



LEAD COMPLIANCE • FEDERAL DOCUMENTATION



Background

1. Target Housing - means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling.
2. If you intend to take exemption(s) from the Federal, State and Local lead-based paint rules and regulations have available:
 - A. Lead-based paint testing completed pursuant to the more stringent of 40 Code of Federal Regulations Part 745 - Lead-based Paint Poisoning Prevention in Certain Residential Structures; Subpart L - Lead-based Paint Activities:
 - i. 40 CFR Part 745.227(a)(3) and (b); Documented Methodologies and Inspections;
 - B. The more stringent standards of Code of Maryland Regulations (COMAR) Sections 26.16.02.02.1 - Incorporated by Reference; and 26.16.02.05 - Certification of Housing as Lead-Free
3. If you intend to take exemption(s) from the Federal, State and Local lead-based paint rules and regulations due to size; extent; duration; emergency; subcontracting; etc. have available:
 - A. Written protocols;
 - B. Determinations on a job or task basis;
 - C. Contracts; or
 - D. Other written delineation supportive of the exemption

Documentation

4. 40 CFR Part 745 - Subpart E - Residential Property Renovation
 - A. **EPA (40 CFR Part 745.89) Certified Firm certificates** (Property Management and applicable Subcontractors);
 - B. **EPA (40 CFR Part 745.90) Certified Renovator certificates** (Property Management and applicable Subcontractors);
 - C. **Written protocol for the determination of Minor repair and maintenance activities;**
 - i. *Minor repair and maintenance activities are activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by § 745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas. Please see regulation for more detail.*
 - D. **Written protocol for the documentation of regulated Renovation(s):**
 - i. *Renovation means the modification of any existing existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part (40 CFR 745.223). The term renovation includes (but is not limited to): The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust); the removal of building components (e.g., walls, ceilings, plumbing, windows); weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping), and interim controls that disturb painted surfaces. Please see regulation for more detail.*



E. Written documentation to support compliance with the last five (5) regulated Renovations.

This includes 40 CFR Part 745.80 through.89.

F. Written documentation to support compliance with the last five (5) Minor repair and maintenance determinations.



5. 40 CFR Part 745 – Subpart F – Disclosure of Known Lead-based Paint and/or Lead-based Paint Hazards Upon Sale or Lease of Residential Property

A. *The following activities shall be completed before the purchaser or lessee is obligated under any contract to purchase or lease target housing that is not otherwise an exempt transaction pursuant to § 745.101. Nothing in this section implies a positive obligation on the seller or lessor to conduct any evaluation or reduction activities.*

- i. The seller or lessor shall provide the purchaser or lessee with an EPA-approved lead hazard information pamphlet. Such pamphlets include the EPA document entitled *Renovate Right to Protect Your Family* (EPA #747-K-94-001) or an equivalent pamphlet that has been approved for use in that State by EPA.*
- ii. The seller or lessor shall disclose to the purchaser or lessee the presence of any known lead-based paint and/or lead-based paint hazards in the target housing being sold or leased. Please see regulation for more detail.*
- iii. The seller or lessor shall disclose to each agent the presence of any known lead-based paint and/or lead-based paint hazards in the target housing being sold or leased and the existence of any available records or reports pertaining to lead-based paint and/or lead-based paint hazards. Please see regulation for more detail.*
- iv. The seller or lessor shall provide the purchaser or lessee with any records or reports available to the seller or lessor pertaining to lead-based paint and/or lead-based paint hazards in the target housing being sold or leased. Please see regulation for more detail.*

- B. If any of the disclosure activities identified occurs after the purchaser or lessee has provided an offer to purchase or lease the housing, the seller or lessor shall complete the required disclosure activities prior to accepting the purchaser's or lessee's offer and allow the purchaser or lessee an opportunity to review the information and possibly amend the offer.*
- C.** *Lessor requirements. Each contract to lease target housing shall include, as an attachment or within the contract, the following elements, in the language of the contract (e.g., English, Spanish):*

- i. A Lead Warning Statement with the following language:*
 - 1. Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women.*
 - 2. Before renting pre-1978 housing, lessors must disclose the presence of lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.*
- ii. A statement by the lessor disclosing the presence of known lead-based paint and/or lead-based paint hazards in the target housing being leased or indicating no knowledge of the presence of lead-based paint and/or lead-based paint hazards. Please see regulation for more detail.*
- iii. A list of any records or reports available to the lessor pertaining to lead-based paint and/or lead-based paint hazards in the housing that have been provided to the lessee. If no such records or reports are available, the lessor shall so indicate.*
- iv. A statement by the lessee affirming receipt of the information set out in above paragraphs and the lead hazard information pamphlet required under 15 U.S.C. 2696.*
- v. When one or more agents are involved in the transaction to lease target housing on behalf of the lessor, a statement that:*
 - 1. The agent has informed the lessor of the lessor as obligations under 42 U.S.C. 4852d; and*
 - 2. The agent is aware of his/her duty to ensure compliance with the requirements of this subpart.*
- vi. The signatures of the lessors, agents, and lessees, certifying to the accuracy of their statements, to the best of their knowledge, along with the dates of signature.*



D. Retention of Certification and Acknowledgment Information.

- i. The seller, and any agent, shall retain a copy of the completed attachment required under paragraph (a) of this section for no less than 3 years from the completion date of the sale. Please see regulation for more detail.*
- ii. This record keeping requirement is not intended to place any limitations on civil suits under the Act, or to otherwise affect a lessee's or purchaser's rights under the civil penalty provisions of 42 U.S.C. 4852d(b)(3)*

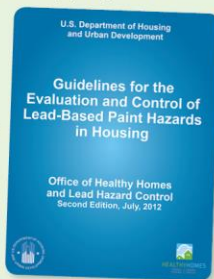


E. The seller, lessor, or agent shall not be responsible for the failure of a purchaser's or lessee's legal representative (where such representative receives all compensation from the purchaser or lessee) to transmit disclosure materials to the purchaser or lessee, provided that all required parties have completed and signed the necessary certification and acknowledgment language required under paragraphs (a) and (b) of this section.

6. 40 CFR Part 745 - Subpart L - Lead-based Paint Activities

A. Effective date, applicability, and terms

- i. Beginning on March 1, 2000, all lead-based paint activities shall be performed pursuant to the work practice standards contained in this section.*
- ii. When performing any lead-based paint activity described by the certified individual as an inspection, lead-hazard screen, risk assessment or abatement, a certified individual must perform that activity in compliance with the appropriate requirements below.*
- iii. Documented methodologies that are appropriate for this section are found in the following: The U.S. Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing; the EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead-Contaminated Soil; the EPA Residential Sampling for Lead: Protocols for Dust and Soil Sampling (EPA report number 7474-R-95-001); Please see regulation for more detail.*
- iv. Clearance levels are appropriate for the purposes of this section may be found in the EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead Contaminated Soil or other equivalent guidelines.*



B. Inspection.

- i. An inspection shall be conducted only by a person certified by EPA as an inspector or risk assessor and, if conducted, must be conducted according to the procedures in this paragraph.*
- ii. When conducting an inspection, the following locations shall be selected according to documented methodologies and tested for the presence of lead-based paint:
 - 1. In a residential dwelling and child-occupied facility, each component with a distinct painting history and each exterior component with a distinct painting history shall be tested for lead-based paint. Please see regulation for more detail.*
 - 2. In a multi-family dwelling or child-occupied facility, each component with a distinct painting history in every common area, except those components that the inspector or risk assessor determines to have been replaced after 1978, or to not contain lead-based paint.**
- iii. Paint shall be sampled in the following manner:
 - 1. The analysis of paint to determine the presence of lead shall be conducted using documented methodologies which incorporate adequate quality control procedures; and/or*
 - 2. All collected paint chip samples shall be analyzed according to paragraph (f) of this section to determine if they contain detectable levels of lead that can be quantified numerically.**



- iv. The certified inspector or risk assessor shall prepare an inspection report which shall include the following information:
 - 1. Date of each inspection.*
 - 2. Address of building.*
 - 3. Date of construction.*
 - 4. Apartment numbers (if applicable).*
 - 5. Name, address, and telephone number of the owner or owners of each residential dwelling or child-occupied facility.*
 - 6. Name, signature, and certification number of each certified inspector and/or risk assessor conducting testing.*
 - 7. Name, address, and telephone number of the certified firm employing each inspector and/or risk assessor, if applicable.*
 - 8. Each testing method and device and/or sampling procedure employed for paint analysis, including quality control data and, if used, the serial number of any x-ray fluorescence (XRF) device.*
 - 9. Specific locations of each painted component tested for the presence of lead-based paint.*
 - 10. The results of the inspection expressed in terms appropriate to the sampling method used.**

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Course	June	July	August
Renovator Refresher (Half Day) [\$90.00]	18	24	14
Supervisor - Maintenance and Repainting Refresher (Maryland) [\$180.00]	25	30	20
Are You in Compliance		11	

OWINGS MILLS, MD

Course	June	July	August
PROPERTY MANAGEMENT MOISTURE INFILTRATION/MOLD PREVENTION & REMEDIATION TRAINING [\$180.00]	07	15	09
Supervisor - Maintenance and Repainting - Initial (Maryland) [\$360.00]	12	06	05
Renovator Initial (Full Day) [\$180.00]	21	10, 26	16, 21
Asbestos Awareness [\$90.00]		23	13
Mold Awareness [\$90.00]		23	13

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