Healthy Homes Section
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Lansing, MI 48909
517-335-9390

What You Can Expect from a State Certified Lead Paint Abatement Company

What is Lead Paint Abatement?

Michigan law (MCL 333.5451-5477) abatement means an activity designed to permanently remove lead paint hazards. Abatement means:

- A project where a company is hired to remove lead paint hazards from a house, apartment, day care center, preschool, kindergarten, etc.
- A project where lead paint hazards are permanently removed by a certified lead abatement company (see Tables 1 and 2 below for hazard levels in dust, paint, soil, and water).
- Lead paint hazards are removed by enclosure (barrier), encapsulation (special paint-like product), replacement of lead painted windows, doors, etc., removal or covering of lead-contaminated soil, and any set up, cleanup, and disposal at the lead abatement worksite.

What is Not Lead Paint Abatement?

The legal definition of abatement does not include any of the following work:

- Renovation, remodeling, landscaping, or other work, if the work is not done to permanently remove lead paint hazards. It is not lead abatement if the work is done to repair, restore, or remodel a house or apartment even if the work may reduce or remove a lead paint hazard. Contractors performing this type of work on homes built before 1978 must follow regulation of the Environmental Protection Agency's (EPA) Renovation, Repair and Painting (RRP) Rule and must be certified by the EPA, and use lead safe work practices.
- Work that may temporarily, but not permanently, reduce a lead paint hazard.

The laws for non-abatement work are different from abatement work, but non-abatement work must be done with lead-safe work practices that reduce dust. Wetting painted surfaces before sanding or scraping the paint, and using special vacuums that have a High Efficiency Particulate Air (HEPA) filter, helps reduce lead dust hazards.

Anyone hired to do renovation, repairs, or painting on a home built before 1978 must provide the resident with booklet called "Renovate Right". That booklet has information about lead paint and possible dangers. The resident must sign a form that says they received the booklet.

Who Can Perform Lead Paint Abatement in Michigan?

Only a person certified by the Michigan Department of Health and Human Services (MDHHS) as a lead abatement supervisor or lead abatement worker can perform lead abatement activities. Certified professionals must work for a certified lead abatement company. Professionals certified by the State of Michigan are issued a card containing the person's picture, name, certification number, and expiration date. The certification status of any person can be checked by contacting HHS at (517)335-9390 or toll-free (866)691-LEAD. In addition, information is on the State's website at www.michgan.gov/leadsafe or a person can be checked at www7.dleg.state.mi.us/free .

A lead abatement supervisor is required for each lead abatement job, and must be at the job site while all abatement work is being done. This requirement includes set up and clean up time. The lead abatement supervisor must make sure that all abatement work is done within the limits of federal, state, and local laws.

The lead abatement supervisor must write an Occupant Protection Plan (OPP) for all abatement

projects and it must have all the following information:

- The OPP must be specific to each house, apartment, and must be written before the work begins.
- The OPP must tell what will be done to protect people from exposure to any lead hazards while the work is being done.
- The OPP must be given to the occupants before the start of the abatement work and a copy must be kept at the worksite.

Containment of the Work Area

Containment of the work area is a very important part of the lead abatement job. It insures that the lead dust will not move into other areas of the house or apartment, or get on the owner's belongings. To protect the work area floors, doorways, registers, furniture, and appliances in the places will be covered with plastic sheeting. The plastic must stay there during the all the work and the plastic at the doorways must stay up until after clearance testing is done.

What Work Practices are required on an Abatement Project?

The abatement supervisor must make sure that all work is done in a lead safe way. Before any sanding, scraping, or cutting of paint is done, the surface will be lightly sprayed with water to prevent dust from spreading.

In general, any activity that makes dust, such as power tools without HEPA vacuum systems, or dry scraping and dry sanding, are not allowed. Burning paint off with torches or using heat guns can heat to over 1,100 °F is not allowed.

The abatement company employees must use abatement methods approved by the U.S. Department of Housing and Urban Development (HUD) www.hud.gov/lead and/or the U.S. Environmental Protection Agency (EPA) www.epa.gov/lead. Information about abatement methods and regulations is located at the Healthy Homes Section www.mi.gov/leadsafe .

What is Clearance Testing? Why is it Done? How is it Done?

State and federal laws say that a clearance test must be done after any lead abatement work is finished to prove the work area is safe enough for the residents to return. On the inside of a house or apartment the dust is tested to prove that abatement work has not created lead dust hazards that can poison young children, other occupants, or pets living in the building. Test results are compared with standard clearance lead levels listed in Table 2 below, which tell what is safe for reoccupation.

Only a certified Lead Inspector or Risk Assessor, who is completely independent of the abatement company, can perform clearance testing after abatement work is completed.

An interior visual inspection is done to see if the lead hazards have been removed. They also look to see if any visible dust or paint chips are still there. If any problems are found the supervisor must fix all of the problems before the clearance can continue. After the visual inspection passes the lead inspector or risk assessor must take dust wipe samples that are sent to a lab for analysis.

Clearance dust samples must be taken from the floors, windowsills, and window troughs in the rooms where work was done. At least one sample must be taken from outside the work area if containment was used. If no containment was used, then dust wipe samples may be taken in any room. A floor and a window in at least four rooms must be sampled. The samples must be tested for lead by an EPA approved lab. A list of approved labs can be found at the Healthy Homes Section website or the American Industrial Hygiene Association website at www.aiha.org .

After exterior paint abatement work is finished, an Inspector or Risk Assessor must do a visual inspection of the outdoor work area to see if the lead hazards were removed. The lead inspector or

lead risk assessor will then look for any paint chips on the ground next to the foundation of the house, or below any exterior surface abated. If paint chips are present, the abatement company must remove the chips and debris from the site and properly dispose of them before the clearance can be finished. No dust wipe clearance testing is required for abatement on the exterior of a house or apartment building.

What is in the Abatement Report That I Should Receive at the End of the Project?

An abatement supervisor must write a report at the end of each abatement project. According to Michigan law, the abatement project report must be given to the property owner. The report should include:

- Abatement methods used.
- Locations of rooms and components where abatement took place.
- Reason for selecting particular abatement methods for each component.
- Any suggested monitoring of encapsulants or enclosures.
- Results of clearance testing that show the house is clean enough to return to.

The abatement company that did the work must keep a copy of the report on file for a minimum of three years.

The results of the clearance testing will have numbers with units of measurement; the units are different for dust and soil. EPA and HUD regulations define clearance lead levels with the values and units of measurement shown in Table 1.

Table 1: Lead Hazard Levels for Soil and Water

Material Tested	Considered hazardous if lead is present at or above these levels
Bare soil (child play areas)	At or above 400 parts per million (ppm) of lead in the soil
Bare soil (other areas)	At or above 1200 ppm of lead
Water	equal to or more than 15 parts per billion (ppb) of lead in water

Table 2: Lead Hazard and Clearance Levels for Dust

House dust (floors)	At or above 40 micrograms of lead per square foot of sampled area (ug/ft^2)
House dust (window sills)	At or above 250 ug/ft^2 of lead
House dust (window troughs)	At or above 400 ug/ft^2 of lead

Table 3: Definitions of Lead-Based Paint

Paint tested by an X-Ray Fluorescence (XRF) analyzer	equal to or more than 1.0 milligrams per square centimeter (mg/cm^2) of lead on the sampled surface
Paint tested by paint chip analysis	equal to or more than 0.5% (one half of 1 percent) lead by dry weight, or equal to or more than 5,000 parts per million of lead in paint (ppm)

Contact Information

Complaints about improper work may be made by calling the Healthy Homes Section toll-free at (866)691-5323 or (517)335-9390. Names of those making complaints will not be released.

The Healthy Homes Section's website address is www.michigan.gov/leadsafe.

NOTE: This document is intended for homeowner education. Complete information about Michigan lead laws and rules is available at the website listed above.

Mailing address:

MDHHS – HHS, P.O. Box 30195, Lansing, Michigan, 48909