

*The Vermont Department of Health*

# Town Health Officers and Lead-based Paint Tips and Complaints



*Guidance • Support • Prevention • Protection*

*Asbestos and Lead Regulatory Program*

2013

 VERMONT  
DEPARTMENT OF HEALTH

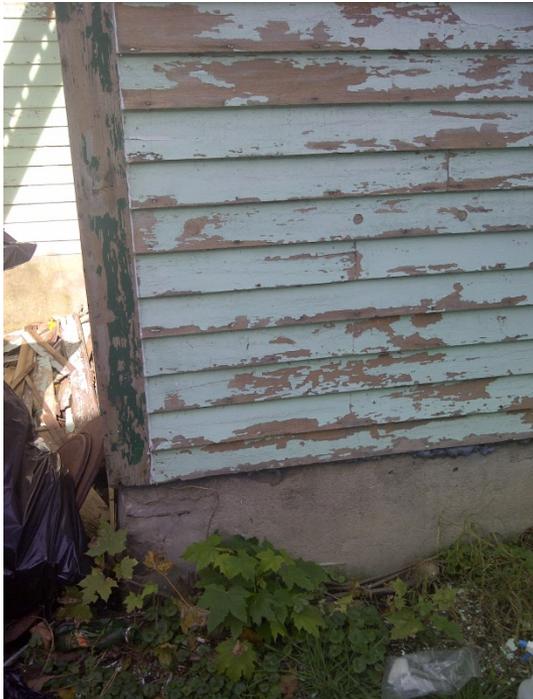
# **Lead-based Paint**

Town Health Officer Training

July 24, 2013

Presented by Vernon Nelson

**Examples of deteriorated lead-based paint conditions**



## **Assume paint is lead-based.**

In pre-1978 buildings, assume that all paints and coatings are lead-based.

Testing and Inspection for LBP must be conducted by a Vermont Licensed Lead-based Paint Inspector or Risk Assessor, using XRF or paint chip analysis

Vermont law does not recognize the use of swab test kits for paint testing

# **Town Health Officers may receive LBP tips and complaints from various sources**

Tenants

Neighboring Property Owners

General Public

Contractors

Other State Health or Environmental Staff

## **Description of lead-safe work practices.**

- In all pre-1978 buildings—residential, public, institutional, commercial, or industrial— lead-safe work practices when you are disturbing lead-based paint.

## **Lead-Safe Work Practices**

- Limit unauthorized access to the work area.
- Enclose the work area with plastic sheathing or other effective lead dust barrier.
- Use protective clothing.
- Mist painted surfaces before disturbing paint.
- Use manual surface preparation methods and avoid work practices that could generate a lot of dust.
- Follow good hygiene practices prior to exiting the work area to ensure that lead remains in the work area and is not transferred to break areas, public spaces, vehicles, and/or the home.
- Use housekeeping and cleanup procedures that will leave the work area in a condition that is safe for re-occupancy.

- **Description of Prohibited Work Practices**
- Dry scraping.
- Use of chemical strippers, particularly those containing methylene chloride.
- Open flame burning or torching.
- Heat guns operated above 1100°F.
- Dry sweeping of lead contaminated areas or surfaces.

## **State, Federal and Local Laws are applicable**

Vermont's Lead Law – Essential Maintenance Practices

Vermont Regulations for Lead Control (Inspection and Abatement)

USEPA Renovation, Repair and Painting (RRP)

Lead in Construction – worker safety (VOSHA)

Some municipalities have local ordinances (BTV)

## Definition of Lead-based Paint

>1.0 milligrams/cm<sup>2</sup>

>0.5% by weight

>5,000 ppm

- Use prohibited by regulations in new and existing residential construction and renovation
- Lead-based paint was banned in the U.S. in 1978 – **for residential**
- Lead-based paint is still in the market place for non-residential applications (i.e.. Marine and industrial)



## **Environmental Protection Agency (EPA) Lead Renovation, Repair, and Painting (RRP) Rule**

Applies to projects in a residential building, daycare facility, kindergarten, or other place frequented by children under the age of six.

Applies when total amount of lead-based paint being disturbed exceeds either 6 square feet (per interior room) or 20 square feet (per exterior surface).

Must use lead-safe work practices and avoid prohibited work practices.

Must have an EPA-certified Lead Safe Firm and have at least one EPA-certified renovator supervising job site activities. EPA certification is obtained by taking the RRP course (8 hours).

Must comply with all the notification and recordkeeping requirements set forth in the RRP Rule.

## **Certain activities require a lead abatement permit and must be conducted by a Lead Abatement Contractor.**

In Vermont, certain activities, where lead-based paint is present, are only authorized under a Lead Abatement Permit and must be conducted by a Vermont-licensed Lead Abatement Contractor using control methods and work practices approved by the Vermont Department of Health.

These activities only authorized by permit are:

- The use of sanding machines and other mechanical abrasive methods
- Hydro-blasting (including high-pressure washing)
- Chemical stripping
- Full removal of lead-based paint from a component (also known as de-leading)

## **Federal and State LBP Regulations List**

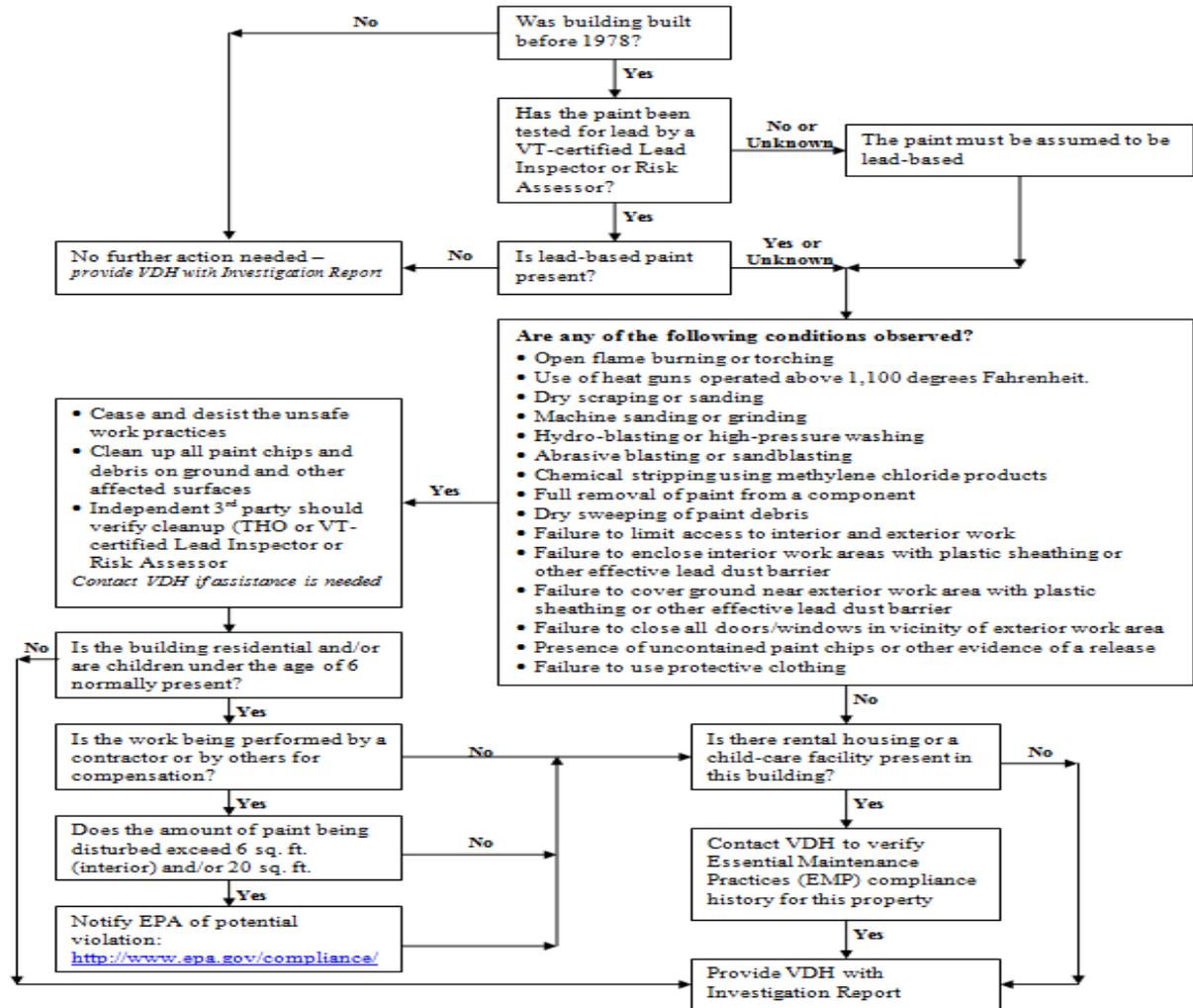
- Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X)
- Section 1018 - Real Estate Notification & Disclosure Rule (9/6/96)
- EPA published at 40 Code of Federal Regulations (C.F.R.) Part 745, Subpart F
- HUD published at 25 CFR Part 35
- TSCA Sections 402/404 (Lead Inspection and Abatement Activities) (8/31/98)
- TSCA Section 406(b) (Pre-Renovation Rule) (6/1/99)
- EPA RRP – Renovation, Repair and Painting Program Rules 2008
- **Vermont Regulations for Lead Control (VRLC) VSA Title 18, Chapter 38; Effective October 1994, Amended November 1, 2003**

# The Vermont Department of Health

## VT Lead Law Flowchart

Use this flowchart to determine regulatory applicability

Is this Property Subject to VT Lead Law Requirements?



## **Please use resources tools from THO manual**

- Tip/Complaint Investigation Form
- Essential Maintenance Practices Check List
- Health Orders – Cease and Desist, Corrective Actions
- Photos are worth a thousand words, on complaint investigations

# *The Vermont Department of Health*

For guidance and information resources:

Please visit the Vermont Department of Health's (VDH) Lead Resource Guide for more information

[http://healthvermont.gov/enviro/lead/lead\\_contractor.aspx](http://healthvermont.gov/enviro/lead/lead_contractor.aspx).

Or

Contact VDH Asbestos and Lead Regulatory Program by telephone at (800) 439-8550.

Or

Visit EPA's RRP website

<http://www.epa.gov/region1/enforcement/leadpaint/index.html>.

## **Vermont's Essential Maintenance Practices (EMP) Law**

Applies to residential rental buildings and child care facilities.

Applies when disturbing one (1) square foot or more of lead-based paint.

Must use lead-safe work practices and avoid prohibited work practices.

Person performing the work or an on-site supervisor must have a Vermont Department of Health EMP Certificate.

## **VOSHA Lead in Construction Standard**

Applies to employers with employees.

Aims to protect workers from exposure to lead.

Find out more at: <http://www.osha.gov/Publications/osha3142.pdf>.