

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