



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, D.C. 20410-3000

OFFICE OF LEAD HAZARD CONTROL

March 21, 2000

Christmas in April Affiliates

Dear Affiliate Leaders:

At the request of Christmas in April ★ USA, we are pleased to provide you with a summary of the new regulatory requirements for addressing lead-based paint hazards for only those affiliates working on housing receiving Federal rehabilitation assistance up to \$5,000. This includes both Community Development Block Grant and HOME funding. These new regulations take full effect on September 15, 2000. Even if your affiliate is not receiving federal funding, we encourage you to still follow safe work practices. If your affiliate spends over \$5,000 on a home there are other requirements.

HUD applauds the important work you do. The regulation was crafted to permit repainting to continue while also protecting children and your volunteers from lead poisoning.

**Working with Lead-Based Paint: General Precautions**

Housing built before 1978 may have lead-based paint. Lead-based paint dust, chips and contaminated soil can poison young children, their parents, and workers if safe work practices are not followed.

There are a few simple steps affiliates can take to minimize the risk of lead poisoning. Please work with your volunteers to ensure that they understand how to protect themselves, homeowners, and their families from lead paint dust, paint chips and contaminated soil. This should include identifying tasks on each project where children should be excluded, because they may be exposed to lead dust.

The work practices you will have to change are few. Minimizing dust requires few new tools or techniques. Affiliates should:

- Ensure that durable plastic sheeting and tape are available to isolate the worksite and cover the floor and ground.
- Minimize dust generation
  - Use a spray bottle to mist surfaces that are being cut, sanded, or scored.
  - Use a utility knife to pre-score painted material being removed.
- Consider additional precautions - see "Safe Work Practices" below.

Please refer to the enclosed *Lead Paint Safety Field Guide* for more information on safe practices for painting, home maintenance, and renovation work.

## HUD Lead Based Paint Regulation: Effective September 15, 2000

The emphasis of the new requirements is to reduce the amount of dust generated and prevent any dust generated from contaminating the property and placing the residents and your volunteers at risk of lead poisoning. These new regulatory requirements apply only to those affiliates receiving up to \$5,000 in Federal rehabilitation assistance per housing unit. Other sections of the regulation describe requirements when a housing unit receives more than \$5,000 in assistance.

Because the work that Christmas in April conducts is typically of short duration, relocation of residents would probably not be required, although young children should not be permitted in the work area itself. The regulation states that relocation is not required when:

- The work will not disturb lead-based paint, or create dust-lead or soil-lead hazards; or
- The work is on the exterior only and openings are sealed to prevent dust from entering the home, cleaned after the work is completed, and the residents have an alternative entry; or
- The interior work will be completed in one period of less than 8-daytime hours and the work site is contained to prevent the release of dust into other areas of the home; or
- The interior work will be completed within five calendar days and the work site is contained to prevent the release of dust, and the worksite and areas within 10 feet of the worksite are cleaned at the end of each work day to remove any visible dust and debris, and the residents have safe access to kitchen, bath and bedrooms.

The following information has been extracted from the regulation.:

**Testing of Surfaces** - You must conduct testing of the painted surfaces which will be disturbed by the rehabilitation or presume that these surfaces are coated with lead-based paint. Testing must be performed by a certified lead-based paint inspector, often available at local housing or health departments. Paint chip analyses can be performed for as little as \$5-10 per sample. Much paint is not lead-based paint, in which case the regulation's requirements do not apply.

**Safe Work Practices** - Any work which involves painted surfaces must use Lead-Safe Work Practices, unless it is known that the paint is not lead-based paint. Safe Work Practices focus on protecting residents and workers by reducing the amount of dust generated. Safe Work Practices include a prohibition on specific methods of paint removal, occupant protection and worksite preparation, and specialized cleaning. Safe work practices are not required if the area of paint which will be disturbed is below the de minimis (threshold) levels. The de minimis levels are 20 square feet for exterior surfaces, two square feet for any one interior room or space, or 10 percent of the total surface area of any small surface such as a window sill or trim. Following the conduct of such rehabilitation, you must perform a clearance examination of the worksite to make certain it is safe for residents to enter.

Safe Work Practices include a prohibition on paint removal using methods which have been shown to be hazardous because they release large amounts of dust and fumes. **The prohibition on using these methods took effect on November 15, 1999.** Prohibited methods are:

- Open flame burning or torching
- Machine sanding or grinding without a high-efficiency particulate air (HEPA) exhaust control (this includes the use of belt sanders)
- Abrasive blasting or sandblasting without HEPA local exhaust control
- Heat guns operating above 1100 degrees Fahrenheit or charring the paint

- Dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1 foot of electrical outlets, or when treating defective paint spots totaling no more than the de minimis levels
- Paint stripping in a poorly ventilated space using methylene chloride

**Worksite Protection** - Occupants and their belongings should be protected and the worksite prepared. This includes:

- Exclusion of the residents from the worksite (the worksite would be determined by the extent of the containment)
- Use of plastic or other means to prevent the release of leaded dust, paint chips and debris

**Cleaning** - Specialized cleaning following the work includes the use of High Efficiency Particulate Air (HEPA) vacuums and detergents shown to be effective at removing leaded dust.

**Clearance** - Following the rehabilitation activities, clearance is required unless the painted surfaces which were disturbed are less than the de minimis levels. Clearance examinations include both a visual evaluation as well as a dust test to determine if hazardous levels of lead remain following cleaning. Clearance examinations must be performed by a certified lead-based paint inspector, risk assessor, or clearance technician. Your local community development agency, housing or health department may be able to provide this testing for you.

Lead paint hazards are real and cannot be ignored. At the same time, lead paint is no reason to stop painting homes. Adopting the work practices outlined in this letter will enable you to continue your excellent work, while also ensuring the health and safety of all concerned.

If you have any questions, please contact the lead regulations team at (202) 755-1785x104 ([lead\\_regulations@hud.gov](mailto:lead_regulations@hud.gov)). You may also get information (or a copy of the regulation) from the National Lead Information Center at 800-424-LEAD or on our website at [www.hud.gov/lea](http://www.hud.gov/lea).

Sincerely,

Signed

David E. Jacobs, Ph.D  
Director

Enclosure