

January 16, 2008
Mississippi Development Authority
Homeowner Elevation Grant Program and Small Rental Assistance Program in
Hancock, Harrison, Jackson, and Pearl River Counties, Mississippi

APPROACH FOR IMPLEMENTATION OF
HUD'S LEAD SAFE HOUSING RULE REGULATIONS
(24 CFR Part 35, Subpart H, 35.720)

Background

The Mississippi Development Authority (MDA) Homeowner Elevation Grant Program (EGP) and Small Rental Assistance Program (SRAP) are subject to the requirements of the Lead Safe Housing Rule found at 24 CFR Part 35 Subpart H (Project-Based Assistance), 35.720 (Multifamily properties receiving up to \$5,000 per unit, and single-family properties).

In addition, specific lead-based paint stabilization, clearance, and other related tasks on housing and associated structures built prior to January 1, 1978 are subject to the requirements of Mississippi Department of Environmental Quality's "Mississippi Commission on Environmental Quality, Regulation APC-S-9: Regulations For Lead-Based Paint Activities," Adopted January 22, 1998, Amended November 20, 2003. These regulations can be found at:

<http://www.deq.state.ms.us/newweb/MDEQRegulations.nsf/1ad7b97be3f3f17b86256ad3004e0287/48af2cda320da64286256bca00557408?OpenDocument>

The following are exempt from the subject U.S. Department of Housing and Urban Development (HUD) regulation:

- housing (and associated structures) built on or after January 1, 1978 (when lead-based paint was banned for residential use),
- property that has been found to be free of lead-based paint by a certified inspector, and
- property from which all lead-based paint has been removed, and clearance has been achieved.

For all non-exempt properties, the Lead Safe Housing Rule found at 24 CFR Part 35 Subpart H (Project-Based Assistance) 35.720 (Multifamily properties receiving up to \$5,000 per unit, and single family properties) applies:

24 CFR Part 35 Subpart H (Project-Based Assistance) 35.720 requires that the following five items be addressed:

1. Provision of Pamphlet

The Lead Safe Housing Rule (24 CFR 35.130) specifies that the EPA/Consumer Product Safety Commission/HUD pamphlet entitled, "Protect Your Family from Lead in Your Home" must be provided to residents and future residents of the structures prior to any sale or lease. The pamphlet is designed to inform the public of residential lead hazards associated with structures built prior to 1978. The pamphlet must also be provided to occupants prior to renovation, remodeling and rehabilitation activities.

NOTE: The pamphlet only needs to be provided once to each resident. If the owner or other designated party can demonstrate that they have already provided the pamphlet in accordance with disclosure and notification requirements, it is not necessary to provide the pamphlet again.

2. Visual Assessment

During the initial inspections, an inspector trained in visual assessment for deteriorated paint surfaces in accordance with procedures established by HUD shall conduct a visual assessment of all painted surfaces at a property (including fencing, parking areas, playgrounds, etc.) in order to identify deteriorated paint.

Per 24 CFR 35.110,

“Visual Assessment” means:

looking for, as applicable: deteriorated paint; visible surface dust, debris and residue as part of a risk assessment or clearance examination; or at the completion or failure of a hazard reduction measure.

“Deteriorated paint” means:

any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking, or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

3. Paint Stabilization

The owner shall stabilize each deteriorated paint surface in accordance with 24 CFR 35.1330(a) and 24 CFR 35.1330(b) before occupancy of a vacant dwelling unit or, where a unit is occupied, within 30 days of notification of the results of the visual assessment. Paint stabilization shall include the application of a new protective coating or paint, and paint stabilization also calls for the repair of any physical defect in the substrate of a painted surface or component that is causing deterioration of the surface or component. Paint stabilization is considered complete when clearance is achieved in accordance with 24 CFR 35.1340.

Clearance is not required if the paint stabilization activity is performed for *de minimis* levels of deteriorated paint.

Clearance shall be achieved before residents are allowed to occupy rooms or spaces in which paint stabilization has been performed.

24 CFR 35.1330(a) and 24 CFR 35.1330(b) state:

(a) *General requirements.* (1) Only those interim control methods identified as acceptable methods in a current risk assessment report shall be used to control identified hazards, except that, if only paint stabilization is required in accordance with subparts F, H, K or M of this part, it shall not be necessary to have conducted a risk assessment. (2) Occupants of dwelling units where interim controls are being performed shall be protected during the course of the work in accordance with § 35.1345. (3) Clearance testing shall be performed at the conclusion of interim control activities in accordance with § 35.1340. (4) A person performing interim controls must be trained in accordance with 29 CFR 1926.59 and either be supervised by an individual certified as a lead-based paint abatement supervisor or have successfully completed other approved courses.

(b) *Paint stabilization.* (1) Interim control treatments used to stabilize deteriorated lead-based paint shall be performed in accordance with the requirements of this section. Interim control treatments of intact, factory applied prime coatings on metal surfaces are not required. Finish coatings on such surfaces shall be treated by interim controls if those coatings contain lead-based paint. (2) Any physical defect in the substrate of a painted surface or component that is causing deterioration of the surface or component shall be repaired before treating the surface or component. Examples of defective substrate conditions include dry-rot, rust, moisture-related defects, crumbling plaster, and missing siding or other components that are not securely fastened. (3) Before applying new paint, all loose paint and other loose material shall be removed from the surface to be treated. Acceptable methods for preparing the surface to be treated include wet scraping, wet sanding, and power sanding performed in conjunction with a HEPA filtered local exhaust attachment operated according to the manufacturer's instructions. (4) Dry sanding or dry scraping is permitted only in accordance with § 35.140(e) (i.e., for electrical safety reasons or for specified minor amounts of work). (5) Paint stabilization shall include the application of a new protective coating or paint. The surface substrate shall be dry and protected from future moisture damage before applying a new protective coating or paint. All protective coatings and paints shall be applied in accordance with the manufacturer's recommendations. (6) Paint stabilization shall incorporate the use of safe work practices in accordance with § 35.1350.

24 CFR 35.1340 states:

Clearance examinations required under subparts B, C, D, F through M, and R, of this part shall be performed in accordance with the provisions of this section [particularly paragraph (b), which applies to paint stabilization]. (b) *Clearance following activities other than abatement.* Clearance examinations performed following interim controls, paint stabilization, standard treatments, ongoing lead-based paint maintenance, or rehabilitation shall be performed in accordance with the requirements of this paragraph (b) and paragraphs (c)–(g) of this section (these paragraphs specify the required personnel certifications, required clearance methods and sampling, reporting requirements and associated standards).

24 CFR 35.1350 states:

De minimis levels. Safe work practices (and clearance) are not required when maintenance or hazard reduction activities do not disturb painted surfaces that total more than: (1) 20 square feet (2 square meters) on exterior surfaces; (2) 2 square feet (0.2 square meters) in any one interior room or space; or (3) 10 percent of the total surface area on an interior or exterior type of component with a small surface area. Examples include window sills, baseboards, and trim.

4. Notice to Occupants

The owner shall provide a notice to occupants in accordance with 24 CFR 35.125(b) (1) and (c) describing the results of the clearance examination after a hazard reduction activity, in this case performed in association with paint stabilization activities.

24 CFR 35.125(b) (1) and (c) state:

(b) *Notice of hazard reduction activity.* When hazard reduction activities are undertaken, each designated party shall: (1) Provide a notice to occupants no more than 15 calendar days after the hazard reduction activities have been completed. Notice of hazard reduction shall include, but not be limited to: (i) A summary of the nature, scope and results (including clearance), of the hazard reduction activities. (ii) A contact name, address and telephone number for more information; and (iii) Available information on the location of any remaining lead-based paint in the rooms, spaces or areas where hazard reduction activities were conducted, on a surface-by-surface basis.

(c) *Availability of notices of evaluation, presumption, and hazard reduction activities.* (1) The notices of evaluation, presumption, and hazard reduction shall be of a size and type that is easily read by occupants. (2) To the extent practicable, each notice shall be made available, upon request, in a format accessible to persons with disabilities (e.g., Braille, large type, computer disk, audio tape). (3) Each notice shall be provided in the occupants' primary language or in the language of the occupants' contract or lease. (4) The designated party shall provide each notice to the occupants by: (i) Posting and maintaining it in centrally located common areas and distributing it to any dwelling unit if necessary because the head of household is a person with a known disability; or (ii) Distributing it to each occupied dwelling unit affected by the evaluation, presumption, or hazard reduction activity or serviced by common areas in which an evaluation, presumption or hazard reduction has taken place.

5. Ongoing LBP Maintenance and Reevaluation

The owner shall incorporate ongoing lead-based paint maintenance activities into regular building operations in accordance with 24 CFR 35.1355(a), unless all lead-based paint has been removed. Ongoing lead-based paint maintenance practices are designed to help ensure that new lead-based paint hazards do not occur on the property. These practices include, but are not limited to: periodic visual assessments for deteriorating paint and failure of hazard reduction measures, addressing deteriorated paint through paint stabilization or other hazard reduction activities, repair of encapsulations/enclosures of lead-based paint, providing notices to occupants of hazard reduction activities and providing written notices to occupants requesting that they report lead hazards (i.e. deteriorating paint, failure of hazard reduction measures, failed enclosures/encapsulations, etc.).

24 CFR 35.1355(a) states:

(a) *Maintenance.* Maintenance activities shall be conducted in accordance with paragraphs (a)(2)–(6) of this section, except as provided in paragraph (a)(1) of this section. (1) Maintenance

activities need not be conducted in accordance with this section if both of the following conditions are met, as applicable: (i) Either a lead-based paint inspection indicates that no lead-based paint is present in the dwelling units, common areas, and on exterior surfaces, or a clearance report prepared in accordance with § 35.1340(a) indicates that all lead-based paint has been removed; and (ii) If a risk assessment is required by the applicable subpart of this part, a current risk assessment indicates that no soil-lead hazards and no dust-lead hazards are present.

6. Response to EIBLL Child

If a child of less than 6 years of age living in a dwelling unit has an environmental intervention blood lead level (EIBLL), the owner shall comply with the requirements of 24 CFR 35.730. These requirements include:

Notification - Notification must be received from a medical health care provider of an EIBLL child. If information is received about a child under age six with an EIBLL from a non-medical health care provider, it must be verified with a public health department or other medical health care provider that the child has an EIBLL. If so, this information constitutes notification.

Conduct a Risk Assessment – The owner must conduct a risk assessment of the unit in which the child lived at the time of the last blood lead test and common areas servicing that unit within 15 days of notification. The evaluation is considered complete when the risk assessment report is received.

Respond to the Evaluation Results - Within 30 days after receiving the risk assessment report, the owner of the dwelling must complete lead hazard reduction activities—interim controls or abatement—on identified lead-based paint hazards.

NOTE: Lead hazard reduction is completed when clearance is achieved. If interim controls, encapsulation, and/or enclosure are the methods used, the owner must conduct ongoing maintenance, and the periodic inspections must be conducted.

Provide Notices - Notices of Lead Hazard Evaluation and Lead Hazard Reduction Activity must be provided or posted for the residents.

Per 24 CFR 35.110,

“Environmental Intervention Blood Lead Level” means:

The level of lead in blood that requires intervention in a child under age six. This level is defined as a blood lead level of 20 micrograms per deciliter (µg/dL) of whole blood or above for a single test, or blood lead levels of 15-19 µg/dL in two tests taken at least three months apart.

“Risk Assessment” means:

(1) An on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards; and (2) 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.

MDA Implementation Approach

MDA’s site-specific implementation approach to address each of the five provisions listed above is presented below.

This approach will be communicated to each Applicant in a “Lead-Based Paint Regulation Notice & Affidavit” (**Attachments 1 and 2** for Elevation Grant Program and Small Rental Assistance Program, respectively) provided to the Applicant by MDA prior to the Visual Assessment. The Applicant must sign the Lead-Based Paint Regulation Notice & Affidavit at the Grant/Loan Closing, acknowledging they have been advised on the Federal regulations regarding lead-based paint and have received a copy of the pamphlet, as well as a copy of the notice and intend to act accordingly.

Provision 1: Provision of Pamphlet

MDA will provide a copy of the referenced pamphlet to the Applicant during the Grant/Loan Closing. The Applicant will be notified regarding how to obtain additional copies of the pamphlet.

Provision 2: Visual Assessment

MDA will hire a contractor to perform Visual Assessment of painted and coated surfaces in the subject structures. The assessor will have the appropriate certifications as required by Mississippi Department of Environmental Quality (MDEQ).

- The Visual Assessment will be conducted to evaluate the condition of readily accessible exterior and interior painted and coated surfaces in the subject structures (also including associated exterior structures such as swing/play sets, fencing, storage sheds, garages, carports, etc.).
- The Visual Assessment is not expected to result in further damage to any already damaged materials; nor are the Visual Assessment activities expected to result in further exposure of occupants to any existing lead-based paint or other hazards that might exist in the structure. No stabilization of painted or coated surfaces is planned as part of the MDA's assessment.
- The results of MDA's Visual Assessment will be compiled. A written report of the results will be sent to those Applicants whose properties require paint stabilization or other measures prior to Grant dispersal, via Certified Mail within approximately one month of completion of the site work.

Provision 3: Paint Stabilization

After receipt of the Visual Assessment results, Applicants of occupied units will have 30 days to complete the below stabilization and clearance actions. For unoccupied units, the Applicant must complete stabilization and clearance actions before occupancy of the vacant dwelling unit, and before MDA's approval of the Grant/Loan.

- The Applicant will be responsible for performing paint stabilization in accordance with the HUD regulations as outlined above. If deteriorated paint is found, and the home was built before 1978 and is occupied by a family with a child under 6 years of age, the regulations require the owner to perform "paint stabilization" activities using "safe work practices."
- Each structure/unit must then pass a clearance examination that includes a visual assessment of the unit/work area and surface wipe samples of the affected rooms that are sent to a lab for analysis to determine the presence of lead on floors, windowsills and troughs. The Applicant is responsible for completion of the Clearance Testing and providing a copy of the Clearance Examination/Notice to MDA. Receipt and review of acceptable Clearance Examination/Notice documentation will complete MDA's lead-based paint review.

Note: MDA may exempt from such treatment defective paint surfaces that are found in a report prepared by a Certified EPA Lead-Based Paint Risk Assessor or Lead Paint Inspector not to be lead based. The Applicant will be provided an opportunity to submit the appropriate documentation for MDA's consideration within the 30-day timeframe.

Provisions 4, 5 and 6: Notice to Occupants, Ongoing LBP Maintenance and Reevaluation, and Response to EIBLL Child, respectively

The Lead-Based Paint Regulation Notice & Affidavit addresses the Applicant's responsibilities to conform to all remaining requirements under these provisions. MDA will not conduct lead-based paint maintenance, reevaluation activities, or risk assessment.

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ATTACHMENT 1

STATE OF MISSISSIPPI
HALEY BARBOUR, GOVERNOR
MISSISSIPPI DEVELOPMENT AUTHORITY
GRAY SWOOPE
EXECUTIVE DIRECTOR

ELEVATION GRANT PROGRAM LEAD-BASED PAINT REGULATION NOTICE & AFFADAVIT

Subject Property Address: _____

Property Owner Name: _____

Dear Homeowner:

By placing your signature below, you acknowledge having been advised on the federal regulations regarding lead-based paint and have received a copy of the pamphlet *Protect Your Family from Lead in Your Home* as well as a copy of this notice and intend to act accordingly.

_____/_____/_____
Applicant Signature **Date**

The purpose of this notice is to inform the Homeowner of the federal Lead Safe Housing Rule designed to protect people from the hazards of lead-based paint.

The new 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 Mississippi Development Authority will conduct a visual evaluation of the interior and exterior painted surfaces including common areas, stairways, boundary fences and garages during the inspection of the 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 Mississippi Development Authority strongly urges homeowners to regularly inspect their property and remove any defective paint according to the federal requirements. A good owner maintenance program is the easiest solution to prevent paint problems from occurring.

If deteriorated paint is found, and the home was built before 1978 and is expected to be or is occupied by a family with a child under 6 years of age, the regulations require the owner to perform "paint stabilization" activities using "safe work practices."

- All interior and exterior deteriorated paint must be removed or encapsulated, and where paint is removed, the area must be repainted.
- Damaged substrate surfaces must also be repaired
- A person **trained** and **certified** in Safe Work Practices must conduct all work. This person must have successfully completed the Remodeler's and Renovator's Lead-Based Paint Training Course or Safe Work Practices Training Course approved by HUD. This work also involves the use of specialized equipment such as a HEPA Vacuum, and respirator.
- 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.
- The unit must then pass a clearance examination that includes a visual assessment of the unit/work area and surface wipe samples of the affected rooms that are sent to a lab for analysis to determine the presence of lead on floors, windowsills and troughs. The owner 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 or any other testing completed on the unit.
- The owner must conduct on going monitoring and maintenance of the unit to prevent lead hazards.

De Minimis Levels – Safe work practices and clearance **are not** required when maintenance and hazard reduction activities do not 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 Mississippi Development Authority may exempt from such treatment defective paint surfaces that are found in a report prepared by a Certified EPA Lead-Based Paint Risk Assessor or Lead Paint Inspector not to be lead based.

The Elevation Grant Program is committed to making this process as efficient as possible and will assist in providing information and resources.

HUD STANDARDS FOR STABILIZING DETERIORATED PAINT

During the inspection the Mississippi Development Authority will visually inspect the unit for deteriorated paint. Following is information about 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.**

TIME FRAME TO COMPLETE REPAIRS

- Paint stabilization must be completed prior to grant disbursement.

SURFACE REPAIR

- 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.

ACCEPTABLE 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° Fahrenheit
- 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

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° Fahrenheit or charring point
- Dry scraping or dry sanding except in conjunction with heat guns or within 1 foot electrical outlets
- Paint stripping in a poorly ventilated space using a volatile stripper that is a hazardous substance.

NEW PROTECTIVE COATING

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

TRAINING AND SUPERVISION

- It is strongly recommended that certified contractors be used when performing any operation beyond routine maintenance.
- The individual performing the paint stabilization must be trained in accordance with OSHA's Hazard Communication regulations (29CFR 1926.59). In addition, the work must be completed in accordance with **at least one of the following characteristics:**
 - 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 individual worker has successfully completed an accredited lead –based paint abatement worker course.
- The individual worker has successfully completed the Lead-Based Paint Maintenance Training Program developed by the National Environmental Training Association of the Remodeling Industry.
- The individual worker 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
- The individual worker has successfully completed the equivalent course approved by HUD.

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.
- Occupants shall not be permitted to enter the work site during stabilization.
- Personal belonging should be relocated and covered.

SAFE WORK PRACTICES AND OCCUPANT PROTECTION

- Soil and playground equipment must be protected from contamination during treatment.
- Waste/debris must be disposed of per All State and Local applicable law.
- These safe work practices are NOT required when paint stabilization disturbs painted surfaces that total less than 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: Windowsill, baseboards, trim, etc.

CLEANING

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

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.
- An EPA certified lead-based 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*".
- **The Applicant must provide the clearance report to MDA prior to grant disbursement.**

NOTICE TO OCCUPANTS

- A clearance report/notice must be prepared by a Certified clearance examiner and provided to all occupants within 15 days of the completion of the lead Hazard reduction activities.

ON GOING MAINTENANCE

- You must institute on going 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.

ENVIRONMENTAL INTERVENTION BLOOD LEVEL (EIBL) CHILDREN

- If a child of less than 6 years of age living in a dwelling unit has an EIBLL, the owner shall comply with the requirements of 24 CFR 35.730. These requirements include a risk assessment to be performed by certified assessor at the applicant's expense.

EXEMPTIONS

- The Mississippi Development 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.

RESOURCES

National Lead Information Center 1-800-424-lead or visit their web site: www.epa.gov/lead/nlic.htm
Office of Lead Hazard Control 202-755-1785 Ext. 104.

Or visit their Web site at: www.hud.gov/lea; 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.lead-safehousing.org

De Minimis Levels – Safe work practices and clearance **are not** required when maintenance and hazard reduction activities do not 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 Mississippi Development Authority may exempt from such treatment defective paint surfaces that are found in a report prepared by a Certified EPA Lead-Based Paint Risk Assessor or Lead Paint Inspector not to be lead based.

The Small Rental Assistance Program is committed to making this process as efficient as possible and will assist in providing information and resources.

HUD STANDARDS FOR STABILIZING DETERIORATED PAINT

During the inspection the Mississippi Development Authority will visually inspect the unit for deteriorated paint. Following is information about 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.**

TIME FRAME TO COMPLETE REPAIRS

- Paint stabilization must be completed prior to loan disbursement.

SURFACE REPAIR

- 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.

ACCEPTABLE 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° Fahrenheit
- 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

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° Fahrenheit or charring point
- Dry scraping or dry sanding except in conjunction with heat guns or within 1 foot electrical outlets
- Paint stripping in a poorly ventilated space using a volatile stripper that is a hazardous substance.

NEW PROTECTIVE COATING

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

TRAINING AND SUPERVISION

- It is strongly recommended that certified contractors be used when performing any operation beyond routine maintenance.
- The individual performing the paint stabilization must be trained in accordance with OSHA's Hazard Communication regulations (29CFR 1926.59). In addition, the work must be completed in accordance with at least one of the following characteristics:
 - 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 individual worker has successfully completed an accredited lead-based paint abatement worker course.

- The individual worker has successfully completed the Lead-Based Paint Maintenance Training Program developed by the National Environmental Training Association of the Remodeling Industry.
- The individual worker 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
- The individual worker has successfully completed the equivalent course approved by HUD.

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.

SAFE WORK PRACTICES AND OCCUPANT PROTECTION

- Soil and playground equipment must be protected from contamination during treatment.
- Waste/debris must be disposed of per All State and Local applicable law.
- These safe work practices are NOT required when paint stabilization disturbs painted surfaces that total less than 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: Windowsill, baseboards, trim, etc.

CLEANING

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

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.
- An EPA certified lead-based 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*".
- **The Applicant must provide the clearance report to MDA prior to grant disbursement**

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.

ON GOING MAINTENANCE

- You must institute on going 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.

ENVIRONMENTAL INTERVENTION BLOOD LEVEL (EIBL) CHILDREN

- If a child of less than 6 years of age living in a dwelling unit has an EIBLL, the owner shall comply with the requirements of 24 CFR 35.730. These requirements include a risk assessment to be performed by certified assessor at the applicant's expense.

EXEMPTIONS

- The Mississippi Development 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.

RESOURCES

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Office of Lead Hazard Control 202-755-1785 Ext. 104. Or visit their Web site at: www.hud.gov/lea; 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.leadsafehousing.org