house dust and thereby reduce the exposure to young children. The Housing Authority, as part of its regular initial or annual inspection process, will conduct a visual evaluation of the interior and exterior painted surfaces including common areas, stairways, boundary fences and garages during the inspections of the rental property.

The inspector will look for *any signs of deteriorated paint such as peeling, chipping, chalking or cracking, of any paint or coating located on the interior or exterior surface that is otherwise damaged or separated from the substrate.* The Paint conditions will be *identified* with either *“over or under”* the *“De Minimis levels”* to help you determine how you must take care of the paint deficiencies according to the HUD regulations.

If deteriorated paint is found, and the dwelling unit was built before 1978 and is occupied (or intended to be occupied) by a child under age six years of age (including day cares) or by a pregnant household member, the HUD regulations require the owner to perform paint stabilizations using *lead safe work practices*.

De Minimis Levels: Lead Safe work practices and clearance are required when maintenance and hazard reduction activities disturb painted surfaces that total more than (a) 20 square feet on exterior surfaces (this is an area about 4 feet 6 inches on each side); (b) 2 square feet in any one room or space (this is a square about 17 inches on each side); or (c) 10 percent of the total surface area on an interior or exterior component with a small surface area such as window sills and trim

The following requirements must be met if your unit was found to have defective paint above the “De Minimis” Levels:

- ❑ All interior and exterior deteriorated paint must be stabilized, encapsulated, or removed. And where paint is removed, the area must be repainted.
- ❑ Damaged substrate surfaces must also be repaired.
- ❑ This person must have successfully completed the Remodeler’s and Renovator’s Lead-Based Paint Training Course. This work also involves the use of specialized equipment such as a HEPA Vacuum, and respirator.
- ❑ Paint stabilization must be done by an individual or company who has successfully completed a certified EPA, HUD renovation training course or refresher course if applicable.
- ❑ The company and or individual conducting the repairs must be trained to use lead–safe work practices. In addition they must have proof of **“Firm”** certification from the EPA and or State to conduct renovation repairs. (*Effective April 22, 2010 EPA- Renovation, Repair and Painting Rule- RRP*).
- ❑ The pamphlet Renovate Right must be provided to the occupants and a signed pre-renovation form and appropriate record keeping checklist must be kept.
- ❑ The Owner must ensure and certify that paint stabilization was conducted using safe work methods including, occupant protection, and work site preparation and clean up. They include but are not limited to such practices as closing off the area with plastic sheeting, protecting workers, and cleaning the area thoroughly before allowing the Section 8 client back into the affected area.
- ❑ Upon completion of the repairs the unit must pass a clearance examination. This includes a visual assessment of the work area for signs of defective paint and any debris. It may also include surface wipe sampling and laboratory analysis if applicable to determine the presence of lead dust on floors, windowsills and troughs. The Housing Authority will conduct the Clearance Testing. If the work site was not properly contained, then the entire unit must pass clearance. If the work area was properly sealed off, testing can be conducted on the work site and area immediately outside the containment.
- ❑ The owner must provide notification to the occupants in writing of the hazard reduction activities and the result of the clearance examination or any other testing that was completed on the unit.
- ❑ The owner must conduct ongoing monitoring and maintenance of the unit to prevent lead hazards.
- ❑ The Housing Authority may exempt from such treatment defective paint surfaces that are found in a report prepared by a State Certified Lead-Based Paint Risk Assessor or Lead Paint Inspector **not to be lead based paint**. (Test kits are **not** allowed).

Everett Housing Authority strongly urges landlords to regularly inspect their property. A good owner maintenance program is the easiest solution to prevent paint problems from occurring. In our continued effort to partner with landlords, Everett Housing Authority is committed to making this process as efficient as possible and will assist in providing information and resources to you at your request.

HUD STANDARDS FOR STABILIZING DETERIORATED PAINT

During the initial and annual inspection the Housing Authority will visually inspect the unit for deteriorated paint. This notice will provide directions on how to complete paint stabilization if the unit was built before 1978 and is expected to be or is occupied by a family with a child less than 6 years of age.

- **Loose, peeling or cracking paint may contain lead and therefore poses a serious health hazard for children under the age of 6 years.**

1. TIME FRAME FOR REPAIRS

- Paint stabilization must be completed prior to occupancy.
- In case of an annual inspection, paint stabilization must be completed within 30 days of notification of deteriorated paint.
- Failure to complete paint stabilization within the designated time frame will result in housing assistance payments being abated or terminated.

2. EPA RENOVATION RULE

- You must distribute the EPA Pamphlet Renovate right and obtain client signatures.

3. SAFE TREATMENT METHODS

- **Deteriorated surfaces:** Any physical defect on a painted surface must be repaired before treating the surface.
- **Remove Loose Paint:** All loose paint or other loose material should be removed from the surface to be treated.
- **Apply New Paint:** Paint stabilization includes the application of a new protective coating of paint. The surface must be dry and protected from future moisture damage before applying new protective coating or paint.

4. SAFE TREATMENT METHODS

- Wet scraping or sanding
- Chemical stripping on or off site
- Replace painted components
- Scraping with an infrared or coil – type heat gun with temperatures below 1,100 degrees F
- HEPA vacuum sanding
- HEPA vacuum needle gun ; and
- Abrasive sanding with HEPA vacuum
- Covering of defective paint surfaces with durable materials such as wallboard or vinyl siding with joint sealed and caulked

5. PROHIBITED METHODS

- Open flame burning or torching
- Machine sanding or grinding without HEPA local exhaust
- Abrasive blasting or sandblasting without HEPA exhaust
- Heat guns operating above 1,100 degree F or charring pt.
- Dry scraping or dry sanding except in conjunction with heat guns or within 1 foot of electrical outlets
- Paint stripping in a poorly ventilated space using a volatile stripper that is a hazardous substance.

6. PROTECTIVE COATING

- Apply a new protective coating or paint over area(s) that had the paint removed.

7. DE MINIMUS LEVELS

Specialized training is required when paint stabilization disturbs painted surfaces that are above the following “*De Minimis Levels*”:

- 20 sq. ft. on exterior surface

- 2 sq. ft. in any one interior room or space.
- 10 % of total surface area on an interior or exterior component with a small surface area. Examples: Window Sills and baseboard trim.

8. TRAINING AND SUPERVISION

Use properly trained and certified companies or individuals when performing any operation beyond the de minimus levels.

- The individual performing the paint stabilization must be trained in accordance with OSHA’s Hazard Communication regulations (29CFR 1926.59).

The individual must have met one of the following:

- A certified abatement supervisor supervises the work of the individual performing the paint stabilization.
- The supervisor has successfully completed an accredited abatement supervisor course.
- The certified renovator may be a certified lead based paint abatement supervisor who has completed the 4- hour Remodelers and Renovators refresher course.
- The individual has successfully completed an accredited lead-based paint abatement worker course.
- The individual has successfully completed the Lead-Based Paint Maintenance Training Program developed by the National Environmental Training Association of the Remodeling Industry.

- The individual has successfully completed the Remodeler's and Renovator's Lead-Based Paint Training Program Developed by HUD and the National Associated of the Remodeling Industry

New training requirements from EPA effective April 2010- Renovation, Repair and Painting Program Rule (RRP). You must have the following:

- Those individuals who had prior certification from one of the above listed courses must complete the 4- hour Remodelers and Renovators refresher course or attend the full 8 hour renovator course.
- The **individual** or **company** must be certified as a **FIRM** with the EPA or State.

9. SAFE WORK PRACTICES AND OCCUPANT PROTECTION

The following safe work practices help minimize and control the spread of lead-contaminated dust and debris while protecting workers and residents from exposure to lead:

- Cover yourself; wear eye protection, a respirator and proper clothing.
- Cover the ground; seal off vents and doorways with poly sheeting.

Tenants shall not be permitted to enter the work site during stabilization.

- Personal belonging should be relocated and covered.
- Soil and playground equipment must be protected from contamination during treatment.
- Waste and debris must be disposed of in accordance with all State and Local law.

10. CLEANING

- The work site must be thoroughly cleaned to remove lead-based paint dust.

- Clean by washing surfaces with a lead specific detergent or its equivalent.
- Vacuum cleaners with HEPA (High Efficiency Particulate Accumulator) filters should be used during cleanup.
- Waste and Debris must be disposed of properly.

11. CLEARANCE REPORT

A Clearance Examination is the last step of paint stabilization and includes the following:

- A Visual assessment of the treatment.
- Collection of dust samples.
- A certified lead paint inspector or risk assessor or certified clearance technician must conduct clearance.
- Clearance exams are not required when deteriorated paint is less than the "*De Minimis Levels*".

12. NOTICE TO OCCUPANTS

- A clearance report must be prepared by a certified clearance examiner and provided to the tenant within 15 days of the completion of the lead hazard reduction activities.
- The Housing Authority will require a copy of this notice for the tenant file.
- The unit must pass clearance and the form must be signed and returned to the Housing Authority before unit can pass inspection.

13. MAINTENANCE

You must institute ongoing maintenance of painted surfaces and safe work practices.

- Once a year, visually assess painted surfaces to identify deterioration.

- Stabilize any deteriorated paint.
- Use safe work practices.

14. ENVIRONMENTAL INTERVENTION BLOOD LEVEL (EIBL) CHILDREN

- Special procedures are required if a child under the age of 6 years residing in a subsidized unit is identified with an EIBL (Lead Poisoning). When you become aware of this situation, immediately contact the Housing Authority and your Local Health Department.

15. EXEMPTIONS

The Housing Authority may exempt from such treatment defective paint surfaces that are found in a report prepared by a certified Lead-Based inspector not to be lead-based.

16. RESOURCES

Information on certified lead based paint inspectors is available on the State of Washington's website:

www.commerce.wa.gov search: Lead Paint Training- Washington Certified Firms. The Housing Authority will also provide this list to you at your request.

National Lead Information Center 1-800-424-lead or visit their web site www.epa.gov/lead/nlic.htm

EPA Repair and Painting rule effective April 22, 2010.

www.epa.gov/lead/pubs/renovation

Contact the HUD Office of Healthy Homes and Lead Hazard Control 202-402-7698. Or visit their Web site at www.hud.gov/offices/lead

E-mail at lead_regulations@hud.gov.

For EPA regulations visit www.epa.gov

National Center for Lead Safe Housing 410-992-0712 or visit their web site at www.leadshousing.org

LEAD PAINT OWNER'S CERTIFICATION HOUSING CHOICE VOUCHER PROGRAM

The undersigned hereby certifies that the property located at: **(complete address of unit: city, state, zip and apartment number)**

Tenant Name: (Please Print) _____

Is in compliance with all Housing Quality Standards (HQS) requirements related to lead-based paint as indicated below.

(You must mark all the appropriate boxes)

Results of hazard evaluation:

- The described property, including dwelling units, common areas and exterior painted surfaces, has been found to be free of lead-based paint by a certified lead-based paint inspector or risk assessor. The lead-based paint inspector's report is either attached or has already been provided to the Housing Authority.
- A certified lead-based paint inspector inspected the described property and lead-based paint was identified.
- All lead-based paint identified by a certified LBP inspector has been removed from the property, and the reports of the lead-based paint inspector and the certified lead-based paint abatement supervisor is attached or has already been provided to the Housing Authority.
- Ongoing lead-based paint maintenance activities have been incorporated into regular building operations in accordance with 24CFR 35.1355(a). This includes monitoring and stabilizing any defective paint.
- Corrective action to address **lead-based paint hazards** at the described property that were required by the PHA to meet HQS have been completed in accordance with all requirements established by 24 CFR Part 35, including: (List interim controls)

Pre-renovation requirements:

- The work was completed by person(s) trained to conduct lead-hazard reduction activities or was supervised by a certified lead-based paint abatement supervisor. Must be EPA or State Certified as a Firm.
- The tenants were properly notified of pre-renovation- and were provided the pamphlet renovate right. **Attach signed copy of pre-renovation form.**

Occupant protection:

- The lead hazard work site was properly prepared and maintained during the course of the work. **Attach signed checklist.**
 - Occupants of the dwelling unit(s) and their belongings were protected during the course of the work.

Clearance and notification:

- A person certified to conduct clearance examination performed a clearance test and the results indicate that clearance was achieved. The clearance report is either attached to this certification form or has already been provided to the Housing Authority.
- Occupants have been properly notified of the results of any lead-based paint hazard evaluation and reduction, including the results of the clearance examination. Please provide a copy of tenant notification with this form. **Attach Notice**

Owner's Signature: _____ **(or) Agent Signature:** _____

Type or Print Name: _____ **Date** _____

Lead Hazard Evaluation Notice and Summary of Completion of Lead-Based Paint Hazard Reduction Activities

Address/Location of property or Structure(s) this summary notice applies to:

Evaluation Activities

Types of evaluation: Paint Inspection Paint Testing Risk Assessment Date _____

Summary of results of Paint inspection or Paint Testing:

- lead-based paint was found
- No- Lead based paint found

Summary of Risk Assessment

- Lead Based paint hazards were found
- No lead based paint hazards were found

Name of company performing evaluation _____

Address _____

City _____ State _____

Phone _____

Summary of hazard reduction activity

Date Activity Began: _____ Date activity Completed: _____

Activity Locations and types: List at least the housing unit numbers and common areas (for multifamily housing), bare soil locations, dust lead locations, and or building components (including type of room or space, and the material underneath the paint), and the types of hazard reduction activities performed at the location listed:

Locations of building components with lead-based paint remaining in the rooms, spaces or areas where activities were conducted:

If no lead testing of painted surfaces has been conducted, please check here _____.

Summary of results of clearance testing and soil analyses:

- Clearance Testing showed clearance was achieved.
- Dust analysis was required : Yes__ No__
- Clearance Testing showed clearance was not achieved.
- Visual assessment and clearance was achieved.
- Date of Clearance _____

Contact Person for more information about the hazard reduction activities:

Printed Name: _____

Organization: _____

Street and city: _____

State: _____ Zip: _____ Phone # () _____

Person who prepared this Summary Notice:

Date: _____

Printed Name: _____

Organization: _____

Street and city: _____

State: _____ Zip: _____ Phone # () _____

Signature _____

Checklist

Owner Name (Please Print) _____

Name of firm _____

Location of Renovation address of unit: _____

Brief Description of Renovation: _____

Name of Assigned Renovator: _____

Name(s) of Trained Workers, if used: _____

Date activity Began: _____

Date activity ended: _____

Name of Dust Sampling Technician, Inspector, or Risk Assessor, if used: _____

Please mark appropriate boxes and attach supporting documentation

- Copies of renovator training certificates and firm certifications are attached.
- A lead based paint inspection was conducted by a certified lead based paint inspector or risk assessor?

Yes ___ No ___ If yes, was lead identified? Yes ___ No ___ list locations:

(Test kits are not allowed under the HUD Lead Safe Housing Rule).

- Warning signs were posted at entrance to work area.
- Work area was contained to prevent spread of dust and debris
- All objects in the work area were removed or covered (interiors)
- HVAC ducts in the work area were closed and covered (interiors).
- Windows in the work area were closed (interiors).
- Windows in and within 20 feet of the work area were closed (exteriors).
- Doors in the work area were closed and sealed (interiors).
- Doors in and within 20 feet of the work area were closed and sealed (exteriors).
- Doors that must be used in the work area were covered to allow passage but prevent spread of dust.
- Floors in the work area covered with taped-down plastic (interiors).
- Ground covered by plastic extending 10 feet from work area—plastic anchored to building and weighted down.
- If necessary, vertical containment installed to prevent migration of dust and debris to adjacent property (exteriors).
- Waste was contained on-site and while being transported off-site and the work site was properly cleaned after renovation.
- The paint chips and debris were picked up; protective sheeting misted, folded dirty side inward, and taped for removal.
- Work area surfaces and objects were cleaned using HEPA vacuum and or wet cloths or mops (interiors).
 - If dust clearance testing was performed, attach a copy of report.
 - I certify under penalty of law that the above information is true and complete.

Name and Title: _____

Date: _____

Pre- Renovation Form

Occupant Confirmation for tenant Occupied Dwellings Only

Pamphlet Receipt:

___ I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

Tenant Signature

Date

Renovator's Self Certification Option (for tenant-occupied dwellings only)

Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

___ **Declined** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

___ **Unavailable for signature** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how pamphlet was left). _____

Printed Name of Person Certifying Delivery

Attempted Delivery Date

Signature of Person Certifying Lead Pamphlet Delivery

Unit Address

City

Zip

Note Regarding Mailing Option — As an alternative to delivery in person, you may mail the lead hazard information pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation. Mailing must be documented by a certificate of mailing from the post office.