



# **New HUD Lead-Based Paint Regulations**



**Prepared by  
Office of Lead Hazard Control  
U.S. Department of Housing and Urban Development**



## Note to Audience

---

- **This presentation was developed by the HUD Office of Healthy Homes and Lead Hazard Control to assist others in understanding the structure and requirements of HUD's new lead-based paint regulations which cover Federally assisted housing and Federally owned housing which is being sold.**
- **Users should ensure they have read and understand the actual regulation.**



# Why is LBP a Concern?



Childhood lead poisoning is  
*“a major, preventable environmental health  
problem.”*

CDC, 1997

- About 890,000 children have Elevated Blood Lead levels above CDC limits
- Irreversible health effects
- Brain and nervous system damage
- Reduced intelligence
- Learning disabilities



## Myths about LBP

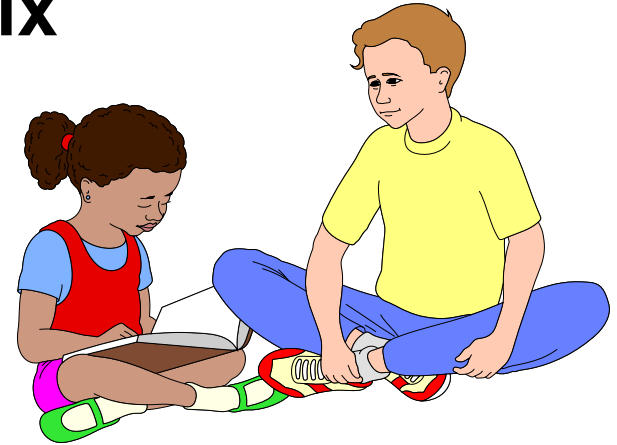
---

- **Children must eat paint chips to be poisoned**
- **Only inner-city children are at risk**
- **It is more hazardous to treat LBP than to leave it alone**
- **Addressing Lead-Based Paint is an all-or-nothing proposition**
- **It costs too much**
- **Lead is everywhere, paint is only a small part of the problem**



# Who is most at risk?

- Children under the age of six
- Pregnant women
- Workers





# LBP in Housing - Overview

- Over 60 million homes built before 1978 contain Lead-Based Paint (LBP)
- 20 million homes with LBP hazards
- 4 million homes with LBP hazards have a young child
- 400,000 homes with a young child are in poor condition **and** lack the funds to correct hazards

Regulation Preamble



# LBP in Residential Housing

- **Over 60 million homes built before 1978 contain lead-based paint**
- **Some homes are more prone to LBP hazards**
  - ◆ Older, pre-1960 units
  - ◆ Poor condition
  - ◆ Unsafe renovation or maintenance
  - ◆ Exterior contaminated soil





# Presentation Overview

---

- **Legislation and regulations**
- **Disclosure**
- **New HUD Regulation**

## **Section 1012/1013 of Title X**

- ◆ Introduction and Regulation Structure
- ◆ Evaluation and hazard control requirements
- ◆ Program requirements
- ◆ Implementation





## Legislation

- **Lead-Based Paint Poisoning Prevention Act of 1971**
- **Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X)**
  - ◆ Section 1012/1013 of Title X

**“To reduce the threat of childhood lead poisoning in housing owned, assisted, or transferred by the Federal Government.”**

**Section 1003, Title X**



# Lead Regulations

---

- **Housing and Urban Development (HUD)**
  - ◆ Housing and health
- **Environmental Protection Agency (EPA)**
  - ◆ Environment and health
- **Occupational Safety and Health Administration (OSHA)**
  - ◆ Workplace safety and health
- **Consumer Product Safety Commission (CPSC)**
  - ◆ Lead in consumer products



# HUD Lead Regulations

---

- **Disclosure of Known Lead-Based Paint and LBP Hazards (1996)**
  - ◆ Published jointly with EPA
  - ◆ Pre-1978 housing
- **Notification, Evaluation and Reduction of Lead-Based Paint Hazards (1999)**
  - ◆ Covers pre-1978 housing receiving Federal assistance and Federally owned housing being sold
  - ◆ Revises and consolidates existing HUD regulations



# EPA Lead Regulations

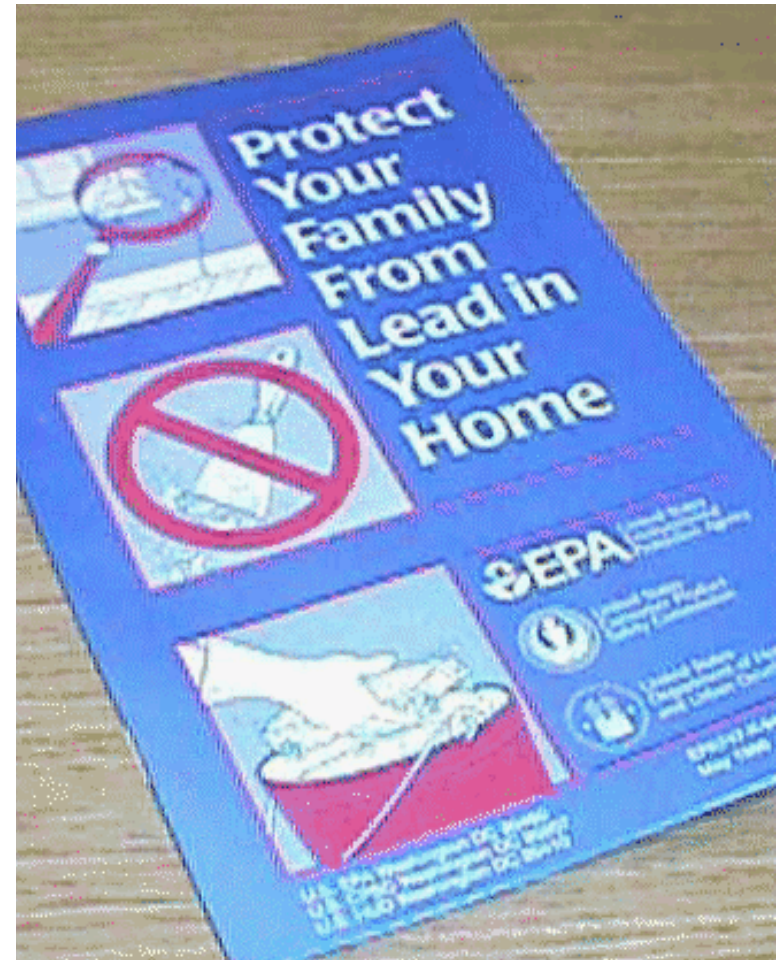
---

- **Disclosure of Known Lead-Based Paint and LBP Hazards (HUD & EPA - Final - 1996)**
- **LBP Activities in Target Housing and Child-Occupied Facilities (Final - 1996)**
  - ◆ Certification and work practices
  - ◆ State certification programs
- **Pre-Renovation Education (Final - 1998)**



# Disclosure Regulation

- Most pre-78 housing at sale or lease
  - Public and privately owned housing
  - Requires
    - ◆ Free educational pamphlet
    - ◆ Warning statement in contract
    - ◆ Disclosure of known LBP or LBP hazards
    - ◆ All available information
    - ◆ Opportunity for testing
- 24 CFR 35 and 40 CFR 745**

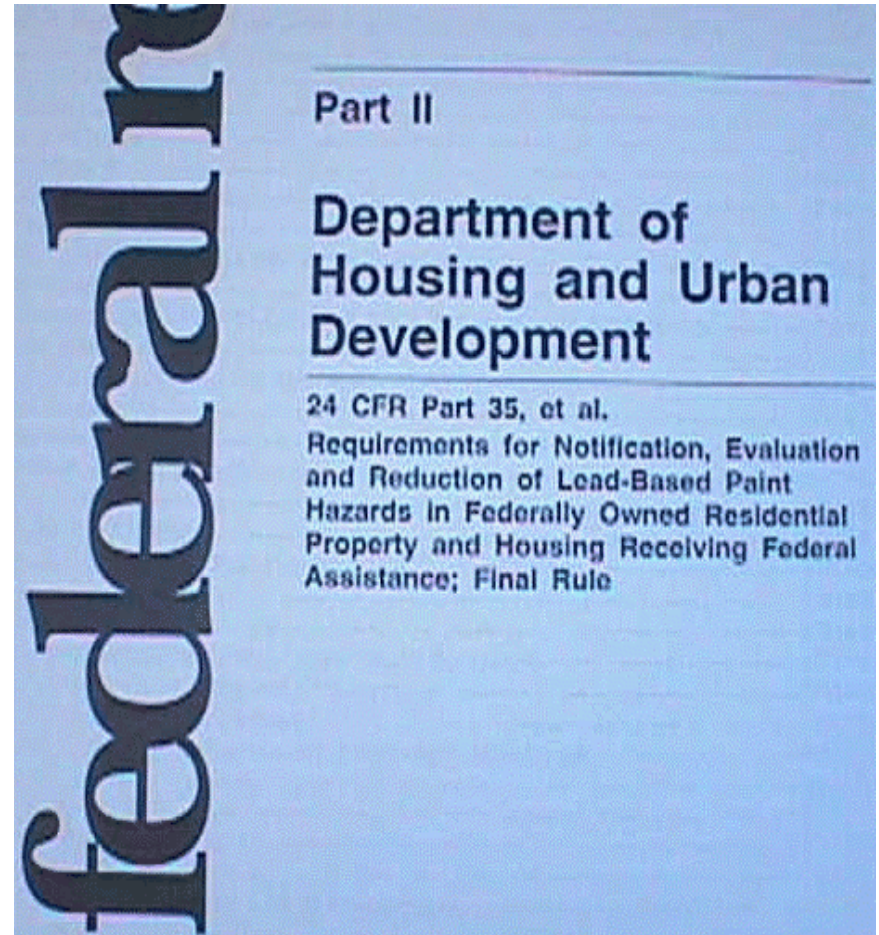




# HUD's 1012/1013 Regulation

- Pre-1978 housing receiving HUD or other Federal assistance
- Pre-1978 Federally owned housing being sold
- Requirements
  - ◆ Lead Hazard Control based on program
  - ◆ Required activities vary by type of assistance
- Effective September 15, 2000

24 CFR 35 B-D, F-M, R





# Hazard Control Strategies

- **Strategies vary in stringency, cost, and durability, considering the statute, and:**
  - ◆ Amount, type and duration of HUD assistance
  - ◆ Age of housing
  - ◆ Occupants (rental or owner-occupied)
  - ◆ Regulation Preamble

**As HUD involvement increases with a residential property, the responsibilities to protect children and families increase.**



# Strategies for HUD Programs

---

- **Seven strategy levels**
  - ◆ Safe Work Practices during Rehabilitation
  - ◆ Ongoing LBP Maintenance
  - ◆ Visual Assessment and Paint Stabilization
  - ◆ Risk Assessment and Interim Controls
  - ◆ LBP Inspection, Risk Assessment and Interim Controls
  - ◆ Risk Assessment and Abatement of LBP hazards
  - ◆ LBP Inspection and Abatement of all LBP





# Strategies

---

- **Safe Work Practices during Rehabilitation**
  - ◆ Prevents low-cost rehabilitation from creating LBP hazards
  - ◆ Worksite clearance
- **Ongoing LBP Maintenance**
  - ◆ When a continuing HUD relationship exists
  - ◆ Paint maintenance
  - ◆ Includes Safe Work Practices
  - ◆ Worksite clearance



# Strategies

---

- **Visual Assessment, Paint Stabilization, and Clearance**
  - ◆ Provide housing without deteriorated paint
  - ◆ Ongoing LBP Maintenance when continuing HUD relationship
- **Risk Assessment, Interim Controls, and Clearance**
  - ◆ Option to conduct Standard Treatments
  - ◆ Assures LBP hazards are eliminated
  - ◆ Ongoing LBP Maintenance when continuing HUD relationship



# Strategies

---

- **LBP Inspection and Risk Assessment, Interim Controls, and Clearance**
  - ◆ Used on HUD-owned multifamily housing
  - ◆ Most being sold; no ongoing relationship with HUD; ongoing LBP maintenance not possible
  - ◆ Inspection provides location of remaining LBP for buyer
  - ◆ Notification of evaluation
  - ◆ Notification of hazard control
- **Risk Assessment, Abatement of all LBP hazards, and Clearance**
  - ◆ Used with concurrent substantial Federal rehab
  - ◆ Assure no new LBP hazards created by rehab



# Strategies

---

- **LBP Inspection, Abatement of all lead-based paint, and Clearance**
  - ◆ **Greatest HUD involvement**
    - Public housing (abatement during modernization)
    - Properties being converted to residential use
    - Properties undergoing major rehab financed with HUD/FHA multifamily mortgage insurance
  - ◆ **These types of substantially renovated properties should be as free as possible of future LBP hazards**



# Summary of Important Terms

---

## Statutory Terms

- Lead-Based Paint
- Lead-Based Paint Hazards
- Abatement
- Interim Controls
- LBP Inspection
- Risk Assessment

## Regulatory Terms

- Chewable surface
- Clearance examination
- Environmental Intervention Blood Lead Level
- Hard costs of rehab
- Paint testing
- Visual assessment
- Worksite



## Units of Measure

---

**mg/cm<sup>2</sup>**

**Milligrams per square centimeter  
- lead in paint**

**μg/ft<sup>2</sup>**

**Micrograms per square foot  
- lead in dust**

**μg/dL**

**Micrograms per deciliter  
- lead in blood**



# Important Statutory Terms

---

- **Lead-Based Paint (LBP)**

- ◆ 1.0 mg/cm<sup>2</sup> lead on surface
- ◆ 0.5% (5,000 ppm) lead in dry weight of paint film

- **Lead-Based Paint Hazard**

- ◆ Condition which causes exposure to lead that would result in adverse human effects from:
  - Dust-lead
  - Soil-lead
  - Lead-based paint on deteriorated, chewable, friction, or impact surfaces



# Important Statutory Terms

---

- **Abatement**

- ◆ Measures designed with intent to permanently eliminate LBP or LBP hazards
- ◆ Includes cleaning and clearance

- **Interim Controls**

- ◆ Measures to temporarily reduce human exposure to lead-based paint hazards
- ◆ May include repairs, painting, cleaning, ongoing LBP maintenance, and management programs





# Important Statutory Terms

---

- **LBP Inspection**

- ◆ Surface-by-surface investigation to determine the presence of LBP
- ◆ Report of results

- **Risk Assessment**

- ◆ On-site investigation
- ◆ Existence, nature, severity, and location of LBP hazards
- ◆ Report of results and recommendations



# Important Regulatory Terms

---

- **Chewable**

- ◆ Interior or exterior painted surface
- ◆ Can be mouthed or chewed
- ◆ Same as “accessible surface”

- **Clearance Examination**

- ◆ Hazard reduction activities are complete
- ◆ No soil-lead or dust-lead hazards exist
- ◆ Includes visual assessment and analysis of environmental samples



# Important Regulatory Terms

---

- **Environmental Intervention Blood Lead Level**
  - ◆ Blood lead at least 20  $\mu\text{g}/\text{dL}$  or two readings of 15-19  $\mu\text{g}/\text{dL}$  taken three months apart
- **Hard costs of rehabilitation**
  - ◆ Correcting substandard conditions
  - ◆ Meeting local rehab standards
  - ◆ Essential and non-essential improvements
  - ◆ Do not include administrative costs or costs allocated to lead hazard control



# Important Regulatory Terms

---

- **Paint testing**

- ◆ Determines the presence or absence of LBP on deteriorated paint or surfaces to be disturbed or replaced
- ◆ Must be done by certified inspector or risk assessor

- **Visual assessment**

- ◆ Looks for deteriorated paint; provides no lead information
- ◆ Visible dust, debris and residue as part of risk assessment or clearance examination
- ◆ Failure of hazard reduction measures
- ◆ Visual assessment training required (on web)



# Important Regulatory Terms

---

- **Worksite**

- ◆ Interior or exterior area where lead-based paint hazard reduction takes place
- ◆ Must be contained to prevent spreading, blowing or tracking of dust and debris for worksite clearance
- ◆ Dwelling unit may have more than one worksite



# Exemptions

- **Post-1977 housing**
- **Zero-bedroom units**
- **Housing exclusively for elderly or disabled**
- **Property certified as lead-based paint free**
- **Property where lead-based paint was removed**
- **Unoccupied property pending demolition**
- **Nonresidential part of property**
- **Rehabilitation or maintenance activities that do not disturb painted surfaces**
- **Emergency actions**

24 CFR 35.115



# Prohibited Methods

- **Open flame burning**
- **Machine sanding or grinding without HEPA local exhaust control**
- **Abrasive blasting or sandblasting without HEPA local exhaust control**
- **Using heat guns over 1,100° F**
- **Dry sanding or dry scraping**
- **Using certain paint strippers in poorly ventilated space**

**Effective November 15, 1999**

24 CFR 35.140



# Structure of Regulation

---

- Subpart A - Disclosure Rule
- Subpart B - General LBP requirements
- Subparts C- M – Program-specific requirements
- Subpart R - Methods and standards

**“How” in Subpart B and R**  
**“Who” and “What” in Subpart C-M**





# Regulation Subparts

---

- A Disclosure of Known Lead-Based Paint Hazards Upon Sale or Lease of Residential Property**
- B General Lead-Based Paint Requirements and Definitions for All Programs**
- C Disposition of Residential Property Owned by a Federal Agency Other Than HUD**
- D Project-Based Assistance Provided by a Federal Agency Other Than HUD**
- E Reserved**
- F HUD-Owned Single Family Property**
- G Multifamily Mortgage Insurance**



# Regulation Subparts

---

- H Project-Based Rental Assistance**
- I HUD-Owned and Mortgagee-in-Possession Multifamily Property**
- J Rehabilitation**
- K Acquisition, Leasing, Support Services, or Operation**
- L Public Housing Programs**
- M Tenant-Based Rental Assistance**
- N-Q Reserved**
- R Methods and Standards for Lead-Based Paint Hazard Evaluation and Hazard Reduction Activities**



## Subpart R

---

- **Interim dust and soil standards**
- **Interim controls**
- **Standard Treatments**
- **Clearance**
- **Occupant protection and worksite preparation**
- **Safe work practices**
- **Ongoing LBP maintenance and reevaluation**



# Structure of Program Subparts

- **Applicability**
- **Notice and pamphlet requirements**
- **Evaluation requirements**
- **Lead hazard reduction requirements**
- **Schedule for lead hazard reduction**
- **Special requirements, including  
Environmental Intervention Blood Lead  
Level response**



# Types of Evaluation

---

- **Paint testing**
- **Lead-based paint inspection**
- **Risk assessment**

**Based on Type of Federal Assistance**



# Visual Assessment

---

- **Used in three activities**
- **Periodic inspections**
  - ◆ To identify deteriorated paint requiring paint stabilization
- **Clearance examinations**
  - ◆ To identify dust and debris
  - ◆ To identify deteriorated paint
- **Ongoing LBP Maintenance activities**
  - ◆ To identify failed hazard reductions
  - ◆ To identify deteriorated paint



# Paint Testing

---

- **Testing lead content of:**
  - ◆ Deteriorated paint
  - ◆ Painted surfaces to be disturbed or replaced
- **Differs from LBP Inspection**
  - ◆ Reduced scope
  - ◆ Less expensive
- **Performed by a certified LBP inspector or risk assessor**

24 CFR 35.1355



# Lead-Based Paint Inspection

- **Surface-by-surface examination of painted or finished surfaces for lead-based paint**
- **Interior and exterior**
- **Comprehensive**
- **Includes intact paint and areas not to be disturbed**
- **Performed by a certified LBP inspector or risk assessor**

40 CFR 745.227(b)





# Risk Assessment

---

- **Identification of LBP hazards**
- **Includes**
  - ◆ Visual inspection for deteriorated paint
  - ◆ Information on occupant use patterns
  - ◆ Testing of deteriorated paint and possibly other surfaces
  - ◆ Dust sampling
  - ◆ Soil sampling
  - ◆ Reports results and recommendations
- **Performed by a certified risk assessor**

40 CFR 745.227(d)



# Lead Hazard/Clearance Criteria

- **Deteriorated paint**
- **Lead in dust (clearance/risk assessment)**
  - ◆ Floors 40  $\mu\text{g}/\text{ft}^2$
  - ◆ Interior window sills 250  $\mu\text{g}/\text{ft}^2$
  - ◆ Troughs 400  $\mu\text{g}/\text{ft}^2$  (clearance only)
- **Lead in bare soil (risk assessment)**
  - ◆ Play areas 400  $\mu\text{g}/\text{g}$
  - ◆ Other soils 1,200  $\mu\text{g}/\text{g}$



# Clearance Examination

---

- **Visual Assessment**
- **Dust sampling**
  - ◆ Dust Lead standards
  - ◆ Laboratory analysis
- **Certified, or trained and supervised personnel**
  - ◆ Inspectors, Risk Assessors: abatement and non-abatement clearances
  - ◆ Sampling/Clearance Technician: only non-abatement clearances as state allows



# Notice and Pamphlet Requirements

---

- **Pamphlet, if not already provided**
- **Notice to occupants of evaluation or presumption**
  - ◆ Within 15 days of receipt of report
  - ◆ Summary of results
  - ◆ Contact information
- **Notice to occupants of hazard reduction**
  - ◆ Within 15 days of completion
  - ◆ Summary of work done and clearance
  - ◆ Contact information
  - ◆ Available information on remaining LBP

24 CFR 35.125



# Qualifications

---

- **Visual Assessment for deteriorated paint**
  - ◆ Training available from [www.hud.gov/offices/lead/lbptraining.cfm](http://www.hud.gov/offices/lead/lbptraining.cfm)
- **Paint Testing, Inspection or Risk Assessment**
  - ◆ EPA, Tribal, or State certification
- **Clearance**
  - ◆ Certification as Inspector, Risk Assessor or Sampling/Clearance Technician
  - ◆ Supervision (if uncertified Sampling Technician)



# Qualifications

---

- **Interim Controls**

- ◆ Trained in OSHA hazard communication standard and supervised by a certified abatement supervisor or
- ◆ Completion of HUD-approved training (one of the courses listed on web – [www.hud.gov/offices/lead/lbptraining.cfm](http://www.hud.gov/offices/lead/lbptraining.cfm))

- **Abatement (EPA requirements)**

- ◆ Certified abatement supervisor
- ◆ Certified abatement workers



# Lead Hazard Reduction Methods

- **Interim Controls**

- ◆ Paint stabilization
- ◆ Treatment of friction, impact and chewable surfaces
- ◆ Lead-contaminated dust and soil control
- ◆ Standard Treatments are an option

- **Abatement**

- ◆ Permanent Elimination of Lead-Based Paint or
- ◆ Permanent Elimination of Lead-Based Paint Hazards

- **Ongoing LBP Maintenance and Reevaluation**

**Depends on Type of Federal Assistance**



# Evaluation Options

---

- **Presume LBP or LBP Hazards**
- **Paint testing of deteriorated paint**
- **Lead Hazard Screen instead of Risk Assessment**
  - ◆ May require a follow-on risk assessment





# Standard Treatments Option

---

- **Instead of evaluation and Interim Controls**
- **Skip risk assessment and presume LBP and LBP hazards**
- **Actions include**
  - ◆ Paint Stabilization
  - ◆ Smooth and cleanable horizontal surfaces
  - ◆ Correction of dust generating conditions
  - ◆ Treatment of bare residential soil
  - ◆ Safe Work Practices included
  - ◆ Clearance
- **Not allowed when abatement is required**

24 CFR 35.1335



## Ongoing LBP Maintenance

---

- **Visual Assessment, including bare soil**
- **Stabilize deteriorated paint**
- **Treat bare soil**
- **Repair, perform interim controls on or abate failed encapsulation or enclosure treatments**
- **Clearance and Lead Safe Work Practices required above de minimis**
- **Periodic reevaluation by risk assessor, if required**

24 CFR 35.1355



# Reevaluation

---

- **If LBP remains after hazard reduction**
- **Identify**
  - ◆ Deteriorated paint surfaces
  - ◆ Deteriorated or failed Interim Controls
  - ◆ Dust-lead hazards
  - ◆ Newly bare soil with soil-lead over standards
- **Performed by certified risk assessor**
- **Reevaluation every two years**
  - ◆ Begins two years after hazard reduction
  - ◆ Opportunity to achieve exemption
- **Response to identified hazards**



# Interim Controls

---

- **Training requirements for personnel**
- **Includes occupant protection and clearance**
- **Activities include**
  - ◆ Paint stabilization
  - ◆ Friction or impact surfaces
  - ◆ Chewable surfaces
  - ◆ Dust-lead hazard control
  - ◆ Soil-lead hazard control



# Paint Stabilization

---

- **Type of Interim Control**
- **Includes:**
  - ◆ Substrate repair
  - ◆ Surface preparation methods
  - ◆ New paint
- **Lead Safe Work Practices if over de minimis**
- **Clearance required over de minimis**

24 CFR 35.1330(b)



# Abatement

---

- **Certified personnel**
- **Abatement of Lead-Based Paint or Lead-Based Paint Hazards**
- **Methods include:**
  - ◆ Component replacement
  - ◆ Paint removal
  - ◆ Encapsulation (flow-on product; relies on adhesion; 20-year life)
  - ◆ Enclosure (mechanically fastened; 20-year life)
  - ◆ Paving or removal soil
- **Clearance follows abatement**

24 CFR 35.1325



# Safe Work Practices

---

- **Specifically required for:**
  - ◆ Ongoing LBP Maintenance
  - ◆ Paint stabilization
  - ◆ Rehab (<\$5,000)
  - ◆ Standard treatments
- **Prohibited methods**
- **Occupant protection and worksite preparation**
- **Specialized cleaning**
- **Control dust generated with wet methods**
- **Contain dust and debris**
- **Proper clean-up and pass clearance**
- **Required above de minimis levels**

24 CFR 35.1350



# De Minimis Levels

---

- **Exception to Safe Work Practices**
- **Work which disturbs less than:**
  - ◆ 20 square feet on exterior surfaces
  - ◆ 2 square feet in any one interior room or space
  - ◆ or 10 percent of area of a interior or exterior component with a small area (sills, baseboards, etc.) per room

**24 CFR 35.1350**





# Program Information



# C-Non-HUD Property Disposition

---

- **Pre-1960 housing**
  - ◆ Risk Assessment and inspection before closing
  - ◆ Abate all lead-based paint hazards identified in risk assessment
  - ◆ Clearance
- **1960-1977 housing**
  - ◆ Risk assessment and inspection before closing
  - ◆ Provide copies of reports to purchaser

24 CFR 35.210-35.215



## **D-Non-HUD Project-Based Assist.**

---

- **Residential property receiving over \$5,000 per year in project-based assistance**
- **Risk Assessment**
- **Interim Controls of hazards based on Risk Assessment**
- **Clearance**
- **Units with EIBLL children**
  - ◆ **Accelerate Risk Assessment and Interim Controls**

**24 CFR 35.300-35.325**



# F-HUD Owned Single Family

- **Housing sold with HUD Mortgage Insurance**
- **Visual Assessment for deteriorated paint**
- **Paint Stabilization of deteriorated paint surfaces**
- **Clearance before occupancy**

24 CFR 35.300-35.325





# G-Multifamily Mort. Insurance

---

- **Housing covered by new application or if HUD owns mortgage**
  - ◆ Does not apply to refinancing if appraisal is not required
- **Pre-1960 housing**
  - ◆ Risk Assessment before firm commitment
  - ◆ Interim Controls and clearance before commitment
  - ◆ Ongoing LBP Maintenance
- **1960-1977 housing**
  - ◆ Commitment to incorporate ongoing lead-based paint maintenance



# G-Multifamily Mort. Insurance

---

- **Conversions and Major Rehabilitation**
  - ◆ Conversion of nonresidential property or rehab over 50% of replacement cost
  - ◆ Inspection before firm commitment
  - ◆ Abatement of all LBP and clearance before occupancy

24 CFR 35.630



## H-Project-Based Rental Assist.

---

- **Multifamily units with up to \$5,000 annual assistance per unit and all single-family**
  - ◆ Periodic Visual Assessment
  - ◆ Paint Stabilization and clearance
  - ◆ Ongoing LBP Maintenance
  - ◆ Special requirements for EIBLL children
- **Multifamily units with over \$5,000 annual assistance per unit**
  - ◆ Risk Assessment (phased deadlines)
  - ◆ Interim Controls and clearance
  - ◆ Ongoing LBP Maintenance
  - ◆ Special requirements for EIBLL children



# EIBLL Requirements

- **Verification**
- **Risk assessment and interim controls**
- **Reporting**
- **Exchange of information for Tenant-Based Rental Assistance**





# H-Project-Based Rental Assist.

---

- **Implementation dates (up to \$5,000)**
  - ◆ September 15, 2000
- **Implementation dates (over \$5,000)**
  - ◆ Pre-1960 property
    - Transitional requirements begin Sept 15, 2000
    - Risk assessment complete by Sept 17, 2001
  - ◆ 1960-1977 housing
    - Transitional requirements begin Sept 15, 2000
    - Risk assessment complete by Sept 15, 2003
  - ◆ Transitional requirements
    - Ongoing LBP maintenance
    - Specific requirements for EIBLL children

**24 CFR 35.715**



# I-HUD-Owned Multifamily Prop.

---

- **Risk Assessment and Inspection**
  - ◆ Complete by December 15, 2000 or 90 days after subpart becomes applicable to property
- **Interim Controls and Clearance**
  - ◆ Within 90 days of the risk assessment if children under 6 reside
  - ◆ Within 12 months of the risk assessment if no children reside
- **Ongoing LBP Maintenance and Reevaluation**
- **Special requirements for EIBLL children**

24 CFR 35.800-35.830



# J-Rehabilitation

- **Requirements depend on “hard costs” of rehabilitation assistance**
  - ◆ Hard costs include
    - Correcting substandard conditions
    - Meeting local rehab standards
    - Essential and non-essential improvements
    - But no administrative costs
    - Does not include additional costs of lead hazard reduction and compliance with the regulation
- **Ongoing LBP Maintenance for HOME assisted rental properties**



# J-Rehabilitation

---

- **Up to \$5,000 per unit**
  - ◆ Paint testing or presume LBP
  - ◆ Safe work practices and clearance of worksite allowed
- **\$5,000 - \$25,000 per unit**
  - ◆ Paint testing or presume LBP
  - ◆ Risk assessment of the unit, common areas, and exterior
  - ◆ Interim controls and clearance



# J-Rehabilitation

- **Over \$25,000 per unit**
  - ◆ Paint testing or presume LBP
  - ◆ Risk assessment of the unit, common areas, and exterior
  - ◆ Abate identified lead-based paint hazards
  - ◆ Interim controls acceptable on exterior surfaces not being disturbed by rehabilitation
  - ◆ Clearance of unit and common areas

**24 CFR 35.900-35.940**



## **K-Acquisition, Leasing, etc.**

---

- **Acquisition, leasing, support services, or operation programs**
  - ◆ May include many CPD programs
- **Visual Assessment**
- **Paint Stabilization of deteriorated paint**
- **Clearance**
- **Ongoing LBP Maintenance**

24 CFR 35.1000-35.1020



# L-Public Housing Programs

---

- **Inspection (if not performed already)**
  - ◆ Review existing inspections
  - ◆ Revise or augment existing inspections by September 17, 2001
- **Risk Assessment**
  - ◆ If earlier inspection identified LBP that has not yet been removed
  - ◆ If no inspection had been performed
  - ◆ By March 15, 2001 for pre-1960 properties
  - ◆ By March 15, 2002 for 1960-1977 properties

24 CFR 35.1100-35.1140



# L-Public Housing Programs

---

- **Abate all lead-based paint and lead-based paint hazards during modernization**
- **Interim Controls in units not yet abated**
  - ◆ Ongoing LBP maintenance
- **Special requirements for units with EIBLL child**
  - ◆ Verification
  - ◆ Risk assessment and interim controls
  - ◆ Reporting
  - ◆ Other units

24 CFR 35.1100-35.1140





## **M-Tenant Based Rental Assist.**

---

- **Visual Assessment for deteriorated paint during initial and periodic inspections**
- **Paint Stabilization of deteriorated paint surfaces and clearance**
- **Ongoing LBP Maintenance activities**
- **Additional requirements for units with EIBLL child**
  - ◆ Verification
  - ◆ Risk assessment and interim controls
  - ◆ Information exchange with health department

**24 CFR 35.1200-35.1225**



# Implementation Schedule

---

- **Prohibited practices - November 15, 1999**
- **Regulation subparts**
  - ◆ All effective on September 15, 2000
  - ◆ Some have transitional requirements
- **Project-Based Rental Assist. - Subpart H**
  - ◆ Deadline for risk assessments is Sept 17, 2001 (pre-1960) or Sept 15, 2003 (1960-77)
  - ◆ Transitional reqts in effect Sept 15, 2000
- **Multifamily Property - Subpart I**
  - ◆ Inspection/risk assessment by Dec 15, 2000
- **Earlier implementation permissible**



# Lead Safe Housing Rule

---

- **Questions**

- ◆ HUD e-mail                      lead\_regulations@hud.gov
- ◆ HUD voice mail                  (202) 755-1785 x 104

- **The regulation can be obtained from  
OHHLHC Web Site**

- ◆ [www.hud.gov/offices/lead](http://www.hud.gov/offices/lead)



# Implementation Assistance



- HUD Lead Hazard Control Grant Program Grantees
- Operating in over 200 cities
- Low-income private housing
- Contractor certification
- A community resource



# Lead Information Resources

---

- **National Lead Information Center**
  - ◆ Copies of the regulation
  - ◆ 1-800-424-LEAD
- **Lead professionals, training providers and HUD-sponsored Lead Safe Work Practices training listings**
  - ◆ [www.leadlisting.org](http://www.leadlisting.org)
  - ◆ 1-888-LEADLIST
- **HUD - [www.hud.gov/offices/lead](http://www.hud.gov/offices/lead)**
- **EPA - [www.epa.gov/opptintr/lead](http://www.epa.gov/opptintr/lead)**



# Lead Information Resources

---

- **Other Federal Agencies with local resources**
  - ◆ Centers for Disease Control and Prevention
    - Childhood Lead Poisoning Prevention grantees nationwide
  - ◆ Environmental Protection Agency
    - Local lead hazard awareness grantees
    - Regional staff



**Users are urged to obtain a copy of the regulation (1-800-424-LEAD) to ensure an understanding of the requirements.**