

# **HUD's Lead Safety Rules and EPA's Lead in Renovation Rule**

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**[www.hud.gov/offices/lead](http://www.hud.gov/offices/lead)  
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# HUD's Objectives for its Lead Safety Rules

- **Eliminate child lead poisoning from housing**
- **Building lead-based paint issues into the programmatic structure of HUD operations and assistance**

# Lead Disclosure Rule

## Subpart A of 24 CFR Part 35

- **Targets most pre-1978 housing at sale or lease**
- **Jointly enforced by HUD and EPA with DOJ support**

# Lead Safe Housing Rule (LSHR)

## PURPOSE:

To protect children in assisted target housing through primary prevention



# Lead Safe Housing Rule

## Varying requirements based on Title X:

- Type of housing assistance
- In some cases, amount of assistance
- [www.hud.gov/offices/lead/enforcement/lshr.cfm](http://www.hud.gov/offices/lead/enforcement/lshr.cfm)

# Two perspectives on changes

- **If you've been doing HUD projects:**
  - **Changes to implementing HUD's Lead Safe Housing Rule (LSHR) as a result of EPA's RRP rule**
- **If you start doing HUD projects:**
  - **Requirements beyond the RRP rule for projects covered by the LSHR**

# Main changes to HUD LSHR projects from EPA RRP Rule

- **Tenant-based rental assistance:**
  - RRP rule covers housing even if no child under 6 lives in assisted unit
- **Training and certification:**
  - Renovation firm must be EPA- or State-certification (as applicable)
  - At least one certified renovator at the job or available when work is being done.

# Other considerations for LSHR projects from RRP Rule

- **Window replacement is not de minimis under the RRP (6 sq. ft.)**
  - But ... since this work disturbs more than the LSHR's de minimis (2 sq. ft.), lead safe work practices, clearance and notification are already required for LSHR projects.
- **EPA's three prohibited practices apply to de minimis projects as well as larger projects**
  - But ... firms working on HUD projects haven't been using them even on small projects.

**Additional requirements for  
projects covered by  
HUD's LSHR  
as well as the  
EPA's RRP Rule**

# LBP Determination

- EPA: Certified renovators use EPA-recognized test kit to determine presence or absence of LBP.
- HUD: EPA-recognized test kits may not be used to say paint is not LBP. Positive test kit result may be used to require lead safety procedures, since LBP can be presumed.  
Evaluation, paint testing or presumption must be done by a certified LBP inspector or risk assessor.  
Certified renovator may evaluate, test or presume only if also a certified LBP inspector or risk assessor.

# Training and Certification

- **EPA**: EPA certifies renovators and firms.  
Only a certified renovator is required to have classroom training.  
Workers may receive on-the-job training from the certified renovator.
- **HUD**: All workers and supervisors must complete a HUD-approved lead safe work practices course.

# Treating LBP hazards

- EPA: Most renovations in target housing performed in a lead-safe manner.
- HUD: Depending on type and amount of HUD assistance, most lead hazards treated using interim controls, plus ongoing lead-based paint maintenance if ongoing HUD housing assistance

# Prohibited Work Practices

- **EPA**:
  - Open flame burning or torching
  - Heat guns above 1100 degrees F
  - Power sanding, etc., without HEPA vacuum attachment.
- **HUD**: EPA's three, plus:
  - Heat guns that char paint
  - Dry scraping farther than 1 ft. of electrical outlets
  - Using volatile strippers in poorly ventilated space.

# De minimis amounts

- EPA:
  - 6 sq. ft. per interior space
  - 20 sq. ft. for exterior work.
- HUD:
  - 2 sq. ft. per interior space
  - 10% of small component type
  - 20 sq. ft. for exterior work.

# Confirmatory Testing

- **EPA**:
  - Cleaning verification by renovator, or
  - Clearance examination, if required by contract or regulation.
  
- **HUD**:
  - Clearance examination done by an independent party.

# Notification to Occupants

- **EPA**: Notify residents who are owners.
- **HUD**: Notify occupants within 15 days after lead hazard evaluation or control activities in their unit (and, if applicable, common areas they access), by:
  - Posting in central common area, or
  - Distributing to each affected unit.

# Thanks for Watching!



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