

APPENDIX 11-1
LEAD-BASED PAINT SURFACE CERTIFICATION

PROJECT NAME _____ PROJECT NO. _____
PROJECT MANAGER _____
FIELD OFFICE _____

I certify that the required lead-based paint
inspection
abatement
has been completed, in accordance with 24 CFR Parts 35 and
200.825.

Evidence of unit, common area and exterior inspections are
attached hereto.

CERTIFICATION:

PROJECT MANAGER SIGNATURE DATE

RECEIPT OF CERTIFICATION:

GTR/GTM SIGNATURE DATE

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LEAD-BASED PAINT CERTIFICATION DATA SHEET

PROJECT NAME _____ PROJECT NO. _____
INSPECTOR _____

THIS DATA SHEET COVERS:

UNIT NO. _____
COMMON AREA, Describe _____

EXTERIOR, Describe _____

TYPE OF INSPECTION BEING PERFORMED: (check all that apply)
ELEVATED BLOOD LEVEL

Reported by _____ Date _____

RANDOM SAMPLING
ENTIRE INTERIOR/EXTERIOR

an inspector certified or regulated by a State or local health or housing agency, or by an organization recognized by HUD. If a laboratory is used, it must be accredited for analysis of heavy metals by the U.S. Environmental Protection Agency, a State health or environmental agency, or a national laboratory accreditation organization.

*

NOTIFICATION

The Lead Based Paint Poisoning and Prevention Act (LBPPPA) of 1970 and subsequent amendments address the prevalent issue of lead-based paint in the nation's aging housing stock. The LBPPPA along with its implementing HUD regulations found in 24 CFR Part 35 require that tenants of HUD insured and subsidized housing constructed prior to 1978, be notified of the possible hazards of lead-based paint (LPB), the symptoms and treatment of lead-based paint poisoning, and the precautions which can be taken (including maintenance and removal) in an attempt to minimize lead-based paint poisoning.

In compliance with the requirements of the law, HUD's Office of Lead-Based Paint and Poisoning Prevention has developed a Notification Brochure to inform tenants of the required information. Entitled "Lead-Based Paint: A Threat to your Children," this brochure discusses a wide range of topics related to LBP such as how to avoid being poisoned and measures tenants*

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*can take to ensure minimal risk. In addition, the brochure provides an acknowledgement form which the tenant should sign stating they have received a copy of the brochure.

1. Applicability. Applicable to all properties constructed prior to 1978, which currently fall under any of the three categories below:
 - a) Covered by HUD mortgage insurance; OR
 - b) HUD-held (including 202 Direct Loans and Purchase Money Mortgages); OR
 - c) Covered by a contract for Housing Assistance Payments.
2. Exceptions: If a property is designed as Housing for the elderly (e.g. Section 202, Section 221(d)(3) or Section 236 Elderly) or handicapped, then owners are not required to notify tenants unless a child under the age of 7 resides in the unit or is expected to reside in a unit. Zero bedroom units are also exempt from the notification requirements.

If the mortgage is only insured under any of the following Sections of the Act the owner is exempt from the notification requirements: Sections 231, 232, 241, of 242 of the National Housing Act.

3. Properties Which Have Tested Negative for or Have Abated Lead-Based Paint. If a property falls under any of the categories referred to in the applicability section and the property has tested negative for LBP or has been abated the owner must notify the tenants using the prepared Notification Brochure. In addition, the owner may prepare a note to the tenants stating the actions that have been taken to remove the hazard or that the unit has tested negative for LBP, as defined in HUD guidance (See Chapter 10, Handbook 4350.1). If the owner has abated using the encapsulation method then the owner may inform the tenants through a note that the hazard has been encapsulated, but precautions should be taken to assure that the covering remains intact.
4. Requirements. Owners of the covered properties are required to notify current lessees of the hazards of LBP utilizing the Notification Brochure prepared by HUD's Office of Lead-Based Paint and Poisoning Prevention. In turn, the owner must certify to the fact that the current lessees have received the Notification Brochure provided by HUD. Owners are also required to ensure that incoming tenants receive a copy of the Notification Brochure prior to new rental of a unit. *

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- * If a property falls under any of these applicable categories, regardless of whether the assistance applied to only part of the property (e.g. uninsured, but partially assisted with Section 8), all tenants currently residing at the property, and all incoming tenants prior to rental of a unit, are required to be given the Notification Brochure.
5. The Notification Process. The following steps are required to be followed to assure that tenants receive the proper notification mandated by law.
 - a. Field Office will receive the Notification Brochures from Headquarters in a bulk shipment. The Branch Chief will then determine which projects in the Field Office Inventory require the Notification Brochure to be issued to the tenants.
 - b. A sufficient number of Notification Brochures will be

shipped to each owner by the Field Office. The Branch Chief should enclose instructions to the owner that all units are required to receive a Notification Brochure. The lessee of each unit should acknowledge to the owner, on the form attached to the Notification Brochure, that they have received a copy.

- c. Owners/Agents will issue the Notification Brochures to all current lessees with the understanding that they should acknowledge that they have received a copy. If for some reason a lessee refuses to acknowledge the receipt of a brochure, the owner shall prepare a list of names along with the statement that the lessee was given a copy of the Notification Brochure and has refused to acknowledge that fact. This list should be attested to by the owner and at least one witness.

The owner should request additional copies of the Notification Brochure from the Field office, as needed, in order to assure that incoming tenants are provided the Brochure prior to rental of a unit.

- d. The owner/agent will collect the signed tenant acknowledgement forms and the list of non-acknowledging lessees, as necessary, and maintain them on file in the project management office. The documents should be available for Field Office Staff inspection during the Management Review process.
- e. The owner, upon receiving the current tenant acknowledgement forms, will in turn certify to HUD*

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that all lessees have been given a copy of the Notification Brochure and have been asked to acknowledge the fact. The owner certification will then become a part of the project file and remain in the Field Office. *

ABATEMENT

There are four basic ways to abate:

1. Encapsulation, which is covering the surface with a highly durable material, such as an epoxy, acrylic or fiberglass substance that binds well to the surface;
2. Enclosure, which involves covering and sealing the surface with a layer of gypsum wall board, paneling, or siding;

3. Paint removal (on site or off site), by chemical stripping, or scraping with a heat gun; and
4. Replacement of the architectural component.

Open flame burning is not permitted. It generates toxic fumes. Generally, machine sanding and other abrasive methods are not permitted because they generate excessive lead dust. In some cases, however, as on masonry or stone surfaces, abrasive methods may be necessary and are acceptable if the machine is attached to a HEPA (high efficiency particle accumulator) vacuum.

Repainting without thorough covering or removal does not constitute adequate abatement. However, if there are only a few small (one or two square inch) spots of defective paint, they can be treated by scraping and repainting.

PROTECTION OF OCCUPANTS AND WORKERS

Abatement of lead-based paint can generate hazardous dust and debris. If the housing unit is occupied at the time of the abatement, the occupants, and especially young children, should be temporarily relocated until the work is finished and the cleanup is completed. The work area should be contained with polyethylene sheeting to keep hazardous dust from spreading to other parts of the unit or building. Rugs, carpets, and furniture (especially upholstered furniture) that cannot be removed from the work area should be sealed. Also, polyethylene sheeting should be put down to protect floors and the ground outdoors if exterior surfaces are being abated. This will also

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facilitate more efficient cleanup.

Workers should wear respirators if they are generating significant amounts of dust; face masks are not adequate protection against very fine particles. Workers should wash their hands and face at breaks, and they should not wear their work clothes or shoes home. It is wise for workers to have their blood lead tested periodically to be sure that they are not being exposed to lead.

CLEANUP

A common way for children to be exposed to lead is playing in a house just after it has been repainted or renovated. Therefore the abatement job is not complete until a thorough cleanup is conducted. Just sweeping up is not enough. Even vacuuming with

a standard vacuum cleaner may be inadequate, because the normal vacuum cleaner filter does not catch very small particles of lead.

The recommended cleanup procedure is as follows:

After cleaning up the large debris and chips and removing polyethylene sheeting, all surfaces in the work areas should be vacuumed with a High Efficiency Particle Accumulator (HEPA). Then all surfaces should be cleaned with a high phosphate detergent/water solution and then HEPA vacuumed again.

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