**Summary of Major Lead-Based Paint Regulations**

| **< $5000/unit** | **$5000 - $25,000/unit** | **> $25,000/unit** |
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| **Applicability**24 CFR Part 35, Subpart J contains lead-based paint requirements specifically for Federally funded rehabilitation work. These requirements apply to HUD programs that provide assistance for rehabilitation, including CPD-funded rehabilitation activities. The lead-based paint requirements for rehabilitation work, as described in this part of the regulation, are the same regardless of the source of program funding, *but* they differ based on the level of funding to a property.  |
| **Notification**Occupants, owner occupants, and purchasers of assisted properties must receive notification of the potential presence and hazards of lead-based paint. Notification is achieved through the distribution of the EPA/HUD/CPSC lead-based paint hazard information pamphlet. Occupants must also receive written notice informing them of lead hazard evaluation or reduction activities.  |
| **Paint Testing**Painted surfaces that will be disturbed during rehabilitation must be tested for lead-based paint, unless a surface is assumed to contain lead-based paint. | **Paint Testing** – Test surfaces that will be disturbed by the rehabilitation for lead-based paint. For surfaces assumed to contain lead-based paint, testing is not required. **Risk Assessment** – An assessment of a dwelling to check for the presence of lead-based paint hazards. It includes a visual assessment of dust, soil, and paint and a written report of the results. |
| **Option** The grantee may assume that lead-based paint and lead hazards are present, forego the paint testing and risk assessment, and conduct standard treatments. | **Option** The grantee may assume that lead-based paint and lead hazards are present, forego paint testing and risk assessment, and abate all painted surfaces disturbed during rehabilitation that are presumed to have lead-based paint and all presumed hazards. |
| **Paint Repair**Repair surfaces that are disturbed by rehabilitation in a safe manner.  | **Lead Hazard Reduction**Any lead-based paint hazards found during the risk assessment must be controlled using *interim controls* or abatement methods.*Standard treatments* must be performed when no evaluation is conducted and the presence of lead-based paint hazards is assumed.  | **Abatement**Any lead-based paint hazards found in units and common areas must be controlled using *abatement* methods.Lead-based paint hazards on exterior surfaces that are not disturbed during rehabilitation must be controlled using either interim controls or abatement. |
| **Safe Work Practices**Rehabilitation work that disturbs surfaces known or assumed to contain lead-based paint must be performed using safe work practices. Safe work practices are not required for work that disturbs surfaces below de minimis*[[1]](#footnote-1)* levels. There are additional safety precautions for occupant protection, worksite preparation, and cleanup activities. |
| **Clearance**Once hazard reduction work is completed, a clearance examination must be performed by a certified professional to ensure that no lead-based paint hazards remain. Clearance involves a visual assessment and dust testing after cleanup is complete. A clearance report must be prepared. If abatement is conducted, an abatement report is required in place of a clearance report. |
| Clearance is required only for the worksite | Clearance is required for the unit, common areas, and exterior areas where rehabilitation took place.  |
| **Environmental Intervention Blood Lead Level Requirements**The regulation does *not* require action by grantees when a child with an environmental intervention blood lead level is found to be living in a unit that has received rehabilitation assistance.  |

1. Less than 20 ft2 on exterior surfaces; 2 ft2 in any one interior room or space, or 10% of the total surface area on any interior or exterior type of component with a small surface area like window sills, baseboards or trim. [↑](#footnote-ref-1)