

NYMS Program Lead Based Paint Compliance



Michelle Read DeGarmo is an EPA Certified Risk Assessor, accredited Lead Based Paint Training Program Manager, and former HUD Program Administrator.

Michelle has worked with NYMS Programs in every region of the state.

Flatley Read provides consulting services to communities throughout New York State. Learn more at:

www.flatleyread.com.

Overview

- Lead Poisoning: Why Are We Concerned?
- NYMS Policies
- Terminology
- Compliance Process
- Disclosure – how to notify tenants
- Sample Projects: Issues and Solutions

Lead Poisoning

Why are we concerned?

Lead Based Paint Hazards

- Friction Surfaces (doors, windows)
- Impact Areas (door knob repeatedly hitting a wall)
- High-Traffic Areas (painted staircase or floor)
- “Chewable” Areas (window sills)

Pregnant women and children under age 6 are especially susceptible to severe, permanent health affects from lead poisoning.

Lead Poisoning: Common Myths

- Kids get lead poisoned by eating paint chips
- I grew up with lead paint and I'm fine
- Small amounts of lead can't harm anyone

Common Myths

Kids Eat Paint Chips

- Lead dust is created by friction and impact surfaces.
- Children are exposed to lead dust through normal play and hand-to-mouth activities.
- A small amount of lead dust is enough to significantly poison a child.
- Children age 6 and under experience severe, permanent neurological damage from lead exposure.

Common Myths

I Grew Up With Lead Paint – And I'm Fine!

The nutrition link is important!

- Most of us did grow up surrounded by lead paint: Some may have had an elevated blood lead level at some point.
- The fact that we grew up surrounded by potential lead hazards – and did not experience serious lead poisoning – means we were probably not malnourished.

Common Myths

Small Amounts Of Lead Can't Harm Anyone

Imagine spreading a single packet of coffee sweetener equally over a 400 square foot area:

- This is approximately the amount of lead dust generated by “small” renovation jobs such as replacing an old door or window.
- If the sweetener was lead dust, it would be enough to cause an elevated blood lead level to a worker without respiratory protection, and result in lead poisoning of a child.

Lead Poisoning: Facts

- Lead is dangerous to adults and children
- Children under age 6 and pregnant women are most at risk
- Construction workers can be lead poisoned
- Whenever lead paint is disturbed during construction, there is a potential risk to building occupants and employees, workers, pets, and neighbors.

Terminology

Terminology

LPA: Local Program Administrator (the grantee)

RFP: Request For Proposals

XRF: X-Ray Florescence Analyzer

Chemical Spot Testing: Pre-rehab evaluation method used by RRP Certified contractors to identify LBP

Cleaning Verification: Post-rehab visual inspection to help determine if proper cleaning methods were used

Clearance: Post-rehabilitation lab testing to identify any remaining lead hazards

NYMS Policy

Former NYMS LBP Policy

The former NYMS Lead Based Paint Policy was based on HUD Rules. This didn't work for a number of reasons:

- Applicability
- Inconsistent Procedures
- Varying Documentation
- Concerns with Overall Effects

Current LBP Policy

The objectives of the lead based paint policy are to:

- Comply with the EPA Renovation, Repair and Painting (RRP) Rule
- Ensure and document that program assisted rehabilitation work does not create or contribute to LBP hazards
- Provide lead safe residential units to tenants when significant in-unit renovations occur
- Protect residential occupants of any mixed-use pre-1978 building undergoing rehabilitation, particularly at-risk households

NYMS

Lead Based Paint Policy

The current policy is required for all NYMS Program grants. This applies to:

- All interior residential renovation projects
- Exterior projects that impact window openings into residential floors
- Contractors performing work that may disturb lead-based paint must be EPA certified and follow specific work practices to prevent lead contamination

Lead-Based Paint Policy Table

Structure	Pre-1978 structures with a child-occupied facility or residential units	Pre-1978 structures with a child-occupied facility or residential units	Pre-1978 structures with a child-occupied facility or residential units
Workscope	Workscope: Exterior renovations that include residential window repair or replacement, repair of exterior sills and lintels.	Workscope: Interior renovations, including residential unit(s). < \$5,000 Unit Rehab Cost	Workscope: Interior renovations, including residential unit(s). > \$5,000 Unit Rehab Cost
Evaluation	<ul style="list-style-type: none"> • Test painted surfaces to be disturbed using EPA recognized test kits (40 CFR 745.88) or XRF Survey • <i>Documentation: Renovator records or reports certifying that a determination has been made whether or not lead-based paint was present on the components affected by the renovation per 745.86(b)(1)</i> 	<ul style="list-style-type: none"> • Test exterior & residential unit interior painted surfaces to be disturbed using EPA recognized test kits (40 CFR 745.88) or XRF Survey • <i>Documentation: Renovator records or reports certifying that a determination has been made whether or not lead-based paint was present on the components affected by the renovation per 745.86(b)(1)</i> 	<ul style="list-style-type: none"> • Test exterior painted surfaces to be disturbed using EPA recognized test kits (40 CFR 745.88) or XRF Survey • Conduct LBP risk assessment by EPA certified Risk Assessor of any residential unit with more than \$5,000 in-unit rehab cost (or child-occupied facility) & tenant means of egress per 745.227(d) • <i>Documentation: Renovator records or reports per 745.86(b)(1) and risk assessment report explaining the results of the investigation and options for reducing lead-based paint hazards.</i>
Disclosure to owner and/or occupants	<p><u>To owner:</u></p> <ul style="list-style-type: none"> • EPA Renovate Right pamphlet to owner • <i>Documentation: owner acknowledgement of receipt per 745.84(b)</i> 	<p><u>To owner:</u></p> <ul style="list-style-type: none"> • EPA Renovate Right pamphlet to owner • <i>Documentation: owner acknowledgement of receipt per 745.84(b)</i> <p><u>Owner to residential tenants:</u></p> <ul style="list-style-type: none"> • EPA Renovate Right pamphlet • HUD/EPA Protect Your Family from Lead pamphlet • HUD/EPA Lessor's Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards • <i>Documentation: owner certification of tenant disclosure</i> 	<p><u>To owner:</u></p> <ul style="list-style-type: none"> • EPA Renovate Right pamphlet • Disclosure of risk assessment results • Disclosure of clearance results • <i>Documentation: owner acknowledgement of receipt per 745.84(b)</i> <p><u>Owner to residential tenants:</u></p> <ul style="list-style-type: none"> • EPA Renovate Right pamphlet • HUD/EPA Protect Your Family from Lead pamphlet • HUD/EPA Lessor's Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards • <i>Documentation: owner certification of tenant disclosure</i>
<ul style="list-style-type: none"> • If the certified renovator has tested each component affected by the renovation and determined that the components are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 mg/cm² or 0.5% by weight, document the test results and no further action concerning lead-based paint is required. • If lead-containing (equal to or in excess of 1.0 mg/cm² or 0.5% by weight) painted surfaces will be disturbed or if lead-based paint hazards were identified during a risk assessment the procedures subsequently outlined in this document must be followed. • When conducting renovation work that disturbs any painted surface of the building exterior beyond any residential window openings, it is strongly recommended to test the painted surfaces and if lead-containing paint is detected, to utilize an EPA certified contractor and implement EPA safe work practice standards found at 40 CFR 745.85(a). 			
Eligible contractors	<ul style="list-style-type: none"> • EPA certified renovation firm (current) • <i>Documentation: firm certification per 745.89 & Renovator training certification per 745.90</i> 		
Work practices	<ul style="list-style-type: none"> • EPA work standards at 40 CFR 745.85(a) • <i>Documentation: Contract reflecting LBP hazard controls & work requirements; Renovator certification per 745.86(b)(6) and completion documentation per 745.86(c)</i> 		
Occupant protections	<ul style="list-style-type: none"> • Residential units: contain work areas and post signs per 745.85(a) • <i>Documentation: Renovator certification per 745.86</i> 	<ul style="list-style-type: none"> • Residential units: contain work areas and post signs per 745.85(a) • <i>Documentation: Renovator certification per 745.86</i> 	<ul style="list-style-type: none"> • Residential units and egresses: contain work areas and post signs per 745.85(a) • Households with pregnant women or child under the age of 6: relocate during lead hazard control activities • Child-occupied facility: not in use during hazard control activities • <i>Documentation: evidence of temporary relocation</i>
Clearance	<ul style="list-style-type: none"> • EPA post-renovation verification methods (745.85(b)) • <i>Documentation: Renovator certification per 745.86</i> 	<ul style="list-style-type: none"> • Clearance testing per 24 CFR 35.1340 • <i>Documentation: clearance report</i> 	<ul style="list-style-type: none"> • Clearance testing per 24 CFR 35.1340 • <i>Documentation: clearance report</i>
Records of compliance	<p>Contractor: Records required by 745.86 must be maintained 3 years after completion of the renovation. Program administrator: Records of compliance 5 years after completion of the 5 year performance period (see compliance checklist)</p>		
Ongoing maintenance	<p>During the 5 year performance period, owner certifies to maintain the paint in all residential spaces using safe work practices</p>		

NYMS

Lead Based Paint Policy

Renovation Categories:

- Exterior renovations that impact window openings into residential floors or child occupied facilities
- Interior renovations, including residential units
 - \leq \$5,000 In-Unit Rehab Cost
- Interior renovations, including residential units
 - $>$ \$5,000 In-Unit Rehab Cost

Exterior Renovations

That impact window openings into residential floors or child occupied facilities

- XRF Survey or Chemical Spot Testing prior to starting work
 - OR –
- Presume all painted surfaces are positive and use LSWP
 - AND –
- EPA post-renovation verification methods
- Work must be performed by RRP Certified Firm
 - All workers must be supervised by RRP Certified Contractor

Residential Units

Less Than \$5,000 Per Unit Rehab Cost

- XRF Survey or Chemical Spot Testing prior to starting work
 - OR –
- Presume all painted surfaces are positive and use LSWP
 - AND –
- Clearance testing (per HUD protocol) when work is complete
- Work must be performed by RRP Certified Firm
 - All workers must be supervised by RRP Certified Contractor

Residential Units

\$5,000 + Per Unit Rehab Cost

- LBP Risk Assessment prior to starting work
- Clearance testing when work is complete
- Work must be performed by RRP Certified Contractors / RRP Certified Firm
 - Primary / GC must also be Certified Firm
 - All workers and subcontractors must have individual RRP Certification prior to beginning work

Residential Units

Post-Rehab Lead Testing Is Required

- Regardless of the unit rehab cost
- Prior to reimbursement requests
- For all work that disturbs LBP in pre-1978 residential units and child-occupied facilities
- Refer to the LBP Policy Table to determine if a project requires Cleaning Verification or Clearance

Commercial Buildings

Work May Affect Common Areas:

- XRF Survey of all painted surfaces to be disturbed in common areas
- Cleaning Verification or Clearance when work is complete

* Common Areas are spaces shared with, or accessible by, tenants of residential units in the building. These may include stairwells, hallways, and fire escapes

Commercial Buildings

No LBP Compliance Required **IF:**

- No residential units
- Residential units will not be affected by work
- Examples:
 - Storefront renovations
 - Façade renovation where no residential or common areas will be disturbed

Mixed Use Buildings

LBP Compliance Required **When:**

- Residential units assisted with NYMS funds
- Residential units will be affected by NYMS work
- Examples:
 - Façade renovation that affects residential areas (window replacement, exterior painting)
 - Interior work in areas shared by residential units (staircases, entrances, hallways, etc.)

Mixed Use Buildings

LBP Clearance or Cleaning Verification Required:

- In common areas shared with residential units
- For in-unit rehabilitation work
- Prior to reimbursement requests
- Commercial buildings that contain child-occupied facilities

Exempt Buildings

Projects exempt from NYMS Lead Based Paint Policy:

- Buildings originally placed in service after 1/1/78.
- Pre-1978 buildings which have been professionally inspected and certified to contain no lead-based paint according to EPA standards. This does not include buildings that have only been determined by risk assessment to contain no lead hazards.
- Buildings with residential units restricted exclusively for occupancy by the elderly.

NYMS Compliance

NYMS lead based paint compliance means:

- Pre-renovation lead analysis in residential units
- RRP Certified Firm & Contractors
- Post-renovation testing in residential units
- LPA is responsible for ensuring properly documented lead-safe work

Compliance Process

Compliance Process

- LPA determines scope of work and lead paint compliance plan
- LPA issues RFP for lead analysis and hires qualified consultant / firm
- Results of pre-renovation lead test are incorporated into work scope
- RRP Certified contractors use lead safe work practices where required
- Risk Assessor can perform both pre-renovation analysis and post-renovation clearance
- RRP Certified Contractor can perform both pre-renovation chemical spot testing and post-renovation cleaning verification

LBP Policy Compliance Checklist

EPA RRP Documentation

- Chemical Spot Test results
- Disclosure form
- Occupant notification (if applicable)
- Cleaning Verification form

Template forms are available at epa.gov/lead

LBP Policy Compliance Checklist

If Applicable:

- Risk Assessment Report or XRF Report
- Clearance Report with Certificate of Compliance

LBP Compliance Checklist

Contractor Documentation:

- Contractor Certification
- Firm Certification
- Owner/Tenant Disclosure Documentation

Compliance Process

The LPA is responsible for documenting owner and contractor compliance:

- All documentation retained for the NYMS 5-year regulatory period
- Documentation also given to property owners

Compliance Process

“But my building has no lead...”

- Previous adaptive re-use / gut-rehab projects
- Documentation:
 - LBP Clearance Report
 - Abatement Project Reports
 - Prior LBP Evaluations
 - Performed by EPA Inspector or Risk Assessor

Compliance Process

“But my building has no lead...”

If there is no documentation of a previous lead based paint inspection, all pre-1978 residential units and child occupied facilities must comply with NYMS Lead Policy.

A Risk Assessment or Clearance stating “no lead hazards” is not the same as an Inspection, which states “no lead based paint”

Compliance Process

EPA RRP

Contractor Fined
\$37,500
per violation
per day

NYMS LBP Policy

Not Approved For
NYMS
Reimbursement

Definitions

Lead Safe Work Practices

Lead Safe Work Practices (LSWP) are techniques that reduce the amount of dust produced by renovation activities.

Examples:

- HEPA Vacuum
- No Dry Scraping or Sanding

Child Occupied Facility

A child-occupied facility means a building, or portion of a building visited regularly by the same child under 6 years of age on at least two days within any week in which each day's visit lasts at least 3 hours and combined annual visits at least 60 hours.

Examples: preschools, daycares, community centers

Residential Unit Rehab Cost

In-Unit Rehab Cost

- Includes:
 - hard costs (labor and materials)
- Excludes:
 - exterior window repair/replacement
 - lead hazard control
 - soft costs (environmental testing, architectural services, etc.)

Common Areas

Common Areas are spaces with shared entrances, or accessible by, tenants of residential units in the building. These may include stairwells, hallways, fire escapes, etc.

With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included.

Risk Assessment

- Mandatory for residential units with \$5,000+ in-unit rehabilitation cost
- Must be performed by an EPA Licensed LBP Risk Assessor
- Identifies LBP and potential hazards
- Visual analysis / condition interpretation
- Lead hazard specific work scope

Lead Based Paint Risk Assessment Report

For the Dwelling Located at:

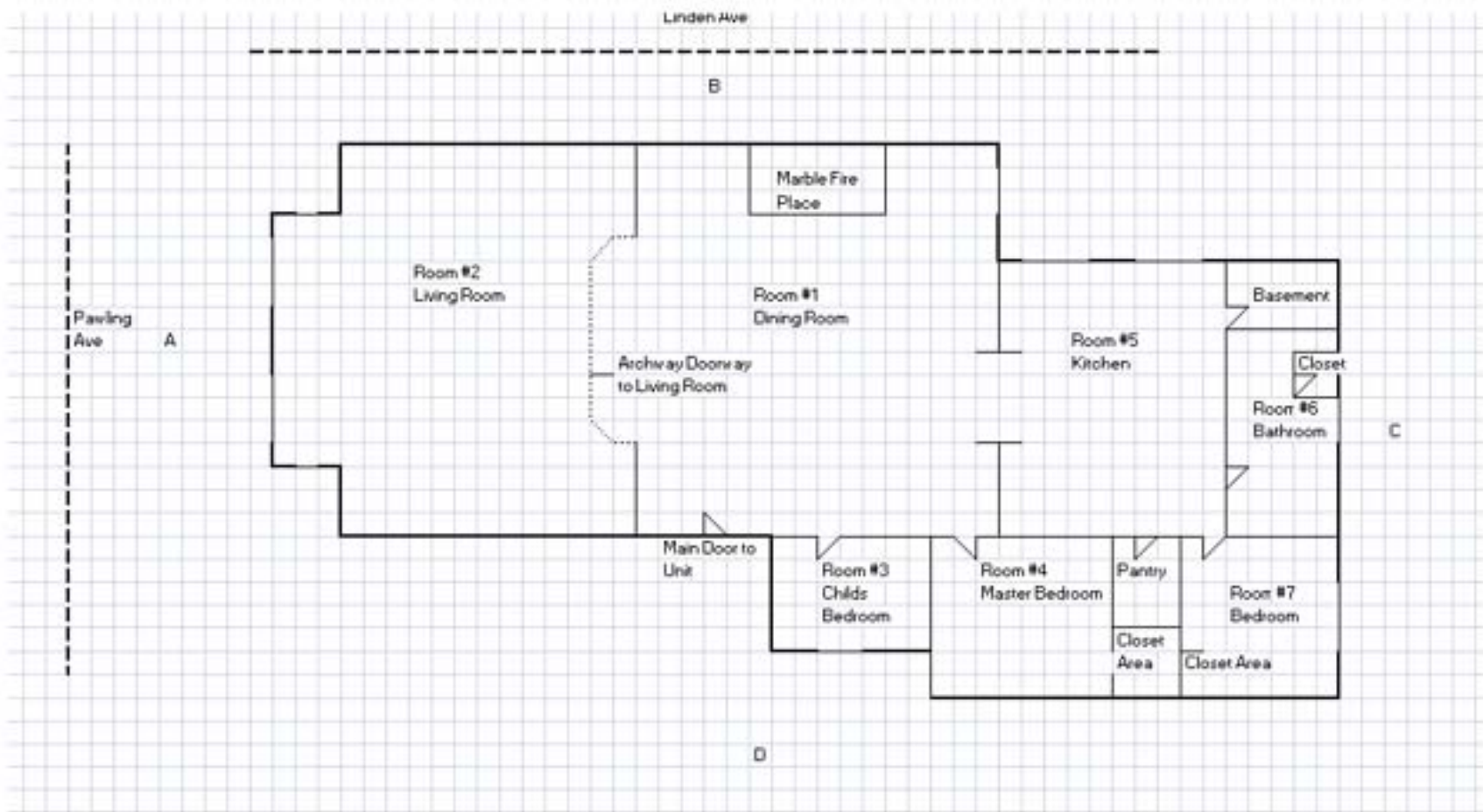
ADDRESS

**Flatley Read, LLC
Michelle DeGarmo, Certified Risk Assessor
P.O. Box 104
Schuylerville, NY 12871
(518) 577-5681
New York State License No. NY-R-120311-1**

**Date of Site Visit:
12/16/15**

This report is valid for the date and time here within. We are not responsible for lead based paint contamination to the home or occupants that could occur if painted surfaces become damaged or deteriorated. In addition we cannot control the introduction of lead contamination from outside sources nor do we assume any liability therefore.

Room #	Test #	Component	Substrate	Color	PC	ALC	Result
N/A	1	Calibration	N/A	N/A	N/A	0.01975	Pass
1 Dining Room	2	Wall A	Gypsum Board	Blue/Gray	Intact	> 1.00	Positive
1 Dining Room	3	Wall B	Gypsum Board	Blue/Gray	Intact	> 1.42	Positive
1 Dining Room	4	Wall B (Panel above Fireplace)	Panel	Brown	Intact	0.52	Negative
1 Dining Room	5	Wall C	Gypsum Board	Blue/Gray	Intact	0.1	Negative
1 Dining Room	6	Wall D	Gypsum Board	Blue/Gray	Intact	> 2.04	Positive
1 Dining Room	7	Baseboard Wall D	Wood	White	Intact	> 5.00	Positive
1 Dining Room	8	Floor	Carpet	Beige	Intact	0	Negative
1 Dining Room	9	Window Trim Wall C	Wood	White	Intact	> 1.2	Positive
1 Dining Room	10	Window Interior Sill	Wood	White	Intact	0.93	Negative
1 Dining Room	11	Window Apron	Wood	White	Intact	> 2.75	Positive
1 Dining Room	12	Door to Main Entry Way Wall D	Wood	White	Intact	> 4.81	Positive
1 Dining Room	13	Door Trim to Main Entry Way Wall D	Wood	White	Deteriorated	> 3.53	Positive
1 Dining Room	14	Door Jamb to Main Entry Way Wall D	Wood	White	Deteriorated	> 5.00	Positive
1 Dining Room	15	Door Stop to Main Entry Way Wall D	Wood	White	Deteriorated	> 3.54	Positive
1 Dining Room	16	Doorway/Archway Trim to Living Room Wall A	Wood	White	Intact	> 4.92	Positive
1 Dining Room	17	Inside Archway to Living Room	Wood	White	Intact	0.11	Negative



Recommended Control Methods

Exterior Surfaces

A visual inspection should be conducted annually to check for the following conditions:

Chipping, flaking or peeling paint.

Paint deterioration, such as cracks or dust on the surface

Worn friction surfaces

Interior Surfaces

A visual inspection should be conducted on all painted surfaces annually to check for the following conditions:

Paint chips, dust or debris

Deterioration of paint, especially on friction or impact surfaces such as doors and windows

Interim Control Measures:

Perform stabilization of all deteriorated surfaces referred to in Table 1. Interim controls and required clearance sampling should be performed in accordance with HUD/EPA protocols

Permanent Abatement Methods:

Remove components and install replacement materials.
Encapsulate (cover) components with a permanent material.

XRF Survey

- X-Ray Fluorescence Analyzer – non-destructive testing
- Pre-renovation targeted analysis
- Identifies LBP only in areas where work will be performed
- Report lists locations of LBP without further recommendations
- Performed by Risk Assessor

XRF Survey

XRF Survey is appropriate for:

- Residential units with <\$5,000 in-unit rehabilitation cost
- Exterior renovations that include residential windows
- Common areas in commercial buildings with shared residential space
- Potentially lower-cost alternative to chemical spot testing with EPA Recognized Test Kits

Lead Based Paint XRF Survey

Property Address	123 Main Street
Owner	Joe Property
Phone	123-456-7890
Date of Site Visit	June 30, 2014
Prepared By	Flatley Read, LLC, Michelle Read DeGarmo 12 Spring Street, Suite 203, PO Box 104 Schuylerville, NY 12871 Certification Number: NY-R-120311-1

Please note that the results listed herein are for informational purposes only. This is not a Risk Assessment or Inspection report. *The following areas tested positive for the presence of lead in excess of federal guidelines on the date and time of this site visit.*

Table 1: Complete XRF Survey Results



Room	Wall	Description	Color	Substrate	Result
Stairwell	B	Wall	Yellow	Tin	Negative
Stairwell	D	Wall	Yellow	Plaster	Negative
Stairwell	B	Wall	Yellow	Wood	Negative
Stairwell	C	Stair Tread	Green	Wood	Negative
Stairwell	C	Stair Riser	Green	Wood	Positive
Stairwell	C	Stair Stringer	Green	Wood	Positive
Interior Space	B	Wall	Yellow	Brick	Negative
Interior Space	C	Window 1 Trim	Yellow	Wood	Positive
Interior Space	C	Window 3 Sash	Green	Wood	Positive
Interior Space	C	Window 3 Trim	Yellow	Wood	Positive
Interior Space	A	Window 1 Trim	Grey	Wood	Positive
Interior Space	A	Window 2 Trim	White	Wood	Positive
Interior Space	A	Window 3 Trim	White	Wood	Positive



EPA Recognized Test Kits

EPA Recognized Test Kits / Chemical Spot Testing

- May be completed by any RRP Certified Contractor
- Each component of each area to be disturbed must be tested separately
- May be used for some NYMS projects
- Under certain circumstances, one method may be significantly more cost effective than another.



3M

Lead CheckTM Swabs

RED MEANS LEADTM

Instant Lead Testing

1. Dip swab into lead source.

2. Wipe swab on test strip.

3. Wait 30 seconds.

Cont. 8 Swab Kit

Kit de 8 Hisopos

WARNING!

MAY CAUSE EYE AND SKIN IRRITATION.
Read carefully other cautions on the side/back panel.

¡ADVERTENCIA!

PUEDE CAUSAR IRRITACIÓN EN LOS OJOS Y PIEL.
Lea cuidadosamente otras precauciones en el panel lateral y trasero.



Owner Information

Name of Owner/Occupant: _____
 Address: _____
 City: _____ State: _____ Zip code: _____
 Contact #: (____)____-____ Email: _____

Project Information

Fill out all of the following information that is available about the Renovation Site

Renovation Address: _____ Unit# _____
 City: _____ State: _____ Zip code: _____ Phone # (____)____-____
 Brief Project Description:

Certified Firm

Certified Firm Name: _____
 Address: _____
 City: _____ State: _____ Zip code: _____
 Phone #: (____)____-____ Email: _____
 Certified Renovator Name: _____ Date Certified: / /

Test Kit

Manufacturer: _____ Lot #: _____

Test Location # _____ Description of test location: _____
 Result: Is lead present? (Circle only one) YES NO Presumed

Test Location # _____ Description of test location: _____
 Result: Is lead present? (Circle only one) YES NO Presumed

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Test Location # _____ Description of test location: _____
 Result: Is lead present? (Circle only one) YES NO Presumed

Clearance

- **Required for any interior renovations to residential units (<\$5,000 and >\$5,000) and child occupied facilities**
- Dust wipes of all areas affected by rehabilitation work
- Performed by EPA licensed Inspector or Risk Assessor
- Independent 3rd Party – no association with the contractor or owner



30105 Beverly Road
Farmdale, MI 48174
Ph: 734-629-8181; Fax: 734-629-8431

Certificate of Analysis: Lead In Dust Wipe by EPA Method 7000B/3050B*

Client : Flatley Read LLC
12 Spring Street Suite 203-1W
Schuylerville, NY 12871
Attn : Michelle DeGarmo Email : info.flatleyreadllc@gmail.com
Phone : 518-577-5581 Fax :

AAT Project : 337254
Sampling Date : 04/03/2017
Date Received : 04/06/2017
Date Analyzed : 04/07/2017
Date Reported : 4/7/2017 10:49:08AM

Client Project : [REDACTED]
Project Location : [REDACTED]

Lab Sample ID	Client Code	Sample Description	Length (inch)	Width (inch)	Area (Sq Ft)	Total μg	Results Lead $\mu\text{g}/\text{ft}^2$ *
3190835	1	KITCHEN F	12	12	1.00	<10	<5.00
3190836	2	BATHROOM F	12	12	1.00	<10	<5.00
3190837	3	KITCHEN WS	2	20	0.28	<10	<18.00

Analyst Signature

Nathan Ditty

Certificate of Lead-Based Paint Compliance

I hereby certify that on the dwelling located at ADDRESS meets the criteria established by the Department of Housing and Urban Development for lead safety. Either no lead-based paint hazards were identified or all lead-based paint hazards have been corrected in the areas tested at the time of this field visit.



Authorized Signature

Date

Cleaning Verification

- Applies to exterior renovations that include residential window repair or replacement
- Performed by the RRP Certified Contractor
- All RRP required documentation given to the building owner and retained by the LPA

Cleaning Verification

For RRP Compliance:

- At the end of each job, contractors are required to perform a "cleaning verification"
- A cleaned area is wiped and the wipe is compared to a picture on a laminated "Cleaning Verification" card
- If the wipe is lighter than the picture on the card, the area is considered to be clean

EPA Post-Renovation Cleaning Verification Card



Unused Wet Disposable Cleaning Cloth



Marginally Passing Wet Disposable Cleaning Cloth

This card is good until last day of the month and year indicated below.

Month	1	2	3	4	5	6	7	8	9	10	11	12
Year (two)	10	11	12	13	14	15	16	17	18	19	20	21

Cleaning Verification Post Renovation

Customer Name: _____
Property Address: _____

- Exterior Verification**
- Visual Inspection Passed.** No visible debris, paint chips, or residue on the horizontal surfaces or ground in or around the work areas.
- Interior Verification**—Non HUD Properties Only
- Visual Inspection Passed.** No visible debris, paint chips, or residue on the horizontal surfaces (window sills, counter tops, un-carpeted floors) in or around the work areas.
- Cleaning Verification Passed.** The following is EPA's cleaning guidelines. Each horizontal surface and non-carpeted floors must be cleaned and then tested by wiping the surfaces with a wet cloth. When compared against the EPA's Verification Card, if the cloth does not "pass" then the cleaning must be re-done and tested with another wet cloth. If the second cleaning does not pass the renovator must re-clean, wait one hour and wipe the surface with a dry electrostatic charged cloth.

Number of Cloths Used: _____ Number of Dry Cloths Used: _____

- Dust Clearance Testing**
- A Dust Sampling Technician, Lead Inspector or Risk Assessor was used to conduct the clearance testing. They are a disinterested and independent company and will be providing you with the results of the testing.

Testing Company

Phone number of Testing Company

- Debris Disposal**
- Dust and Debris created during the renovation containment phase has been properly disposed of per RRP 40 CFR Part 745 rule.

Regardless of the type of Clearance Testing or Verification that has been used, the possibility of Lead Dust in your home from past renovations or maintenance projects may still remain. The only way to make certain that your home does not have Lead Dust levels exceeding EPA's acceptable standards is to hire a certified testing firm to conduct a thorough investigation by taking test samples from your entire home.

Contractor Signature

Date

Customer Signature

Date

Renovator Number

Cleaning Verification vs. Clearance

Cleaning Verification

- Performed by RRP Certified Contractor
- No laboratory testing
- Contractor documents results
- Does not identify the presence or level of lead dust

Clearance

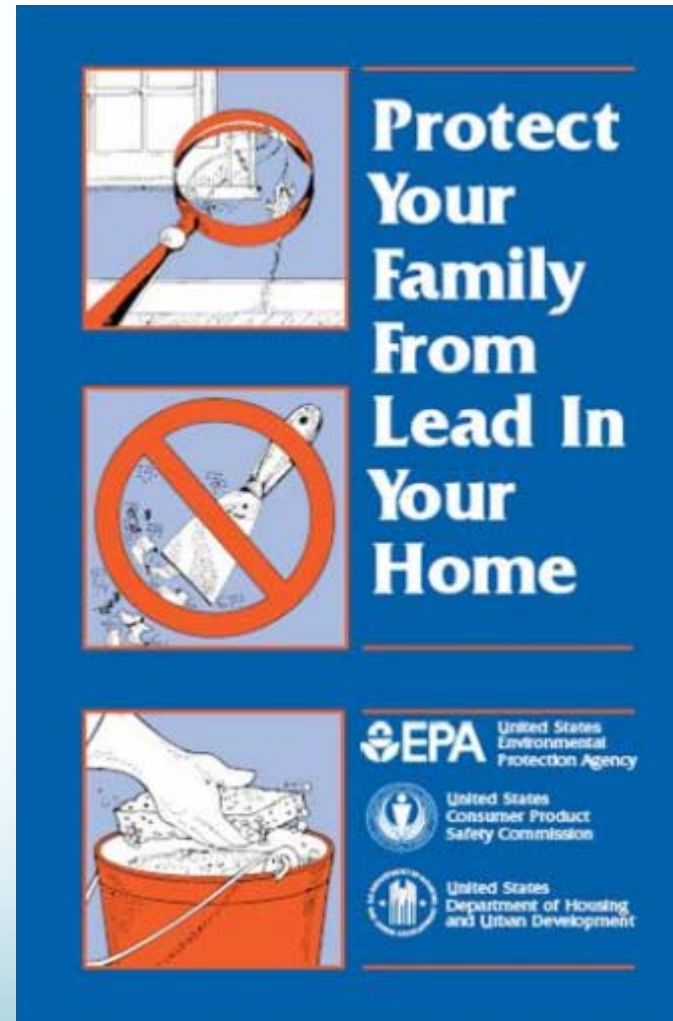
- Performed by EPA Certified Risk Assessor
- Dust wipe samples analyzed by certified lab
- Risk Assessor interprets lab results and issues a certificate of compliance
- Identifies presence of lead dust and potential hazards

Disclosure

Disclosure

- LPA to Owner: EPA Renovate Right pamphlet, Risk Assessment and Clearance results
- Contractor to residential tenants: EPA Renovate Right pamphlet, HUD/EPA Protect Your Family from Lead pamphlet, and HUD/EPA Lessor's Disclosure

Disclosure



Disclosure

Renovate Right & Protect Your Family pamphlets must be delivered to:

- Property owners
- Tenants of residential units
- Adult representatives of child occupied facilities

Disclosure: Residential Units

Document delivery of both pamphlets:

- Property owners: 30 days prior to renovation **OR** certified mail 7 days prior to renovation
- Tenants: 30 days prior to renovation

Disclosure: Child Occupied Facilities

Document delivery of both pamphlets:

- 30 days prior to start of renovations
- Adult representatives of child occupied facilities
- Post Renovation Notice in common areas
 - Keep a copy of the renovation notice in project file

Pre-Renovation Education Form

Occupant Confirmation

____ Pamphlet Receipt: I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before work began.

Printed Name of Owner / Occupant

Signature of Owner / Occupant

Date

Renovator Self Certification Option (for tenant occupied dwellings only)

Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below:

____ **Declined:** I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

____ **Unavailable for Signature:** I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how pamphlet was left):

Printed Name of Person Certifying Delivery

Attempted Delivery Date

Signature of Person Certifying Lead Pamphlet Delivery

Unit Address

City / State / Zip

Renovation Notice

For use in notifying tenants of renovations in common areas or multi-family housing.

Activity	Location

Project Address:

City: _____ State: _____ Zip: _____

Property Owner

Number of Dwelling Units

Method of Delivery (delivery to units, delivery to mailboxes, etc.)

Person Delivering Notices

Signature

Date

Copies of the EPA Publication, Renovate Right, can be obtained by contacting:

Contact Name: _____

Phone Number(s): _____

Project Example



Project Example

Project Scope: complete build out of a 3 residential units. Total cost is \$33,000 / \$11,000 per unit.

Interior renovations, including residential units at >\$5,000 per unit rehab cost.

Evaluation Method: Test exterior painted surfaces to be disturbed using EPA recognized test kits.

LBP Risk Assessment: EPA Certified Risk Assessor evaluates each residential unit and tenant means of egress.

Project Example

Test Results:

- Lead-containing painted surfaces will be disturbed

Procedures:

- EPA certified contractor must be utilized
- EPA safe work practice standards must be implemented
- Occupant Protection: Contain work areas and post signs **AND** relocate at-risk households
- Clearance: Dust clearance testing
- Compliance: Keep records for 5 years
- Ongoing Maintenance: Owner certifies to maintain the paint in all residential spaces using safe work practices

Project Example

LPA gives the Owner:

- EPA Renovate Right Pamphlet
- Risk Assessment and Clearance results

Owner gives the Residential Tenants:

- EPA Renovate Right pamphlet
- HUD / EPA Protect Your Family From Lead pamphlet
- HUD / EPA Lessor's Disclosure

Summary

- Understand RRP and NYMS compliance
- Collect RRP Certificates from workers and Firm Certificates from General Contractors
- Submit Clearance Reports with reimbursement requests
- NYMS can withhold or recapture funding for work without LBP compliance
- EPA can fine contractors for RRP Rule violations

Lead Based Paint

**New York Main Street Program
Buffalo Main Streets Initiative
Downtown Revitalization Initiative (HCR)
Rural Area Revitalization Projects
Urban Initiatives**

QUESTIONS?

NYS Homes and Community Renewal website:

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<http://www.nyshcr.org/Forms/EnvironmentalComplianceHandbook.pdf>