Single-Family Hazardous Materials Lead-Based Paint and Asbestos Containing Material Requirements

Lead Inspection and Abatement Scope of Work (SOW)

The Home Repair Program (HRP) must determine if lead-based paint is present in homes built prior to 1978 which may include stick built, mobile, and manufactured single-family homes residential buildings, pursuant to 40 CFR part 745 and Title X of the 1992 Housing and Community Development Act. Lead-based paint testing will be conducted to identify lead hazards within dwelling units and common areas and exterior surfaces. Investigations, abatement, and clearance activities must be completed in accordance with Housing and Urban Development Department (HUD) 2012 Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing.

A Lead-Based Paint Inspection, including Visual Assessment, in combination with a Risk Assessment, will be utilized by the HRP to determine the presence of lead-based paint. An EPA Certified Firm will be selected to complete lead-based paint investigation and risk assessment activities for all Program eligible residential properties constructed prior to 1978 and for multi-family properties or any facilities where children 6 and under occupy or visit. Results of the inspection and sampling results will be documented in a Lead Risk Assessment Report prepared by the selected EPA Certified Firm, that includes the specific location of lead-based paint in affected areas and associated mitigation measures. The report will be provided to the HRP for inclusion with the Program Homeowner-approved scope of work.

Inspection and Mitigation Measures

- Only EPA-Certified Inspectors or Risk Assessors may determine whether lead-based paint is present. EPA recognized test kits cannot be used to determine if lead-based paint is present.
- The Inspector and Risk Assessor must meet minimum training requirements to be certified by EPA or by an EPA-authorized State or Tribal program (40 CFR §§ 745.227 or 745.32).
- Provide EPA/HUD/CPSC Protect your Family from Lead in your Home pamphlet to occupants in accordance with EPA regulations.
- A handheld X-ray fluorescence (XRF) instrument will be the primary method of lead-based paint testing. The XRF instrument must be accompanied by a valid performance characteristic sheet (PCS).
- Paint Chip Sample collection and sampling is only recommended and permitted for inaccessible areas or building components with irregular (non-flat) surfaces that cannot be testing using a XRF instrumentation.

  - Laboratory analysis must be completed by laboratory recognized by the National Lead Laboratory Accreditation Program.

- If soil samples are required, soil samples will be collected from bare soil in each of the three following area types: (a) each play area with bare soil, (b) non-play areas in the dripline/foundation area, and (c) non-play areas in the rest of the yard, (including gardens).
- Distribute notices to occupants within 15 days after lead hazard evaluation activities are completed.
- An EPA-Certified Lead Risk Assessor prepares the Lead-Based Pain Risk Assessment Report, including inspection results and abatement requirements and submits one electronic copy to the Program.
- The EPA Certified Firm should keep the completed Paint Chip Sample Collection Form for 7 years after the work is completed.

Mitigation Measures

Subcontractor shall provide all necessary labor, materials, tools, equipment, and services for the abatement of lead-based paint in compliance with HUD's 2012 Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing. Mitigation measures include interim controls and/or abatement.

- Abatement, interim control, maintenance or rehabilitation workers must meet HUD-approved training requirements (24 CFR §§ 35.1325 or 35.1330); since the EPA's Renovation, Repair, and Painting (RRP) Rule went into effect in 2010, HUD's lead-safe work practices training requirement is satisfied by EPA's renovation certification training requirement.
- Complete and submit the Lead Abatement Notification Form to the Texas Environmental Health Notifications Group a minimum of 5 days prior to abatement activities.
- Workers must comply with all Lead Safe Work Practices, including the use of Personal Protective Equipment. A written compliance plan in compliance with OSHA's standards for lead in construction, including the identification of competent person to oversee worker protection efforts must be provided prior to the start of work.
- Assess site, prepare site, as appropriate for Interior Low-Dust or High-Dust and/or Exterior abatement activities, including warning signs.
- Cleaning procedures must be employed before, during, and following lead-based paint interim controls, abatement activities, and other renovation or maintenance work.

    - Special attention should be paid to occupied dwellings undergoing abatement activities to minimize potential exposure to residents.
- Complete interim controls include and/or lead abatement as identified in the Lead Risk Assessment.
- All removed building components coated with lead-based paint should be stored in a secure, locked area, as should all lead-contaminated waste until it is disposed of in accordance with federal, state, or local regulations.

Distribute notices to occupants with 15 days after lead hazard control activities.

Clearance testing

After renovation, repair, painting, and cleaning and/or after hazard reduction or maintenance activities, conduct the Lead Clearance Test in accordance with HUD's Lead Safe Housing Rule.

- Dust Wipe Sampling Technician must meet EPA and, if applicable, HUD training requirements (40 CFR §745.90 and 24 CFR §35.1340) and have copy of certificate of initial training onsite during sampling.
- Conduct visual inspection prior to dust wipe clearance sampling to determine if work area is free from conditions that could lead to lead-based paint exposure hazards, such as deteriorated paint, chips or debris, visible duct.
- Perform Dust Wipe Sampling in accordance with EPA's Lead Dust Wipe sampling procedures.
    - Laboratory analysis must be completed by laboratory that is recognized by the National Lead Laboratory Accreditation Program.
    - Interior lead clearance is obtained when analytical results indicate presence of lead to be 2 square feet per room or 10% of small component type. Please note that HUD's "de minimis" threshold is lower than EPA's requirements.
- Distribute notices to occupants within 15 days after lead hazard evaluation activities are completed.
- Prepare clearance, if applicable and submit one electronic copy to the Program.

Single-Family Hazardous Materials Lead-Based Paint and Asbestos Containing Material Requirements

Asbestos Inspection and Abatement Scope of Work (SOW)

Renovation and Demolition Requirements

Performing asbestos containing material (ACM) inspections and remediation in accordance with EPA, National Emissions Standards for Hazardous Air Pollutants (NESHAP), Texas State Health Services environmental requirements and 40 CFR 61.145 - Standard for demolition and renovation.

All contractors and sub-contractors will familiarize themselves with Texas Asbestos Health Protection Rules regarding Standards of Performance for Asbestos Projects and provide notice to Texas Department of State Health Services and secure proper permitting, if required to do so.

The EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) residential exemption for ACM applies to residents served under the Program for reconstruction (new construction) only. In addition, for houses that are eligible for reconstruction, home builders are required to retain demolition subcontractors to perform all demolition and disposal activities in accordance with applicable federal, state and local regulations and utilize industry accepted techniques to complete the demolition work.

For houses that are eligible for rehabilitation, an ACM assessment will be conducted by a certified ACM assessor contracted by HCDD

When an ACM assessment is need, the following will take place:

- The Certified ACM Firm(s) that were previously procured by HCDD will be notified of houses qualified for an ACM assessment and will be assigned by HCDD to participate in the One-Knock Damage Assessment.
- Working in unison with the HCDD Damage Assessor, and the Rehabilitation Contractor, the ACM Assessor will indicate the presence and location of asbestos and will provide a report on the presence of ACM to HCDD. The report will include at a minimum:
    - ❖ Delineation of existing ACM areas within the house,
    - ❖ List of Requirements for ACM remediation as required by EPA and State Department of Health Services (SC DHEC) regulations, and any other required sections based on HUD, EPA and State regulations.
- In the cases where ACM is found, and remediation is required, the rehabilitation contractor will retain an **ACM remediation contractor** to prepare an estimate of

the remediation. This estimate will be provided to the HCDD Construction Manager by the rehabilitation contractor for comparison and evaluation review.

- During construction activities HCDD will authorize the Certified ACM Firm to perform interim and/or final inspections and prepare a clearance report at the end of the rehabilitation construction project.
- The homeowner will be given a home hazards pamphlet upon positive identification of the ACM hazard as well as the assessment report and the clearance report.
- For each rehabilitation or reconstruction project, ACM is to be disposed of in accordance with applicable EPA, and any other applicable regulations unless an ACM inspection and testing have been performed to show that the house does not contain ACM.
- ACM assessment estimates, ACM assessment reports, ACM remediation estimates, and ACM remediation will be conducted, as necessary. ACM clearance reports and ACM notification documents will be completed by the Certified ACM Firm and delivered to HCDD as necessary.