Louisiana Disaster Recovery and Mitigation Grant Implementation Manual

Chapter 10: Lead-Based Paint, Asbestos, and Mold

Louisiana Division of Administration

Office of Community Development – Disaster Recovery

Table of Contents

1. Introduction

Housing projects often attract significant public and political attention due to their impact on community health and safety. Many projects are designed as stand-alone efforts, yet others seek to leverage private and public initiatives in order to maximize the impact of Community Development Block Grant – Disaster Recovery (CDBG-DR) and Community Development Block Grant – Mitigation (CDBG-MIT) funding. Each directly affects the ability of individuals impacted by disasters to resume a safe and comfortable housing standard.

Each housing project has its own specific eligibility standards and grant calculation requirements. Subrecipients need to be familiar with the regulatory requirements associated with the individual projects. The Louisiana Office of Community Development – Disaster Recovery (LOCD-DR) is available to assist the subrecipient in identifying the regulatory requirements associated with the established state projects linked to a particular disaster.

Among the critical concerns in these projects are the presence of lead-based paint (LBP), asbestos, and mold, which pose serious health risks. The Lead Safe Housing Rule (LSHR) addresses the dangers of LBP, ensuring that rehabilitation, repair, or demolition projects comply with safety standards to protect families and children. Similarly, asbestos regulations under the Clean Air Act (CAA) and Occupational Safety and Health Act mandate safe practices during renovation or demolition to prevent exposure to asbestos fibers. Mold, although not regulated by specific federal standards, requires careful management to prevent health issues, especially in areas affected by severe weather events. This manual provides detailed guidance on the regulatory requirements and safety measures for handling LBP, asbestos, and mold in housing projects.

2. Definitions

Refer to these definitions of terms used within this chapter:

1. **Abatement:** Any set of measures designed to permanently (at least 20 years) eliminate LBP or LBP hazards. Abatement includes:

a. The removal of LBP and lead-contaminated dust hazards, the permanent enclosure or encapsulation of LBP, the replacement of components or fixtures painted with LBP, and the removal or permanent covering of lead-contaminated soil hazards.

b. All preparation, cleanup, disposal, and associated post-abatement clearance testing activities.

2. **Applicable Surfaces:** Applicable surfaces include deteriorated, impact, friction, and chewable surfaces, and surfaces that will be disturbed.

3. **Clearance Examination:** An activity conducted following LBP hazard reduction activities to determine that the hazard reduction activities have been completed and that no lead-contaminated soil hazards or settled lead-contaminated dust hazards, as defined in this part, exist in the dwelling unit or worksite. The clearance process includes a visual assessment and collection and analysis of environmental (dust) samples.

4. **Designated Party:** A federal agency, subrecipient, participating jurisdiction, housing agency, Indian Tribe, tribally designated housing entity, sponsor, or property owner responsible for complying with applicable requirements.

5. **Elevated Blood Lead Level (EBLL):** A confirmed concentration of lead in the whole blood of a child under age six, equal to or greater than the concentration in the most recent guidance published by the U.S. Department of Health and Human Services on recommendation that an environmental intervention be conducted. As of January 17, 2025, a blood lead level of 3.5 micrograms per deciliter (µg/dl) or higher is considered to be an EBLL.

6. **Environmental Investigation:** The process of determining the source of lead exposure for a child under age six with an EBLL. In accordance with Chapter 16 of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, the investigation consists of a risk assessment with the administration of a questionnaire, comprehensive environmental sampling, case management, and other measures.

7. **Evaluation:** The principal lead hazard evaluation methods are risk assessment or lead hazard screen, risk assessment combined with LBP inspection, and LBP inspection combined with visual assessment. Alternatives to evaluation include visual assessment and the presumption that LBP and/or LBP hazards are present.

8. **Index Unit:** A housing unit where a child with an EBLL resides.

9. **Interim Controls:** A set of measures designed to temporarily reduce human exposure or likely exposure to LBP hazards. Interim controls include repairs, painting, temporary containment, specialized cleaning, clearance, ongoing LBP maintenance activities, and the establishment and operation of management and resident education programs.

10. **Lead-Based Paint:** Paint or other surface coatings that contain lead equal to or exceeding 1.0 milligram per square centimeter or 0.5% by weight or 5,000 parts per million (ppm) by weight.

11. **Lead-Based Paint Hazard:** Any condition that causes exposure to lead from lead-contaminated dust hazards, lead-contaminated soil hazards, or LBP that is deteriorated or present on chewable surfaces, friction surfaces, or impact surfaces and that would result in adverse human health effects.

12. **Lead-Based Paint Inspection:** A surface-by-surface investigation to determine the presence of LBP and a report explaining the investigation results.

13. **Lead Hazard Screen:** A limited risk assessment activity that involves paint testing, dust sampling, soil sampling, and analysis. For properties in good condition, a lead hazard screen risk assessment is used to determine whether a full risk assessment is necessary.

14. **Lead-Safe Work Practices:** Work practices to perform any maintenance, hazard reduction, or renovation work that disturbs paint that may be LBP above the *de minimis*. These include prohibited methods of paint removal, occupant protection, worksite preparation, and specialized cleaning.

15. **Other Covered Units:** Federally assisted housing units on the property where a child under age six lives or is expected to live.

16. **Paint Stabilization:** Repairing any physical defect in the substrate of a painted surface that is causing paint deterioration, removing loose paint and other material from the surface to be treated, and then applying a new protective coating or paint.

17. **Presumption:** An alternative to evaluation that allows property owners to assume without testing that all painted surfaces are coated with LBP and that all bare soil is hazardous. However, the property owner must treat all surfaces to be disturbed as if they contain lead.

18. **Repair:** Work done on disturbed LBP that includes surface preparation and applying a new coat of paint.

19. **Risk Assessment:**

    a. An on-site investigation to determine the existence, nature, severity, and location of LBP hazards.

    b. The provision of a report by the individual or firm conducting the risk assessment explaining the investigation results and options for reducing LBP hazards.

20. **Substrate:** The material components directly beneath the painted surface, such as wood, drywall, plaster, concrete, brick, or metal.

21. **Target Housing:** Any housing constructed prior to 1978. Housing for the elderly or persons with disabilities or any zero-bedroom dwelling are exceptions unless any child who is less than age six resides or is expected to reside in such housing.

22. **Visual Assessment:** Visual assessment means looking for, as applicable:

    a. Deteriorated paint

    b. Visible surface dust, debris, and residue as part of a risk assessment or clearance examination

c. The completion or failure of a hazard reduction measure

NOTE: A visual assessment alone is not considered to be an evaluation.

3. Lead-Based Paint

3.1 Introduction

The primary reason that the U.S. Department of Housing and Urban Development (HUD), LOCD-DR, and its subrecipients need to address the presence of LBP and LBP hazards, is to protect children and families. LBP is still present in millions of homes built before 1978, the year it was banned in the United States. The most recent national survey conducted reflects that more than 18% of pre-1978 housing has identifiable LBP hazards.

Addressing these hazards is critical to ensuring that Americans, especially children, can have healthy, productive lives. LBP is usually not a hazard if it is in good condition. However, deteriorating (e.g., peeling, chipping, chalking, cracking, damaged) LBP is a hazard that needs prompt attention. A housing provider has a responsibility to provide decent, safe, and sanitary housing to its residents. Part of this responsibility is to protect residents from the health risks of lead hazards.

3.1.1. Protecting Children

Lead can affect almost every organ and system in the human body. Children under age six are vulnerable because their bodies are still growing. In children, lead can cause delayed growth and development; a lower IQ; learning problems; brain and nervous system damage; and hearing, speech, and behavior problems. If a pregnant person is exposed to lead, their developing baby can also be exposed. This can increase the risk of miscarriage; cause the baby to be born too early or too small; harm the baby's brain, kidneys, and nervous system; or cause the child to have learning or behavioral challenges.

Local housing project households are most likely to be affected by lead poisoning. Recent studies have shown that more young children from low-income families living in older housing have levels of lead in their blood above the level of concern set by the Centers for Disease Control and Prevention (CDC), when compared with young children from higher income

families. Taking proper precautions during maintenance, repair, and renovation work in homes known or assumed to contain LBP can protect children and families.

3.1.2. Benefits of Addressing the Presence of Lead-Based Paint

There are other reasons why HUD and its subrecipients need to address the presence of LBP and LBP hazards, including the following:

1. **Reducing Liability:** Like any property owner, subrecipients can face lawsuits for failing to address LBP hazards in a unit if a young child is poisoned. By taking action to reduce LBP hazards, subrecipients can demonstrate that they are working to provide safe, suitable housing. This reduces the risk that courts will find them negligent when deciding on lawsuits.

2. **Reducing Insurance Costs:** Subrecipients who address LBP may be able to receive favorable premiums for insurance coverage.

3. **It Is Required:** Title X of the 1992 Housing and Community Development Act mandated that HUD address LBP in housing receiving federal assistance. HUD published its final consolidated rule on September 15, 1999. This rule requires actions by HUD grantees.

3.1.3. The 1992 Housing and Community Development Act Included Title X ("Title Ten")

To protect families from exposure to lead from paint, dust, and soil, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992. This is also known as Title X ("Title Ten").[1] The U.S. Environmental Protection Agency (EPA) issued a rule under Section 1018 of this law, known as the Lead-Based Paint Disclosure Rule.[2]

Federal Regulations:

[1] Title X

[2] Section 1018 of Title X

It directs EPA and HUD to require the disclosure of known information on LBP and LBP hazards before the sale or leasing of most housing built before 1978. It is designed to help people make more informed choices based on the information they receive.

Title X is a new approach to the LBP problem that requires a comprehensive HUD LBP regulation:

1. Former LBP regulations for HUD-funded housing projects focused on the existence of deteriorated paint. Control of identified LBP and LBP hazards did not occur unless a poisoned child lived in the unit.

2. Title X called for a three-pronged approach to target conditions that pose health risks to housing occupants and avoid cases of lead poisoning:

    a. Notification of occupants about the existence of these hazards so that they can take proper precautions.
    b. Identification of LBP hazards before a child can be poisoned.
    c. Control of these LBP hazards to limit lead exposure to residents.

3.1.4. HUD's Goals in Implementing Title X

In responding to Title X, HUD had several goals in mind, as described below:

1. **Streamline and Consolidate Lead Regulations:** HUD revised and consolidated its LBP regulations throughout its projects. Redundant regulations were eliminated and different projects now have consistent requirements.

2. **Organized by Project Type:** Before this regulation, many HUD clients received funding from several HUD projects with separate and sometimes inconsistent sets of lead regulations. This regulation groups HUD projects by type of assistance provided. For example, a subrecipient receiving HUD funds from several different sources to conduct a housing rehabilitation project will find the LBP requirements for rehabilitation under Subpart J of the lead regulation.[1]

    Federal Regulations:

    [1] 24 CFR 35 Subpart J

3. **Update Lead-Based Paint Requirements to Better Protect Children and Families:** In issuing its LBP regulations, HUD took advantage of new knowledge. The requirements are based on the practical experience of cities, states, and others who have been controlling LBP hazards in housing. The requirements reflect the results of scientific and technological research and innovation on the sources, effects, costs, and methods of evaluating and controlling LBP hazards. This knowledge allowed the

regulation to target those conditions that pose the greatest risk to human health. The regulation also requires improved lead hazard evaluation techniques. Decisions about lead hazard reduction activities are more informed and available resources better target lead exposure reduction.

4. **Balance the Need for Cost-Effective Action with the Duty to Protect Children:** The LSHR balances the practical need for cost-effective, affordable LBP hazard notification, evaluation, and reduction measures with Title X's statutory requirements and HUD's duty to protect children living in property that is owned or assisted by the federal government.

3.2 Statutory Requirements

3.2.1. Legislation

1. Lead-Based Paint Poisoning Prevention Act of 1971
2. Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X or Title Ten)
3. Sections 1012/1013 of Title X

3.2.2. Lead Regulations Adopted by the Following Organizations

1. HUD – Housing and health
2. U.S. Environmental Protection Agency (EPA) – Environment and health
3. Occupational Safety and Health Administration (OSHA) – Workplace safety and health
4. Consumer Product Safety Commission (CPSC) – Lead in consumer products in conditions that pose the greatest risk to housing residents

3.3 Requirements

The following discussion focuses on the two major aspects of the LSHR: (1) disclosure upon sale or leasing of residential property, and (2) approaches to dealing with LBP hazards, including the Five Key Requirements to Lead Safe Housing.

3.3.1. Disclosure Rule

Disclosure of Known Lead-Based Paint Hazards Upon Sale or Leasing of Residential Property (from the HUD Occupancy Handbook – 4350.3)

The Disclosure Rule[1] [40 Code of Federal Regulations (CFR) 745, Subpart F[2] and 24 CFR 35, Subpart A[3] – Requirements for the Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards in Housing], published March 6, 1996, specifies the types of information that owners must give to applicants prior to signing their leases. These requirements apply to all properties built prior to January 1, 1978, including cooperatives, with certain exemptions established by regulation. The list below identifies specific exemptions when the disclosure rule does not apply. If a property is exempt, the owner does not need to comply with the requirements discussed in this paragraph.

Federal Regulations:

[1] Lead-Based Disclosure Rule

[2] 40 CFR 745 Subpart F

[3] 24 CFR 35 Subpart A

Disclosure Rule Exemptions

- Residential structures built after January 1, 1978, are exempt from LBP requirements because Congress banned the use of LBP for residences after this date.
- Rental property found to be LBP free by an LBP inspector or risk assessor accredited by the state or tribal certification program is exempt.
- Zero-room dwelling units, including single-room occupancy units, are exempt.
- Housing specifically designated for the elderly or persons with disabilities is exempt unless a child under age six resides or is expected to reside in the unit.
- Short-term leases of 100 days or fewer when no lease renewal or extension can occur.

Disclosure Rule Overview

For properties where the requirements apply, both owners and tenants need to be aware of LBP hazards, such as paint chips, paint dust in units, and contaminated soil in common areas. LBP is dangerous to adults and children, but especially to children under age six. Units that are

older, are in poor physical condition, have been renovated unsafely, or have exterior lead-contaminated soil are at the most risk. Owners in all applicable properties must provide tenants with basic information on LBP and its hazards, and they must maintain an accurate record of this communication. Compliance with these regulations is crucial to reduce liability and avoid lawsuits, obtain more favorable insurance premiums, and avoid penalties for failing to meet government requirements.

The following details an owner's requirements regarding LBP during the leasing process. These requirements must be met during the life of the property and are discussed in Handbook 4350.1, Multifamily Asset Management and Project Servicing or other current notices. These requirements include the following:

- Visual assessments to identify deteriorated paint (for assistance over $5,000 per unit annually) or risk assessments to identify LBP hazards
- Paint stabilization (for assistance over $5,000 per unit annually) or interim controls with clearance testing when appropriate
- Ongoing paint maintenance (for assistance over $5,000 per unit annually) and re-evaluation every two years to identify hazards
- Notification of tenants about the actions above
- Special actions when a child under age six is reported to have high blood lead levels

Compliance with fair housing requirements applies when adhering to LBP regulations. Owners may not refuse to rent to households with children to avoid triggering lead paint requirements because this would constitute discrimination based on familial status.

Owners may affirmatively market the following types of units to families with children under age six:

- Units that are built after January 1, 1978, and
- Units that are built prior to January 1, 1978, and found to be free of lead hazards.

Owners must disclose known LBP and/or LBP hazards in the property and provide the EPA/HUD/CPSC Lead Hazard Information Pamphlet (Protect Your Family from Lead In Your Home) to tenants when leases are renewed, modified, or renegotiated unless no new information on those subjects has come into the possession of the owner and the owner has already provided the tenants with the disclosure information and the pamphlet. This is in accordance with 24 CFR 35.82(d) in the Lead Disclosure Rule.

3.3.2. Disclosure Rule Requirements

Prior to leasing, owners must provide the tenant with two items:

- **Lead Hazard Information Pamphlet:** Owners must provide tenants of a residential property with the Lead Hazard Information Pamphlet (see above), or an EPA-approved equivalent. Owners are required to document that the tenant was given a copy of the pamphlet before signing the lease.

NOTE: The Lead Hazard Information Pamphlet distributed to meet the Disclosure Rule requirement is the same pamphlet distributed for other lead-based paint requirements (e.g., the Lead-Based Paint Pre-Renovation Education Rule). It does not have to be distributed twice as long as it is documented that it has been provided.

- **Disclosure Form:** Owners must include the disclosure form in the lease packet and obtain the prospective tenant's signature before he or she signs the lease. The disclosure form is designed to document receipt of the Lead Hazard Information Pamphlet and to meet three disclosure requirements, as follows:

  a. **Disclose the presence of known LBP/hazards:** Owners of target housing must disclose the presence of known LBP and/or LBP hazards. The disclosure form has a line for owners to mark to verify that LBP/hazards have been disclosed.

  b. **Disclose information on LBP/hazards:** Owners must provide applicants with any available records or reports pertaining to the presence of LBP and/or LBP hazards. Owners must inform applicants about how to access available records or reports pertaining to the presence of LBP and/or LBP hazards. The disclosure form has a line

for owners to verify that copies of all relevant records and reports have been provided to the applicant. The form also documents whether there are no records or reports available.

c. **Include contract language:** Leasing contracts must include a Lead Warning Statement and an acknowledgment section to be signed by the prospective tenant, the owner, and any agent. The owner must present the disclosure form signed by the owner and the Lead Hazard Information Pamphlet to the prospective tenant before the tenant signs the lease. The disclosure form has the Lead Warning Statement printed at the top and a place at the bottom for the applicant to sign, acknowledging disclosure and receipt of the Lead Hazard Information Pamphlet.

3.3.3. Record-Keeping Requirements

There are specific records that owners must keep to verify compliance with the Disclosure Rule requirements.

- **Disclosure Form:** Owners must keep records of the Disclosure Form provided to each tenant for three years from the commencement of the leasing period.
- **Lead Hazard Information Pamphlet:** A record of the distribution of the Lead Hazard Information Pamphlet is required under the HUD-EPA Lead-Based Paint Disclosure Rule and the EPA Lead Pre-Renovation Education Rule.

3.3.4. General Lead-Based Paint Requirements for All Programs Funded Through Community Planning and Development

The requirements of the LSHR apply to the following HUD Community Planning and Development programs subject to the LSHR,[1] including CDBG, HOME, Housing Trust Fund, Rental Rehabilitation Grant Program, Housing Opportunities for Persons With AIDS, Shelter Plus Care, Emergency Solutions Grants, and Supportive Housing.

Federal Regulations:

[1] 24 CFR 35

24 CFR 35

- Subpart A: Disclosure of Known Lead-Based Paint Hazards

- Subpart B: General Requirements and Definitions
- Subpart J: Rehabilitation
- Subpart K: Acquisition, Leasing, Support Services, or Operation
- Subpart M: Tenant-Based Rental Assistance
- Subpart R: Methods and Standards for Evaluation and Reduction Activities

The subparts which address other types of federally funded properties include the following:

- Subpart C: Disposition of Residential Property
- Subpart D: Project-Based Assistance Provided by a Federal Agency Other Than HUD
- Subpart F: HUD-Owned Single-Family Property
- Subpart G: Multifamily Mortgage Insurance
- Subpart H: Project-Based Rental Assistance
- Subpart I: HUD-Owned and Mortgagee-in-Possession Multifamily Property
- Subpart L: Public Housing Programs
- Subparts E and N through Q are reserved for future use.

Exemptions[1]

- Post-1978 housing
- Zero-bedroom units
- Housing exclusively for the elderly or disabled
- Property certified as LBP free
- Property where LBP was removed
- Unoccupied property pending demolition (note that EPA requirements related to property demolition apply)

Federal Regulations:

[1] 24 CFR 35.115

- Nonresidential part of property
- Rehabilitation or maintenance activities that do not disturb painted surfaces
- Emergency actions

3.3.5. Lead Safe Housing Rule

The LSHR requires different approaches to addressing lead hazards in different types of housing. The requirements for each type of housing are best understood if the following five Key Requirements that make up the LSHR are considered:

1. **Communication with Residents:** Subrecipients must meet the lead disclosure requirements that apply to all housing (assisted or unassisted) at lease or sale and provide certain notices to residents.
2. **Lead Hazard Evaluation/Assessment:** Any housing that receives HUD funds must undergo some form of evaluation or assessment (unless lead is presumed to be present).
3. **Lead Hazard Reduction Methods:** After the appropriate evaluation or assessment, the subrecipient must conduct lead hazard reduction. Such work must be done using lead safe work practices and is not considered to be complete until clearance is performed.
4. **Ongoing Maintenance:** Some types of housing projects are subject to ongoing maintenance requirements.
5. **Elevated Blood Lead Levels (EBLLs):** The EBLL threshold, effective January 17, 2025, has been reduced from 5 to 3.5 micrograms of lead per deciliter of blood (µg/dL) for a child under age six, consistent with the CDC's current blood lead reference value of 3.5 µg/dL.

The LSHR requires some form of evaluation or assessment for any dwelling unit that receives HUD funding. The specific type of

Lead Safe Housing Rule Toolkit

evaluation or assessment depends on the nature of the housing project or activity being conducted or the amount of assistance provided.

3.3.6. EPA – Renovation, Repair, and Painting Rule

On April 22, 2008, EPA issued the Renovation, Repair, and Painting (RRP) Rule, which is aimed at preventing lead poisoning. Under the rule, beginning in April 2010, contractors performing renovation, repair, and painting projects that disturb LBP in homes, childcare facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. The HUD LSHR is similar to the EPA RRP Rule.

Although there are some differences between the EPA RRP Rule and the HUD LSHR. A major difference is that the LSHR requires clearance examinations. All housing receiving federal assistance must still comply with the LSHR.

Table *1*: LSHR and RRP Rule requirements

Requirement	HUD LSHR	EPA RRP Rule	Changes to LSHR Projects to Comply with RRP Rule
Planning and Set-Up			
Determination that lead-based paint (LBP) is present	EPA-recognized test kits cannot be used to say that paint is not LBP. Only a certified LBP inspector or risk assessor may determine whether LBP is present.	Certified renovators use an EPA-recognized test kit to determine whether the RRP Rule applies.	None
Training	HUD does not certify renovators or firms. All workers and supervisors must complete a HUD-approved curriculum in lead safe work practices, except that non-certified	EPA or EPA-authorized states certify renovation firms and accredit training providers that certify renovators. Only the certified renovator is required to have classroom training.	Renovation firms must be certified. At least one certified renovator must be at the job site or available when work is being done. (The certified renovator may be a certified LBP abatement

Requirement	HUD LSHR	EPA RRP Rule	Changes to LSHR Projects to Comply with RRP Rule
	renovation workers need only on-the-job training if they are supervised by a certified LBP abatement supervisor who is also a certified renovator.	Workers must receive on-the-job training from the certified renovator.	supervisor who has completed the four-hour RRP refresher course.)
Pre-Renovation Education	HUD requires conformance with EPA regulations, including EPA's Pre-Renovation Education Rule. EPA had required renovators to hand out the EPA/HUD/ CPSC Protect Your Family from Lead in Your Home (Lead Disclosure Rule) pamphlet.	Renovators must hand out the EPA/ HUD Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools pamphlet. (This requirement went into effect on December 22, 2008.)	None
During the Job			
Treating LBP Hazards	Depending on the type and amount of HUD assistance, HUD requires that lead hazards be treated using "interim controls" or "ongoing lead-based paint maintenance."	EPA generally requires that renovations in target housing be performed using lead-safe work practices.	None

Requirement	HUD LSHR	EPA RRP Rule	Changes to LSHR Projects to Comply with RRP Rule
Planning and Set-Up			
Prohibited Work Practices	HUD prohibits six work practices. These include EPA's three prohibited work practices plus heat guns that char paint, dry scraping or sanding farther than 1 foot of electrical outlets, and the use of a volatile stripper in poorly ventilated space.	EPA prohibits three work practices (i.e., open flame burning or torching, heat guns above 1,100 degrees Fahrenheit, and machine removal without a HEPA vacuum attachment).	None
Threshold minimum amounts of interior paint disturbance that trigger lead activities	HUD has a lower interior de minimis threshold (2 ft^2 per room, or 10% of a small component type) than EPA for lead-safe work practices. HUD also uses this lower threshold for clearance and occupant notification.	EPA's interior threshold (6 ft^2 per room) for minor repair and maintenance activities are higher than HUD's de minimis threshold.	None
End of Job			
Confirmatory Testing	HUD requires that a clearance examination be completed by an independent party instead of the certified renovator's cleaning verification procedure.	EPA allows cleaning verification by the renovator or clearance examination. The cleaning verification does not involve sampling and	None

Requirement	HUD LSHR	EPA RRP Rule	Changes to LSHR Projects to Comply with RRP Rule
		laboratory analysis of the dust.	
Notification to Occupants	HUD requires the designated party to distribute notices to occupants within 15 days after lead hazard evaluation and control activities in their unit (and common areas, if applicable).	EPA has no requirement to notify residents who are not the owners after the renovation.	None

3.3.7. Evaluation Methods Required for CDBG-DR and MIT Programs

The following evaluation and assessment methods are used with CDBG-DR and CDBG-MIT funded activities:

1. **Visual Assessment:** A visual assessment for deteriorated paint consists of a visual search for cracking, scaling, peeling, or chipping paint, as well as visible dust, debris, and paint chips. Because a visual assessment is not considered to be a method of lead hazard evaluation, there is no requirement for a Notice of Lead Hazard Evaluation associated with this procedure.
2. **Paint Testing:** Paint testing entails testing painted surfaces to determine whether they contain LBP. An XRF analyzer or laboratory analysis are methods used to test paint. A certified paint inspector or a certified risk assessor must perform paint testing.
3. **Risk Assessment:** A risk assessment is a comprehensive investigation of a dwelling to identify LBP hazards. It includes paint testing, dust and soil sampling, and a visual evaluation. A certified risk assessor must perform a risk assessment. Risk assessment results are summarized in a written report with recommendations for action.

3.3.8.Other Methods

There are other methods of evaluation/assessment; however, these methods are not required with CDBG-DR or CDBG-MIT funded activities.

1. **Paint Inspection:** A paint inspection is a surface-by-surface investigation to determine the presence of LBP. Because the inspection evaluates all painted surfaces, it is more comprehensive than paint testing. A certified paint inspector must perform paint inspections. Paint inspections are not required for CDBG-DR or CDBG-MIT funded activities.

2. **Lead Hazard Screen:** A lead hazard screen is similar to a risk assessment but is designed for properties in good condition. A screen requires fewer samples than a risk assessment but uses more stringent evaluation criteria. If the results of a screen indicate that LBP hazards are or may be present, a full risk assessment must be conducted.

3. A certified risk assessor must conduct a lead hazard screen. A lead hazard screen is permitted in CDBG-DR and CDBG-MIT funded projects as an alternative to a risk assessment.

3.4 Lead Hazard Reduction

Lead hazard reduction methods are the specific types of treatments to control LBP hazards. The method of lead hazard reduction required is determined by the type of housing activity being undertaken. The lead hazard reduction methods, including abatement and interim controls are discussed below:

1. **Abatement:** A lead hazard reduction method that is designed to permanently eliminate LBP or LBP hazards. According to the Louisiana Department of Environmental Quality regulations, LBP abatement contractors must be licensed by the Louisiana State Licensing Board for Contractors. For information on how to obtain a license to abate LBP, see www.LSLBC.louisiana.gov. *Permanent* is defined as having 20 years of expected life. Abatement must be performed by Louisiana state certified abatement workers who successfully completed an accredited abatement worker

course and are supervised by an abatement supervisor. State abatement activities include the following:

a. Removing LBP and its dust.

b. Permanently encapsulating or enclosing the LBP.

c. Replacing components with LBP.

d. Removing or permanently covering lead-contaminated soil.

2. **Interim Controls:** Lead hazard reduction activities that temporarily reduce exposure to LBP hazards through repairs, painting, maintenance, special cleaning, occupant protection measures, clearance, and education projects. A person performing paint stabilization, interim controls, or standard treatments must be trained in accordance with lead safe work practices and have successfully completed a HUD or EPA-approved training course. Interim control methods require safe work practices.

3. **Paint Stabilization:** Repair any physical defect in the substrate of a painted surface that is causing paint deterioration. Remove loose paint and other material from the surface to be treated and apply a new protective coating or paint.

   a. **Treatment for friction and impact surfaces:** Correct the conditions that create friction or impact with surfaces with LBP.

   b. **Treatment for chewable surfaces:** If a child under age six has chewed surfaces known or presumed to contain LBP, these surfaces must be enclosed or coated so that they are impenetrable.

   c. **Lead-contaminated dust control:** All rough, pitted, or porous horizontal surfaces must be covered with a smooth, cleanable covering. Carpets must be vacuumed on both sides using HEPA vacuums or the equivalent.

4. **Lead-Contaminated Soil Control:** If bare soil is contaminated with lead, impermanent surface coverings, such as gravel, bark, and sod, as well as land use controls, such as fencing, landscaping, and warning signs, may be used.

5. **Standard Treatments:** May be conducted in lieu of a risk assessment and interim controls. Standard treatments are designed to reduce all LBP hazards in a unit. Standard treatments must be performed on all applicable surfaces, including bare soil, to control LBP hazards that may be present. All standard treatment methods must follow safe work practices.

6. **Amount of Federal Assistance:** The term *rehabilitation* is used by HUD to describe residential renovation work. Specific requirements depend on the amount of federal rehabilitation assistance that the project is receiving:

    a. **Up to $5,000 per unit:** "Do no harm" approach. Lead safety requirements cover only the surfaces being disturbed. Program participants can either test these surfaces to determine whether they contain LBP or presume that they contain LBP. Work which disturbs painted surfaces, known or presumed to contain LBP, is done using lead safe work practices. Clearance of the worksite is performed at the end of the job (unless it is a very small de minimis scale project) to ensure that no lead dust hazards remain in the work area. Training that meets the EPA's RRP Rule requirements is sufficient for this work.

    b. **Greater than $5,000 and up to $25,000 per unit:** Identify and control lead hazards. Identify all lead hazards at the affected units and common areas servicing those units by performing an LBP risk assessment. Control the hazards using interim controls. Participants may skip the risk assessment and presume that all potential lead hazards are present and then must use standard treatments to address them. Additionally, training that meets the EPA's RRP Rule requirements and HUD-approved interim control training (such as the HUD-EPA RRP Rule curriculum) is required for renovators and workers.

    c. **Greater than $25,000 per unit:** Identify and abate lead hazards. Identify all lead hazards at the property by performing a risk assessment and then abate all the hazards. Participants may skip the risk assessment and presume that all potential

lead hazards are present and abate the hazards. This approach requires certified abatement contractors to perform the abatement.

Table 2: Rehabilitation requirements

Rehabilitation (Subpart J)			
	≤ $5,000	**$5,000 – $25,000**	**> $25,000**
Approach to Lead Hazard Evaluation and Reduction	Do no harm.	**Rehabilitation** (Subpart J)	**Rehabilitation** (Subpart J)
Notification	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing (of surfaces to be disturbed)	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (interim controls on exterior surfaces not disturbed by rehabilitation)
Ongoing Maintenance	**Safe work practices** **Clearance** For HOME rental only	**Safe work practices** **Clearance** For HOME rental only	**Safe work practices** **Clearance** For HOME rental only
EBBL Requirements	No	No	No
Options	Presume LBP Use safe work practices on all surfaces	Presume LBP and/or hazards Use standard treatments	Presume LBP and/or hazards Abate all applicable surfaces

3.5 Responding to Child Under Age Six with an Elevated Blood Lead Level

HUD has modified the Lead Safe Housing Rule (LSHR) to enhance protections from LBP hazards, enforceable since July 31, 2017. These regulations place responsibilities on the owners of HUD-assisted housing built before 1978. The significant changes for a child under age six identified with an EBLL are as follows:

- Enhance the assessment in that child's unit (the index unit) from a risk assessment to an environmental investigation (EI).
- Add a requirement that if LBP hazards are found in the index unit, then every assisted unit in the property occupied by a child under age six must receive a risk assessment and control of any LBP hazards.
- Add a requirement that HUD be notified when these events occur.

An EBLL child is identified as a child under age six who has a confirmed concentration in whole blood of 3.5 micrograms of lead per deciliter of blood (3.5 µg/dL) or more.

When assistance provided by subrecipients involves an ongoing relationship with a property, such as Tenant-Based Rental Assistance (TBRA) or the HOME Rental properties project, subrecipients are responsible for ensuring that the owners perform ongoing maintenance to ensure that lead hazard reduction methods are maintained. In other cases, ongoing maintenance is encouraged.

For TBRA (including Housing Choice Vouchers) programs, the responsibilities are divided between the subrecipient and the owner. It is important that subrecipients and owners clarify responsibilities. By default, initial verification and evaluations are the responsibility of the subrecipient. The lead hazard control work and related notices are the owner's responsibility unless the subrecipient has explicitly assumed that responsibility. The subrecipient could also explicitly assign responsibility for evaluations, EIs, and risk assessments to the owner.

3.5.1. Verification and Notice

Once there is an EBLL case reported for a child under age six in an assisted housing unit, there are verification and notice requirements. If the original EBLL report did not come from a ***health care provider*** or local ***public health department***, the subrecipient should immediately verify the child's blood lead level with one of those sources. If no initial medical verification is received, the owner or Public Housing Agency (PHA)/subrecipient must contact the HUD Program Representative (HUD Rep) regarding the lack of response.

The HUD Rep will either proceed to verify independently or contact the Office of Lead Hazard Control and Healthy Homes (OLHCHH) to assist with verification. You may continue to attempt to verify the EBLL. Keep records of all attempts (yours and HUD's) to verify the EBLL with the public health department or health care provider. Avoid unnecessary delays that slow down the response. The EBLL response requirements apply whether the child is or is not living in the unit. If any other household receiving TBRA is living in the unit or is planning to live there, EBLL response requirements apply to the unit.

3.5.2. Information Privacy

Information emailed/shared with HUD/PHA should not include the child's name or blood result, unless done in a secure manner. This is considered personally identifiable information (PII) and is also confidential medical information that must be maintained in accordance with the PHA's/subrecipient's policy for private medical information. If the PHA/subrecipient must transmit PII, it must be done in a secure manner or in an encrypted email.

3.5.3. Notification

The responsible party (TBRA owner or subrecipient) must notify the local health department, local HUD Field Office, and HUD OLHCHH (LeadRegulations@hud.gov) within five business days of verification. Notification to the HUD Field Office and HUD OLHCHH should include the following:

- Owner's name and address (if the owner is providing the information)
- Date of the EBLL test result
- Housing program (e.g., TBRA)
- Unit address and (if it is a multi-unit property) the development's
- Whether the owner has notified the local health department of the EBLL, or has been notified by the local health department
- Date of the notification

3.5.4. Investigation of the Index Unit

The responsible party must ensure that a certified lead risk assessor performs an **Environmental Investigation (EI)** within 15 calendar days of verification of the EBLL child. By default, the regulations assign this to subrecipients in TBRA programs.

3.5.5. Risk Assessors and Inspectors

- The EI must be performed by a certified risk assessor.
- Certified risk assessors may perform environmental investigations, inspections, post-abatement clearances, lead hazard screens, and risk assessments.
- The PHA/subrecipient can rely on the results of the health department's evaluation of the EBLL child's home and environment.
- Many local public health departments conduct lead poisoning prevention services or can arrange for such services.
- The health department may evaluate a child's home for LBP hazards and other potential sources of lead exposure when a child is found to have an EBLL.

3.5.6. Notification of EI Results

The responsible party must notify the local HUD Field Office and the index unit occupant family of the results. If LBP hazards were identified, also notify all assisted residents that an EI was completed. The HUD Field Office must be notified within 10 business days and the occupants within 15 calendar days.

Notices regarding the evaluation to HUD and the residents must include the date that the investigation was completed, because the investigation is only valid for one year. If the EI does not identify LBP hazards **(of paint, dust, or soil)** in the index unit, but does identify other potential sources of lead exposure, then:

- Residents should be encouraged to follow the EI's recommendations for controlling other household sources of lead (e.g., water, tub leaching, ceramic tile chipping and dusting, take-home exposures from work or hobbies, imported jewelry, pottery, folk remedies).

- Subrecipients and owners may assist the family directly or coordinate with the health department to encourage the elimination of non-LBP hazards identified in the EI.
- The EBLL response for the index unit is complete after the subrecipient (for TBRA) notifies the family of the results. The PHA/subrecipient should maintain the records.

If the EI also identifies LBP hazards in the index unit:

- Within 30 days of the EI results, the owner (for TBRA) is responsible for controlling and clearing all hazards from housing sources in the index unit and common areas, using a certified LBP abatement firm or certified lead renovation firm

3.5.7. Other Covered Units

If an index unit with LBP hazards is in a property with multiple federally assisted units:

- Risk assessment is required for other assisted target housing units in the property where children under age six reside or are expected to reside. These are known as other "covered units."
- Identify all the work needed for all covered units before abatement begins.
- Residents of other covered units can be notified of risk assessment results through a central posting or individual notifications.

NOTE: The exception of other covered units is if "the owner has documentation of compliance with evaluation, notification, lead disclosure, ongoing lead-based paint maintenance, and lead-based paint management requirement" for these units for the 12 months preceding the EI. Provide documentation to HUD within 10 days of receiving the results of the EI.

3.5.8. Guidelines for Sampling Other Covered Units for Risk Assessments

Sampling of units is permitted for properties built before 1960 with more than 20 covered units, and properties built between 1960 and 1977 and with more than 10 covered units. The HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing provides

further guidance on the required sample sizes. The certified LBP risk assessor will design and implement the sampling protocol.

3.5.9. Sampling Detail for Other Covered Units

If LBP hazards are found in a sample of covered units, they are presumed to exist in all the other covered units that were not sampled. The hazards are presumed to be present on the same type of building components (e.g., bedroom windowsills) as detected in the sampled units. Components found to be hazard-free in sampled units do not require treatment. If risk assessments did not identify LBP hazards in other covered units, the owner must notify the residents and HUD Field Office of the results and then the EBLL response is complete regarding other covered units.

3.5.10. Timing

EBLL Response Activity	Timeframe
Notify the Public Health Department and HUD Field Office of the EBLL case	Within five business days after verification of EBLL
Conduct an environmental investigation for the index unit	Within 15 calendar days after verification of EBLL
Notify the HUD Field Office about the results of the EI	Within 10 business days of receiving the results of the EI
Conduct a risk assessment for covered units	Within 30 calendar days for a property with ≤ 20 covered units after the EI results Within 60 calendar days for a property with > 20 covered units after the EI results
Complete lead hazard control work and clearance	Within 30 calendar days of receiving the results of the EI
Interim control of other LBP hazards in other covered units	Within 30 calendar days for a property with ≤ 20 covered units with LBP hazards after the risk assessment results Within 90 calendar days for a property with > 20 covered units after the risk assessment results
Notify the HUD Field Office of clearance	Within 10 business days after clearance
Notify the assisted resident of clearance	Within 15 calendar days after clearance

3.6 Maintenance

3.6.1. Exemptions

Ongoing maintenance activities are not required when:

- A clearance report indicates that all building components with LBP have been removed, **OR**
- A current risk assessment indicates that no lead-contaminated soil or lead-contaminated dust is present.

3.6.2. Required Maintenance Activities

Depending on project size, subrecipients and owners must ensure that maintenance activities are conducted that minimize the threat of LBP hazards. Required maintenance activities include the following:

1. Conduct visual assessments for deteriorating paint and the failure of any lead hazard reduction measures every 12 months and when the unit turns over.
2. Address deteriorated paint through paint stabilization unless an evaluation states that there is no LBP.
3. Repair enclosures or encapsulations.
4. Perform other lead hazard reductions, as necessary.
5. If the initial reduction activity required the treatment of soil, identify and treat bare soil.
6. Provide notice of lead hazard reduction activity.
7. Provide a written notice to occupants asking them to report deteriorated paint or failed encapsulation or enclosure. Include the contact's name, address, and telephone number. CDBG recommends that the notice be provided every 12 months or at unit turnover. To the extent feasible, the notice should be written in the language of the occupant.

3.6.3.Maintenance-Related Requirements

Safe work practices must be followed for all maintenance or renovation work that disturbs paint that may be LBP above the de minimis level.

The de minimis level is the surface area allowed with LBP before triggering additional LBP requirements. The de minimis level includes the following:

1. 20 square feet on exterior surfaces
2. 2 square feet in any one interior room or space
3. 10% of the total surface area on an interior or exterior type of component with a small surface area, such as windowsills, baseboards, and trim.

Lead safe work practices must be used during lead hazard reduction, rehabilitation, and maintenance work that involves surfaces with presumed or identified LBP.

3.6.4. Lead Safe Work Practice Exemptions

Safe work practices are not required when:

1. The paint being disturbed was tested and found not to be LBP.
2. Maintenance or lead hazard reduction activities disturb a total surface area that is less than the de minimis amount.

There are four components of safe work practices:

1. **Occupant Protection:** Appropriate actions must be taken to protect occupants from LBP hazards associated with lead hazard reduction, paint stabilization, maintenance, or rehabilitation activities.
    a. Occupants may not enter the worksite during lead hazard reduction activities.
    b. Occupants must be temporarily relocated to a suitable unit that is decent, safe, sanitary, and free of LBP hazards during lead hazard reduction activity. There are circumstances when occupant relocation is not required.

c. Property owners must protect occupants' belongings from lead contamination by relocating, covering, or sealing them.

d. Property owners must secure the worksite against entry during non-work hours.

2. **Worksite Preparation and Containment:**

   a. The worksite must prevent the release of lead dust and debris.

   b. Minimize the spread of lead dust, paint chips, soil, and debris, using approved methods.

   c. Warning signs are required at the main and secondary entrances to a building, and at each entrance where lead hazard reduction occurs.

   d. For exterior worksites, signs must be readable from 20 feet.

3. **Prohibited Methods:** There are some methods that may not be used at any time to remove paint with presumed or identified LBP. Prohibited methods include the following:

   a. Open flame burning or torching

   b. Machine sanding or grinding without high-efficiency particulate air (HEPA) local exhaust control

   c. Abrasive blasting or sandblasting without HEPA local exhaust control

   d. Heat guns operating above 1,100 degrees Fahrenheit, or those that operate at high enough temperatures to char the paint

   e. Dry sanding or dry scraping

NOTE: Four exceptions to this prohibition are as follows:

1. Dry scraping in conjunction with heat guns
2. Dry scraping within 1.0 foot (0.20 meter) of electrical outlets
3. Treating deteriorated paint spots that total no more than 2 feet of any one interior room or space
4. Treating deteriorated paint spots that total no more than 20 feet of exterior surfaces

f. Paint stripping in a poorly ventilated space using a volatile stripper that is a hazardous substance in accordance with regulations of the CPSC at 16 CFR 1500.3,[1] and/or a hazardous chemical in accordance with OSHA at 29 CFR 1010.1200[2] or 1926.59,[3] as applicable to the work.

Federal Regulations:

[1] 16 CFR 1500.3

[2] 29 CFR 1010.1200

[3] 29 CFR 1926.59

NOTE: Methylene chloride paint strippers may cause cancer and should be avoided. Use of these strippers is prohibited by some jurisdictions.

4. **Worksite Cleanup:** Worksite cleanup removes dust and debris from the work area. Good cleanup is critical to passing clearance and leaving the unit safe for habitation. Worksite cleanup must be done using methods, products, and devices that are successful in cleaning lead-contaminated dust, such as vacuum cleaners with HEPA filters, and household or lead-specific detergents.

3.6.5. Maintenance Records

Subrecipients must keep records of inspections, repairs, and any other lead hazard evaluation and reduction activities for three years after the activities cease or for the time required by program regulations. The HOME program requires that records be kept for five years.

3.7 Clearance

The standard EPA-HUD clearance examination determines whether the clearance area is safe for occupancy or for entry by unprotected workers. Clearance must be conducted unless the work area was below the de minimis level. The LSHR requires clearance after paint stabilization, interim controls, standard treatments, rehabilitation, or ongoing LBP maintenance. HUD's standards and procedures for clearance are the same as those for EPA-regulated abatement. There are some differences in the qualifications for clearance examiners. Hazard reduction work is only complete upon passing a clearance examination for compliance and the site is clear of hazards.

- **Abatement Work:** Clearance must be performed by a certified risk assessor or LBP inspector.
- **Non-Abatement Work:** Clearance can be done by a certified risk assessor, LBP inspector, or sampling technician. The supervisor must sign off on the clearance.
- No conflict of interest.
- Clearance examiners must be independent from hazard control, rehabilitation, or maintenance work.
- Clearance examiners may work for the same firm that provides pre-work paint testing or risk assessment.
- **Interim Clearance:** Allowing non-lead workers to enter the site is permitted; however, final clearance must also be done.

The clearance procedures require dust clearance sampling by a certified sampling professional. The EPA RRP Rule allows for optional dust clearance testing in lieu of the "cleaning verification" procedure. The dust wipe samples collected by the state-certified risk assessor/inspector or clearance technician must be submitted to an EPA-accredited laboratory for analysis.

3.7.1. Clearance Activities

Clearance activities include the following:

- Visual assessment to determine completion of work
- Absence of hazards
- Dust sampling, processed by an EPA-accredited laboratory, to measure residual lead-dust levels
- Interpretation of sampling results and the preparation of a report

3.7.2. Dust Action Levels

Clearance examinations are required upon completion of any hazard control work and before re-occupancy. Clearances must be done by certified professionals and adhere to the standards of EPA at 40 CFR 745.227(h)(3)(i)[1], or 24 CFR 35.1340[2] and 24 CFR 35.1320[3] if such standards are not in effect:

Federal Regulations:

[1] 40 CFR 745.227(h)(3)(i)

[2] 24 CFR 35.1340

[3] 24 CFR 35.1320

- Carpeted Floors 10 µg/ft^2
- Hard Floors 10 µg/ft^2
- Interior Windowsills 100 µg/ft^2
- Window Troughs 400 µg/ft^2

If the applicable EPA, state, or local clearance standards for lead in dust are not met, HUD requires that cleaning be repeated and additional dust testing performed until the area meets clearance standards. If lead-contaminated dust levels determined by a clearance examination remain above the clearance standards, the work is not complete. Levels of lead in dust must be within clearance standards for the work to be complete.

NOTE: It is anticipated that on or after January 12, 2026, levels of lead in dust must be below the following:[1]

- Carpeted Floors 5 µg/ft^2
- Hard Floors 5 µg/ft^2
- Interior Windowsills 40 µg/ft^2
- Window troughs 100 µg/ft^2

3.8 Louisiana Requirements for Lead-Based Paint Testing and Abatement

The Louisiana Department of Environmental Quality regulates lead-based paint activities:

- Louisiana Environmental Regulatory Code, Title 33: Part III – Louisiana Air Quality Regulations. Chapter 28: Lead-Based Paint Rule – Recognition, Accreditation, Licensure, and Standards for Conducting Lead-Based Paint Activities[2]

Federal Regulation and State Laws:

[1] 40 CFR 745.227(h)(3)(i)

[2] LAC Title 33:III. Chapter 28

3.9 Lead-Based Paint Resources

- HUD Occupancy Handbook 4350.3, Rev-1, Section 1: Leases and Lease Attachments, Chapter 6: Lease Requirements and Leasing Activities, Subsection 6-8: Lead-Based Paint Disclosure Form

  HUD's handbook details the requirements for compliance with 24 CFR Subpart A that presents the requirements for leasing pre-1978 housing units.

  https://www.hud.gov/sites/documents/43503hsgh.pdf

- HUD Website – Lead Safe Housing Rule Toolkit

  https://www.hudexchange.info/programs/lead-based-paint/lshr-toolkit/introduction/

- Lead-Based Paint – Louisiana Environmental Regulatory Code, Title 33, Part III, Chapter 28

  https://deq.louisiana.gov/assets/docs/legal_affairs/erc/33v03air.docx

- Louisiana Department of Environmental Quality Lead Brochure

https://www.deq.louisiana.gov/assets/docs/Air/Lead_Paint/lead-brochure.pdf

- Louisiana Trainers for EPA Renovation/Repair/Painting Program

  https://www.deq.louisiana.gov/assets/docs/Asbestos_and_Lead_Accreditations/LA-RRP-program-Trainers-EPA-as-of-02042022.pdf

- HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (2012)

- The Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing support HUD's vision to reduce hazards in housing in a cost-effective manner while protecting the health of children. The Guidelines apply to lead hazard evaluation and control in all federally associated housing. This second edition of the Guidelines replaces *the 1995 edition*, as amended. https://www.hud.gov/program_offices/healthy_homes/lbp/hudguidelines

- HUD Exchange
  https://www.hudexchange.info/programs/lead-based-paint

- HUD Lead-Based Paint Resources
  https://www.hudexchange.info/programs/lead-based-paint/resources/

- HUD's Lead Safe Housing Rule and EPA's Renovation, Repair, and Painting Rule
  LSHR Toolkit: HUD's LSHR and EPA's Renovation, Repair, and Painting Rule Chart

- HUD Designated Parties for EBLL Children
  https://www.hudexchange.info/programs/lead-based-paint/resources/

4. Asbestos

4.1 Asbestos

While HUD does not have a specific regulation related to asbestos as it does for LBP, there are federal laws, particularly the Clean Air Act (CAA)[1] and the Occupational Safety and Health Act.[2] These requirements could be triggered if there is a renovation or demolition of a home or facilities that contain asbestos materials. The CAA specifies the work practices that must be followed during demolition and renovation of buildings.

Federal Laws:

[1] CAA

[2] OSHA

Asbestos is a naturally occurring mineral fiber. It was used in numerous building materials for its strength and ability to resist heat and corrosion before its dangerous health effects were discovered. Individual asbestos fibers cannot be seen by the naked eye, which puts workers at an increased risk. OSHA has regulations to protect workers from the hazards of asbestos.

Initial screening on the statutory checklist form will look at the potential for disturbing any kind of asbestos-containing materials. This necessitates an inspection of the building before the work begins. A higher level screening may be needed to determine the extent and type of asbestos present. If any kind of renovation or demolition is considered, structures must be inspected. Standardized practices that comply with the CAA and OSHA regulations must be employed if asbestos is found and will be disturbed. Make certain the contract specifications and documents address these practices and include inspection, testing, removal, and final clearance procedures that meet or exceed applicable health codes.

Contact the state Department of Public Health or Environmental Quality for more information on asbestos. Additionally, local construction code enforcement agencies may have specific requirements for buildings containing asbestos. State laws may regulate the training and licensing of contractors, inspectors, laboratories, project safety monitors, and asbestos abatement actions.

The regulatory requirements usually apply to the following:

- Worker exposure to asbestos

- Procedures for abating asbestos when a building undergoes renovation or demolition
- Disposal of asbestos-containing materials

4.2 Asbestos Resources

- Louisiana Title 33, Part III, Chapter 27, Section 2071 and following the Asbestos Hazard Emergency Response Act, which is sometimes incorporated by reference into clearance requirements for other buildings.
- U.S. EPA https://www.epa.gov/asbestos

5. Mold

5.1 Mold

Louisiana residents continue to struggle with the environmental impact from severe weather events. In August 2000, the Louisiana Department of Health/Office of Public Health/Section of Environmental Epidemiology and Toxicology developed Indoor Environmental Quality Education Service. This serves as the agency's primary program that is responsive to the public's indoor environmental quality concerns.

HUD does not have a specific regulation related to mold. Since no EPA or other federal limits have been set for mold or mold spores, sampling cannot be used to check a building's compliance with mold standards.

Surface sampling may be useful to determine whether an area has been adequately cleaned or remediated. Sampling for mold should be conducted by professionals who have specific experience in developing mold sampling protocols, sampling methods, and interpreting results. Sample analysis should follow analytical methods recommended by the American Industrial Hygiene Association, the American Conference of Governmental Industrial Hygienists, or other professional organizations.

The EPA has issued guidance for the identification and cleanup of mold, who should do the cleanup, cleanup guidelines, and mold prevention and control tips, among other topics. It

issued a guide for situations where there has been a lot of water damage and/or mold growth covers more than 10 square feet. Although this guidance is focused on schools and commercial buildings, it is applicable to other building types.

5.2 Mold Resources

- A Brief Guide to Mold, Moisture and Your Home, EPA 402-K-02-003
  www.epa.gov/iaq
- EPA Mold Cleanup in Your Home
  https://www.epa.gov/mold/mold-cleanup-your-home
- HUD Exchange: Site Contamination
  https://www.hudexchange.info/programs/environmental-review/site-contamination/