SECTION 5

Model Written OSHA Safety Plan

TDEC DSWM Rule 0400-13-01-.01 (6)

Work Practice Standards for Conducting Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities

Version 6 – May 2024

EXAMPLE

Model Written OSHA Safety Plan

Submittal Date: _____/_____/ _____

This plan has been developed to comply with the Rule Chapter 1200-1-18 (8) Work Practice Standards for Conducting Lead-Based Pint Activities: Target Housing and Child-Occupied Facilities and the OSHA Construction Lead Standard, 29 CFR 1926.62.

1. Location of Project:

This job will take place at the residence located at _____ (full address, city and state).

A previous lead inspection of this residence was conducted by _____ (name and address of inspection or risk assessment firm) revealed that lead hazards or lead-based paint are present in the following locations:

Table 1
(Results of the Lead Inspection Report)

Location Co	mponent	Lead-Based Paint	Lead Hazard
Living Room	Door Frame	Present	Yes

These building components are coated with lead-based paint and represent a hazard to workers who may disturb it during lead hazard control, renovation, or maintenance activities.

2. Brief Description of Job:

This job (name all task to be completed) will involve the following lead hazard reduction measures:

Replacement of _____
Enclosure of _____
Paint removal of _____
Encapsulation of _____
Paint film stabilization _____
Friction surface treatments of _____
Impact surfaces treatments of _____
Dust removal in the following areas _____

3. Schedule:

The job is expected to start on_____M/D/Y_____and end on_____M/D/Y_____.
This compliance plan will take effect immediately on_____M/D/Y_____.

The competent person will conduct worksite visual inspections on a daily basis.

Work will proceed according to the following schedule:

Day 1: Initial setup, followed by:
(Name all tasks to be completed)

Daily clean up: wet mopping, HEPA vacuuming

Day 2: Tasks

Day 3: Tasks

Day 4: Final cleanup and clearance examination

4. Equipment and Materials:

List the equipment

5. Certified Work Crew:

The work will be completed by a certified work crew of_____workers (list all workers).

Table 2

Certified Individual	Discipline	TN Certification Number
John Abatement	Worker	TNLBP-0000-00W

6. Competent Person

Certified Supervisor's Name: _____
Certified Supervisor's Number: _____
Business Address: _____
Telephone #: _____ **Pager:** _____

A certified supervisor is required for each abatement project and shall be onsite during all work site preparation and during the post-abatement cleanup of work areas. At all other times when abatement activities are being conducted, the certified supervisor shall be onsite or available by telephone, pager or answering service and able to be present at the work site in no more than two (2) hours.

The certified supervisor will conduct daily inspections of the work areas to ensure that the certified abatement worker(s) are using the control measures, work practice standards, personal protective equipment, and hygiene facilities as prescribed in this document.

7. Control Measures:

The primary control methods for the project are:

_____ method substitution (building component replacement, enclosure)

_____ wet methods

_____ wrapping materials to be discarded in plastic

_____ respiratory protection

_____ local exhaust ventilation (needle guns, vacuum blasting)

_____ general room ventilation

_____ on-the-job training

_____ HEPA vacuums

_____ containment (use of plastic barriers)

8. Technology Considered in Meeting the Permissible Exposure Limit:

9. Respirators:

All individuals in the work area will be provided with NIOSH / MSHA –approved half-face, air-Purifying respirators equipped with HEPA cartridges or a powered air-purifying respirator (if so Requested.)

Respirators will be provided in the context of a complete respiratory protection program; the Written respirator program is attached.

Respirators will be required during (name phases of job or task to be performed for which respirators will be required):

_____
_____
_____

Respirator use during other activities, including initial setup (laying down plastic for containment), and enclosure and encapsulation after surface preparation is not necessary, unless other workers nearby (same interior room or outside wall are performing activities for which respirators are required.

10. Protective Clothing:

Disposable protective clothing will be worn at all times inside the work area. Protective clothing will be made of breathable fabric to reduce the potential for worker heat stress. If visibly contaminated with dust or paint chips, protective clothing will be vacuumed before it is removed.

11. Hygiene Facilities:

Hand-washing facilities will be used to decontaminated workers, since lead dust levels are expected to be low.

Showers are used on jobs that generate high leaded dust levels.

The facilities will be located in a portable trailer, which will be parked in the driveway of the residence. The trailer will contain two sinks, a fresh water tank, hot water heater, wastewater collection tank, and easily cleanable floors and benches. Labeled plastic bins with covers will be used to separate disposable protective clothing from street clothing. Hot water, soap, and towels will be provided. Hands and face will be washed before all breaks and at the end of the day.

Wastewater will be collected, pretreated onsite with filtration, and disposed of in accordance with arrangements made with_____(name of the local water and sewage authority).

12. Air Monitoring Data:

Previous data (historical) for lead hazard control projects conducted with similar controls, environmental conditions, personnel, and methods were reviewed. Air sampling will not be performed on this job, since typical exposures have already been established for individuals performing similar job task(s):

_____
_____
_____
(List when, name of task during which substantial exposures are likely to occur).

In previous work conducted by the same contractor and work crew on similar houses in the same city, using the same methods, maximum personal exposures measured for various activities were:

Table 3

Maximum Exposure	Job Performed (Task)

29 CFR 1926.62, Lead Exposure In Construction; Interim Final Rule--Inspection and Compliance Procedures

The employer may elect to provide a written plan that is unique to each worksite, but this is not required as long as the elements required by 29 CFR 1926.62(e)(2)(ii)(A)-(I) are specific to the conditions at the job site.

Rule 0400-13-01-.01(6)
LEAD-BASED PAINT ABATEMENT
Work Practice Standards for Conducting Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities

(6) Work Practice Standards for Conducting Lead-Based Paint Activities: Target Housing and Child- Occupied Facilities.

(a) Applicability and Terms.

1. All lead-based paint activities shall be performed pursuant to the work practice standards contained in this paragraph.

2. When performing any lead-based paint activity described by the certified individual as an inspection, lead-hazard screen, risk assessment, project design, or abatement, a certified individual must perform that activity in compliance with the appropriate requirements of this paragraph.

3. Documented methodologies that are appropriate for this paragraph are found in the following:

(i) The U.S. Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing;

(ii) The EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead-Contaminated Soil;

(iii) The EPA Residential Sampling for Lead: Protocols for Dust and Soil Sampling (EPA report number 7474-R-95-001);

(iv) Regulations, guidance, methods or protocols issued by states and Indian tribes that have been authorized by EPA;

(v) The Enterprise Foundation, Housing Developer Pro specification computer software package; and

(vi) Other equivalent methods and guidelines.

4. Clearance levels that are appropriate for the purposes of this paragraph may be found in subpart (f)9(viii) of this paragraph.

(b) Inspection.

1. An inspection shall be conducted only by a person certified by the Commissioner as an inspector or risk assessor and, if conducted, must be conducted according to the procedures of this subparagraph.

2. When conducting an inspection, the following locations shall be selected according to documented methodologies and tested for the presence of lead-based paint:

(i) 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, except those components that the inspector or risk assessor determines to have been replaced after 1978 or to not contain lead-based paint; and

(ii) 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.

3. Paint shall be sampled in the following manner:

(i) The analysis of paint to determine the presence of lead shall be conducted using documented methodologies that incorporate adequate quality control procedures; and

(ii) All collected paint chip samples shall be analyzed according to subparagraph (g) of this paragraph to determine if they contain detectable levels of lead that can be quantified numerically.

4. The certified inspector or risk assessor shall prepare an inspection report and comply with the project review acknowledgement required in part (k)1 of this paragraph. The inspection report shall include the following information:

(i) Date of each inspection;

(ii) Address of building;

(iii) Date of construction;

(iv) Apartment numbers (if applicable);

(v) Name, address, and telephone number of the owner or owners of each residential dwelling or child-occupied facility;

(vi) Name, signature, and certification number of each certified inspector and risk assessor conducting testing;

(vii) Name, address, and telephone number of the certified firm employing each inspector and risk assessor, if applicable;

(viii) 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;

(ix) Specific locations of each painted component tested for the presence of lead-based paint; and

(x) The results of the inspection expressed in terms appropriate to the sampling method used.

5. The inspection report required by part 4 of this subparagraph shall be made available to the Commissioner upon request.

(c) Lead Hazard Screen.

1. A lead hazard screen shall be conducted only by a person certified by the Commissioner as a risk assessor.

2. A lead hazard screen shall be conducted as follows:

(i) Background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age six years and under shall be collected.

(ii) A visual inspection of the residential dwelling or child-occupied facility shall be conducted to:

(I) Determine if any deteriorated paint is present, and

(II) Locate at least two dust sampling locations.

(iii) If deteriorated paint is present, each surface with deteriorated paint, that is determined, using documented methodologies, to be in poor condition and to have a distinct painting history, shall be tested for the presence of lead.

(iv) In residential dwellings, two composite dust samples shall be collected, one from the floors and the other from the windows, in rooms, hallways, or stairwells where one or more children, age six and under, are most likely to come in contact with dust.

(v) In multi-family dwellings and child-occupied facilities, in addition to the floor and window samples required in subpart (iv) of this part, the risk assessor shall also collect composite dust samples from common areas where one or more children, age six and under, are most likely to come into contact with dust.

3. Dust samples shall be collected and analyzed in the following manner:

(i) All dust samples shall be taken using documented methodologies that incorporate adequate quality control procedures; and

(ii) All collected dust samples shall be analyzed according to subparagraph (g) of this paragraph to determine if they contain detectable levels of lead that can be quantified numerically.

4. Paint shall be sampled in the following manner:

(i) The analysis of paint to determine the presence of lead shall be conducted using documented methodologies that incorporate adequate quality control procedures; and

(ii) All collected paint chip samples shall be analyzed according to subparagraph (g) of this paragraph to determine if they contain detectable levels of lead that can be quantified numerically.

5. The risk assessor shall prepare a lead hazard screen report, which shall include the following information:

(i) The information required in a risk assessment report as specified in subparagraph (d) of this paragraph, including subparts (d)11(i) through (xiv) of this paragraph, and excluding subparts (d)11(xv) through (xviii) of this paragraph. Additionally, any background information collected pursuant to subpart 2(i) of this subparagraph shall be included in the risk assessment report; and

(ii) Recommendations, if warranted, for a follow-up risk assessment, and as appropriate, any further actions.

(d) Risk Assessment.

1. A risk assessment shall be conducted only by a person certified by the Commissioner as a risk assessor and in accordance with the procedures of this subparagraph.

2. A visual inspection for risk assessment of the residential dwelling or child-occupied facility shall be undertaken to locate the existence of deteriorated paint, assess the extent and causes of the deterioration, and access other potential lead-based paint hazards.

3. Background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children aged six years and under shall be collected.

4. The following surfaces that are determined, using documented methodologies, to have a distinct painting history, shall be tested for the presence of lead:

(i) Each friction surface or impact surface with visibly deteriorated paint; and

(ii) All other surfaces with visibly deteriorated paint.

5. In residential dwellings, dust samples (either composite or single surface samples) from the interior windowsill(s) and floor shall be collected and analyzed for lead concentration in all living areas where one or more children, aged six and under, are most likely to come into contact with dust.

6. For multi-family dwellings and child-occupied facilities, the samples required in part 4 of this subparagraph shall be taken. In addition, interior windowsill and floor-dust samples (either composite or single surface samples) shall be collected and analyzed for lead concentration in the following locations:

(i) Common areas adjacent to the sampled residential dwelling or child-occupied facility; and

(ii) Other common areas in the building where the risk assessor determines that one or more children aged six and under are likely to come into contact with dust.

7. For child-occupied facilities, interior windowsill and floor-dust samples (either composite or single surface samples) shall be collected and analyzed for lead concentration in each room, hallway, or stairwell utilized by one or more children, age six and under, and in other common areas in the child-occupied facility where one or more children, age six and under, are likely to come into contact with dust.

8. Soil samples shall be collected and analyzed for lead concentrations in the following locations:

(i) Exterior play areas where bare soil is present;

(ii) The rest of the yard (i.e., non-play areas) where bare soil is present; and

(iii) Drip line/foundation areas where bare soil is present.

9. Any paint, dust, or soil sampling or testing shall be conducted using documented

methodologies that incorporate adequate quality control procedures.

10. Any collected paint chip, dust, or soil samples shall be analyzed according to subparagraph (g) of this paragraph to determine if they contain detectable levels of lead that can be quantified numerically.

11. The certified risk assessor shall prepare a risk assessment report that includes the following information:

(i) Date of assessment;

(ii) Address of each building;

(iii) Date of construction of buildings;

(iv) Apartment number (if applicable);

(v) Name, address, and telephone number of each owner of each building;

(vi) Name, signature, and certification of the certified risk assessor conducting the assessment;

(vii) Name, address, and telephone number of the certified firm employing each certified risk assessor if applicable;

(viii) Name, address, and telephone number of each recognized laboratory conducting analysis of collected samples;

(ix) Results of the visual inspection;

(x) Testing method and sampling procedure for paint analysis employed;

(xi) Specific locations of each painted component tested for the presence of lead;

(xii) All data collected from on-site testing, including quality control data and, if used, the serial number of any XRF device;

(xiii) All results of laboratory analysis on collected paint, soil, and dust samples;

(xiv) Any other sampling results;

(xv) Any background information collected pursuant to part 3 of this subparagraph;

(xvi) To the extent that they are used as part of the lead-based paint hazard determination, the results of any previous inspections or analyses for the presence of lead-based paint, or other assessments of lead-based paint-related hazards;

(xvii) A description of the location, type, and severity of identified lead-based paint hazards and any other potential lead hazards; and

(xviii) A description of interim controls and/or abatement options for each identified lead-based paint hazard and a suggested prioritization for addressing each hazard. If the use of an encapsulant or enclosure is recommended, the report shall recommend a maintenance and monitoring schedule for the encapsulant or enclosure.

(e) Lead Hazard Reduction Specifications.

1. The abatement and lead hazard reduction specifications shall be unique to each residential dwelling or child-occupied facility and shall be developed before the abatement and lead hazard reduction occurs.

2. The certified supervisor or project designer shall also provide to the project owner, for each specification package, a detailed cost estimate to complete the general requirements, project execution, and the lead hazard reduction and abatement.

3. The abatement and lead hazard reduction project specifications shall be written to include the following information:

(i) Date of each project specification;

(ii) Address of building;

(iii) Name, signature, and certification number of each certified supervisor and/or project designer writing the project specification;

(iv) Name, address, and telephone number of the certified firm employing each supervisor and/or project designer, if applicable;

(v) Building construction date;

(vi) Apartment numbers (if applicable);

(vii) General Requirements and Conditions:

(I) Description of work;

(II) Terminology/definitions;

(III) Applicable federal, state, and local regulations, standards and guidelines;

(IV) Contractor qualifications and responsibilities;

(V) Contractor's employee qualifications

(VI) Scheduling of lead hazard reduction;

(VII) Worker protection;

(VIII) Occupant protection plan; and

(IX) Site preparation and levels of protection pursuant to the containment erected;

(viii) Products;

(ix) Execution:

(I) Work area preparation; and

(II) Work area containment;

(x) Site-Specific Hazard Reduction Measures:

(I) Detailed specification and procedures for lead hazard reduction and abatement for each area;

(II) Detailed clean-up requirements and clearance testing;

(III) Disposal of lead-based paint materials and lead-based paint waste and debris;

(IV) Contractor's air monitoring and analysis;

(V) Medical monitoring;

(VI) Logbook; and

(VII) Submittals;

(xi) Site Lead-based Paint Inspection/Risk Assessment Data Sheets;

(xii) Site sketch depicting interior floors, rooms, windows, and exterior construction and structures; and

(xiii) Contractor's bid proposal sheet.

(f) Abatement and Lead Hazard Reductions.

1. An abatement or lead hazard reduction shall be conducted only by firms and individuals certified by the Commissioner and in accordance with the procedures of this subparagraph.

2. A certified supervisor is required for each abatement project and shall be onsite during all work site preparation and during the post-abatement cleanup of work areas. At all other times when abatement activities are being conducted, the certified supervisor shall be onsite or available by telephone, pager, or answering service and able to be present at the work site in no more than two hours.

3. The certified supervisor and the certified firm employing that supervisor shall ensure that all abatement activities are conducted according to the requirements of this paragraph and all other federal, state, and local requirements.

4. The following shall be maintained on site during lead-based paint abatement and lead-hazard reduction activities and be immediately made available for review by the Commissioner:

(i) A copy of the project review notification, project review acknowledgement to proceed, and all revisions;

(ii) The occupant protection plan;

(iii) A copy of the applicable lead-based paint abatement design, risk assessment, and inspection reports;

(iv) Photo identification certification card issued by the Commissioner for all certified persons and firms performing lead-based paint activities; and

(v) A bound logbook that shall include, but not be limited to, copies of any accident and injury report, results of all air sampling, receipts from the landfill (trip tickets), daily inspection notes concerning any deviation from the standard working procedures, sign-in/sign-out sheets of site visitors and workers, and any other pertinent documents, permits, notification, photographs, and records. The information required to be maintained by this part may be maintained electronically so long as it is available at all times on site and available for review by the Commissioner.

5. A written occupant protection plan shall be developed for all abatement projects in accordance with the following procedures:

(i) The occupant protection plan shall be submitted to the Commissioner at least five days before the commencement of the lead hazard reduction.

(ii) The occupant protection plan shall be signed by a principal of the certified firm that

is under contract to perform the lead hazard control and abatement activities and the person who prepared the plan.

(iii) The occupant protection plan shall be unique to each residential dwelling or child-occupied facility and shall be developed before the abatement. The occupant protection plan shall describe the measures and management procedures that will be taken during the abatement to protect the building occupants from exposure to any lead-based paint hazards. If exterior abatement is being conducted, the plan should also include the protection of persons within 10 feet per building story of the building's exterior.

(iv) Either a certified supervisor or project designer may prepare the occupant protection plan for a single-family dwelling, a multi-family dwelling with 10 or fewer units, or a child-occupied facility less than or equal to 1200 square feet or a conversion project less than or equal to 1200 square feet.

(v) Only a certified project designer may prepare the occupant protection plan for multi-family dwellings with 11 or more units or a child-occupied facility equal to or greater than 1201 square feet or a conversion project equal to or greater than 1201 square feet.

(vi) The occupant protection plan shall contain the work site preparation level of containment as specified in the following tables for interior, exterior, and window treatment lead hazard control activities:

Interior Worksite Preparation Levels (Not Including Windows)				
Description	Level 1	Level 2	Level 3	Level 4
Typical Application (Hazard Controls)	Dust removal and any abatement or interim control method disturbing no more than two square feet of painted surface per room	Any interim control or abatement method disturbing between two and 10 square feet of painted surface per room	Same as Level 2.	Any interim control or abatement method disturbing more than 10 square feet per room.
Time Limit Per Dwelling	One workday.	One workday.	Five workdays.	None.
Resident Location	Inside dwelling, but outside work area. Resident must have lead-safe passage to bathroom, at least one living area, and entry/egress pathways. Alternatively, resident can leave the dwelling during the work day.	Same as Level 1.	Outside the dwelling; but can return in evening after day's work and cleanup are completed. Resident must have safe passage to bathroom, at least one living area, and entry/egress pathways upon return. Alternatively, resident can leave the dwelling until all work is completed.	Outside the dwelling for duration of project; cannot return until clearance has been achieved.
Containment and Barrier System	Single layer of plastic sheeting on floor extending five	Two layers of plastic on entire floor. Plastic sheet	Two layers of plastic on entire floor. Plastic sheet	Two layers of plastic on entire floor. If entire unit is

	feet beyond the perimeter of the treated area in all directions. No plastic sheeting on doorways is required, but a low physical barrier (furniture, wood planking) to prevent inadvertent access by resident is recommended. Children should not have access to plastic sheeting (suffocation hazard).	with primitive airlock flap on all doorways. Doors secured from inside the work area need not be sealed. Children should not have access to plastic sheeting (suffocation hazard).	with primitive airlock flap on all doorways to work areas. Doors secured from inside the work area need not be sealed. Overnight barrier should be locked or firmly secured. Children should not have access to plastic sheeting (suffocation hazard).	being treated, cleaned, and cleared, individual room doorways need not be sealed. If only a few rooms are being treated, seal all doorways with primitive airlock flap to avoid cleaning entire dwelling. Doors secured from inside the work area need not be sealed.
Warning Signs	Required at entry to room but not on building (unless exterior work is also under way).	Same as Level 1.	Posted at main and secondary entryways.	Posted at building exterior near main and secondary entryways.
Ventilation System	Dwelling ventilation system turned off, but vents need not be sealed with plastic if they are more than five feet away from the surface being treated. Negative pressure zones (with “negative air” machines) are not required, unless large supplies of fresh air must be admitted into the work area to control exposures to other hazardous substances (for example, solvent vapors).	Turned off and all vents in room sealed with plastic. Negative pressure zones (with ‘negative air” machines) are not required, unless large supplies of fresh air must be admitted into the work area to control exposures to other hazardous substances (for example, solvent vapors).	Same as Level 2.	Same as Level 2.
Furniture	Left in place uncovered if furniture is more than five feet from working surface. If within five feet, furniture should be sealed with a single layer of plastic or moved for paint treatment. No covering is required for dust removal.	Removed from work area. Large items that cannot be moved can be sealed with a single layer of plastic sheeting and left in work area.	Same as Level 2.	Same as Level 2.

Cleanup (See Chapter 14 of the U.S. Department of Housing and Urban Development Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing for further discussion of cleanup methods)	HEPA vacuum, wet wash, and HEPA vacuum all surfaces and floors extending 5 feet in all directions from the treated surface. For dust removal work alone, a HEPA vacuum and wet wash cycle is adequate (i.e., no second pass with a HEPA vacuum is needed). Also, wet wash and HEPA vacuum floor in adjacent area (s) used as pathway to work area. Do not store debris inside dwelling overnight; transfer to a locked secure area at the end each day.	HEPA vacuum, wet wash, and HEPA vacuum all surfaces in room. Also, wet wash and HEPA vacuum floor in adjacent area(s) used as pathway to work area. Do not store debris inside dwelling overnight; use a secure locked area.	Remove top layer of plastic from floor and discard. Keep bottom layer of plastic on floor for use on the next day. HEPA vacuum, wet wash, and HEPA vacuum all surfaces in room. Also, wet wash and HEPA vacuum floor in adjacent area(s) used as pathway to work area. Do not store debris inside dwelling overnight; use a secure locked area.	Full HEPA vacuum, wet wash, and HEPA vacuum cycle, as detailed in Chapter 14 of the U.S. Department of Housing and Urban Development Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing.
Dust Sampling	Clearance only.	Clearance only.	One sample collected outside work area every few jobs plus clearance.	Clearance only.

Exterior Worksite Preparation Levels (Not Including Windows)			
Description	Level 1	Level 2	Level 3
Typical Applications	Any interim control or abatement method disturbing less than 10 square feet of exterior painted surface per dwelling. Also includes soil control work.	Any interim control or abatement method disturbing 10 to 50 square feet of exterior painted surface per dwelling. Also includes soil control work.	Any interim control or abatement method disturbing more than 50 square feet of exterior painted surface per dwelling. Also includes soil control work.
Time Limit Per Dwelling	One day.	None.	None.
Resident Location	Inside dwelling but outside work area for duration of project until cleanup has been completed. Alternatively, resident can leave until all work has been completed. Resident must have lead-safe access to entry/egress pathways.	Relocated from dwelling during workday but may return after daily cleanup has been completed.	Relocation from dwelling for duration of project until final clearance is achieved.
Containment and Barrier System	One layer of plastic on ground extending 10 feet beyond the perimeter of	Same as Level 1.	Same as Level 1.

	working surfaces. Do not anchor ladder feet on top of plastic (puncture the plastic to anchor ladders securely to ground). For all other exterior plastic surfaces, protect plastic with boards to prevent puncture from falling debris, nails, etc., if necessary. Raise edges of plastic to create a basin to prevent of unexpected precipitation. Secure plastic to side of building with tape or other anchoring system (no gaps between plastic and building). Weight all plastic sheets down with two-by-fours or similar objects. Keep all windows within 20 feet of working surfaces closed, including windows of adjacent structures.		
Playground Equipment, Toys, Sandbox	Remove all movable items to a 20-foot distance from working surfaces. Items that cannot be readily moved to a 20-foot distance can be sealed with taped plastic sheeting.	Same as Level 1.	Same as Level 1.
Signs	Post warning signs on the building and at a 20-foot perimeter around building (or less if distance to next building or sidewalk is less than 20 feet).	Same as Level 1.	Same as Level 1.
Weather	Do not conduct work if wind speeds are greater than 20 miles per hour. Work must stop and cleanup must occur before rain begins.	Same as Level 1.	Same as Level 1.
Porches	One lead-safe entryway must be made available to residents at all times. Do not treat front and rear porches at the same time if there is not a third doorway.	Front and rear porches cannot be treated at the same time if unprotected workers must use the entryway.	Same as Level 2.
Dust & Soil Sampling	Clearance only.	Clearance only.	Clearance only.
Porches	One lead-safe entryway must be made available to residents at all times. Do not treat front and rear porches at the same time if there is	Front and rear porches cannot be treated at the same time if unprotected workers must use the entryway.	Same as Level 2.

	not a third doorway		

Window Treatment or Replacement Work Preparation Levels	
Appropriate Applications	Any Window Treatment or Replacement.
Resident Location	Remain inside dwelling but outside work area until project has been completed. Alternatively, can leave until all work has been completed. Resident must have access to lead-safe entry/egress pathway.
Time Limit Per Dwelling	None.
Containment and Barrier System	One layer of plastic sheeting on ground or floor extending five feet beyond perimeter of window being treated/replaced. Two layers of plastic taped to interior wall if working on window from outside; if working from the inside, tape two layers of plastic to exterior wall. If working from inside; implement a minimum Interior Worksite Preparation Level 2. Children cannot be present in an interior room where plastic sheeting is located due to suffocation hazard. Do not anchor ladder feet on top of plastic (puncture the plastic to anchor ladders securely to ground). For all other exterior plastic surfaces, protect plastic with boards to prevent puncture from falling debris, nails, etc. (if necessary). Secure plastic to side of building with tape or other anchoring system (no gaps between plastic and building). Weigh all plastic sheets down with two-by-fours or similar objects. All windows in dwelling should be kept closed. All windows in adjacent dwelling that are closer than 20 feet to the work area should be kept closed.
Signs	Post warning signs on the building and at a 20-foot perimeter around building (or less if distance to next building or sidewalk is less than 20 feet). If window is to be removed from inside, no exterior sign is necessary.
Security	Erect temporary fencing or barrier tape at a 20-foot perimeter around building (or less if distance to next building or sidewalk is less than 20 feet). Use a locked dumpster, covered truck, or locked room to store debris before disposal.
Weather	Do not conduct work if wind speeds are greater than 20 miles per hour. Work must stop and cleanup must occur before rain begins, or work should proceed from the inside only.
Playground Equipment, Toys. Sandbox	Removed from work area and adjacent areas. Remove all items to a 20-foot distance from dwelling. Large, unmovable items can be sealed with taped plastic sheeting.
Cleaning	If working from inside, HEPA vacuum, wet wash, and HEPA vacuum all interior surfaces within 10 feet of work area in all directions. If working from the exterior, no cleaning of the interior is needed, unless the containment is breached. Similarly, no cleaning is needed on the exterior if all work is done on the interior and the containment is not breached. If containment is breached, then cleaning on both sides of the window should be performed. No debris or plastic should be left out overnight if work is not completed. All debris must be kept in a secure area until final disposal.

6. After the commencement of an abatement project, all persons within a containment area shall be lead-based paint abatement personnel certified by the Commissioner.

7. The work practices listed below shall be restricted during an abatement as follows:

   (i) Open-flame burning or torching of lead-based paint is prohibited;

(ii) Machine sanding or grinding or abrasive blasting or sandblasting of lead-based paint is prohibited unless used with High Efficiency Particulate Air (HEPA) exhaust control that removes particles of 0.3 microns or larger from the air at 99.97 percent or greater efficiency;

(iii) Dry scraping of lead-based paint is permitted only in conjunction with heat guns or around electrical outlets or when treating defective paint spots totaling no more than two square feet in any one room, hallway, or stairwell or totaling no more than 20 square feet on exterior surfaces; and

(iv) Operating a heat gun on lead-based paint is permitted only at temperatures below 1100 degrees Fahrenheit.

8. Soil abatement shall be conducted as follows:

(i) If soil is removed:

(I) Removed soil shall be replaced by soil with a lead concentration as close to local background as practicable, but no greater than 400 ppm.

(II) Removed soil shall not be used as topsoil at another residential property or child-occupied facility.

(ii) If soil is not removed, the soil shall be rendered permanently covered soil.

9. The following post-abatement clearance procedures shall be performed only by a certified inspector or risk assessor:

(i) Following an abatement, a visual inspection shall be performed by a lead-based paint certified inspector or risk assessor to determine if deteriorated painted surfaces or visible amounts of dust, debris, or residue are still present. If deteriorated painted surfaces or visible amounts of dust, debris, or residue are present, these conditions must be eliminated prior to continuation of the clearance procedures.

(ii) Following the visual inspection and any post-abatement cleanup required by subpart (i) of this part, clearance sampling for lead in dust shall be conducted. Clearance sampling may be conducted by employing single-surface sampling or composite sampling techniques.

(iii) Dust samples for clearance purposes shall be taken using documented methodologies that incorporate adequate quality control procedures.

(iv) Dust samples for clearance purposes shall be taken a minimum of one hour after completion of final post-abatement cleanup activities.

(v) The following post-abatement clearance activities shall be conducted as appropriate based upon the extent or manner of abatement activities conducted in or to the residential dwelling or child-occupied facility:

(I) After conducting an abatement with containment between abated and unabated areas, one dust sample shall be taken from one interior windowsill and from one window trough (if present) and one dust sample shall be taken from the floors of each of no less than four rooms, hallways, or stairwells within the containment area. In addition, one dust sample shall be taken from the floor outside the containment area. If there are less than four rooms, hallways, or stairwells within the containment area, then all rooms, hallways, or stairwells shall be sampled.

(II) After conducting an abatement with no containment, two dust samples shall be taken from each of no less than four rooms, hallways, or stairwells

in the residential dwelling or child-occupied facility. One dust sample shall be taken from one interior windowsill and window trough (if present) of each room, and one dust sample shall be taken from the floor of each room, hallway, or stairwell selected. If there are less than four rooms, hallways, or stairwells within the residential dwelling or child-occupied facility then all rooms, hallways, or stairwells shall be sampled.

(III) Following an exterior paint abatement, a visible inspection shall be conducted. All horizontal surfaces in the outdoor living area closest to the abated surface shall be found to be cleaned of visible dust and debris. In addition, a visual inspection shall be conducted to determine the presence of paint chips on the drip line or next to the foundation below any exterior surface abated. If paint chips are present, they must be removed from the site and properly disposed of according to all applicable federal, State, and local requirements.

(vi) The rooms, hallways, or stairwells selected for sampling shall be selected according to documented methodologies.

(vii) The certified inspector or risk assessor shall compare the residual lead level (as determined by the laboratory analysis) from each single surface dust sample with clearance levels in subpart (viii) of this part for lead in dust on floors, interior windowsills, and window troughs or from each composite dust sample with the applicable clearance levels for lead in dust on floors, interior windowsills, and window troughs divided by half the number of subsamples in the composite sample. If the residual lead level in a single surface dust sample equals or exceeds the applicable clearance level or if the residual lead level in a composite dust sample equals or exceeds the applicable clearance level divided by half the number of subsamples in the composite sample, the components represented by the failed sample shall be re-cleaned and retested.

(viii) The clearance levels for lead in dust are 10 $\mu g/ft^2$ for floors, 100 $\mu g/ft^2$ for interior windowsills, and 400 $\mu g/ft^2$ for window troughs.

10. In a multi-family dwelling with similarly constructed and maintained residential dwellings, random sampling for the purpose of clearance may be conducted provided:

(i) The certified individuals who abate or clean the residential dwellings do not know which residential dwelling will be selected for the random sample.

(ii) A sufficient number of residential dwellings are selected for dust sampling to provide a 95% level of confidence that no more than 5% or 50 of the residential dwellings (whichever is smaller) in the randomly sampled population exceed the appropriate clearance levels.

(iii) The randomly selected residential dwellings shall be sampled and evaluated for clearance according to the procedures found in part 9 of this subparagraph.

11. An abatement report and project specifications shall be prepared by a certified supervisor or project designer for single family dwellings or multi-family dwellings with 10 or fewer units. A certified project designer shall prepare an abatement report and project specifications for child-occupied facilities and multi-family dwellings having 11 or more units. The completed abatement report shall be submitted to the Commissioner no more than 15 days following the completion of the abatement project. Any project specifications shall meet the requirements in part (e)3 of this paragraph. The abatement report shall include the following information:

(i) Start and completion dates of abatement and a copy of the Project Review Acknowledgement to Proceed obtained from the Commissioner;

(ii) The name and address of each certified firm conducting the abatement and the

name of each supervisor assigned to the abatement project;

(iii) The occupant protection plan prepared pursuant to part 5 of this subparagraph;

(iv) The name, address, and signature of each certified risk assessor or inspector conducting clearance sampling and the date of clearance testing;

(v) The results of clearance testing and all soil analyses (if applicable) and the name of each recognized laboratory that conducted the analyses; and

(vi) A detailed written description of the abatement, including abatement methods used, locations of rooms and components where abatement occurred, the reason for selecting particular abatement methods for each component, and any suggested monitoring of encapsulants or enclosures.

(g) Collection and Laboratory Analysis of Samples.

Any paint chip, dust, or soil sample collected pursuant to the work practice standards contained in this paragraph shall be:

1. Collected by persons certified by the Commissioner as an inspector or risk assessor; and

2. Analyzed by a laboratory recognized by the National Lead Laboratory Accreditation Program or equivalent and capable of performing analyses for lead compounds in paint chip, dust, and soil samples pursuant to TSCA 15 U.S.C. § 2685(b) laboratory requirements.

(h) Composite Dust Sampling.

Composite dust sampling may only be conducted in the situations specified in subparagraphs (c), (d), and (f) of this paragraph. If such sampling is conducted, the following conditions apply:

1. Composite dust samples shall consist of at least two subsamples;

2. Every component that is being tested shall be included in the sampling; and

3. Composite dust samples shall not consist of subsamples from more than one type of component.

(i) Determinations.

1. Lead-based paint is present:

(i) On any surface that is tested and found to contain lead equal to or in excess of 1.0 milligrams per square centimeter or equal to or in excess of 0.5% by weight; or

(ii) On any surface like a surface tested in the same room equivalent that has a similar painting history and that is found to be lead-based paint.

2. A paint-lead hazard is present:

(i) On any friction surface that is subject to abrasion and where the lead dust levels on the nearest horizontal surface underneath the friction surface (e.g., the windowsill or floor) are equal to or greater than the dust hazard levels identified in subpart (f)9(viii) of this paragraph; or

(ii) On any chewable lead-based paint surface on which there is evidence of teeth marks; or

(iii) Where there is any damaged or otherwise deteriorated lead-based paint on an impact surface that is caused by impact from a related building component (such

as a doorknob that knocks into a wall or a door that knocks against its door frame); or

(iv) If there is any other deteriorated lead-based paint in any residential building or child-occupied facility or on the exterior of any residential building or child-occupied facility.

3. A dust-lead hazard is present in a residential dwelling or child occupied facility:

(i) In a residential dwelling on floors and interior windowsills when the weighted arithmetic mean lead loading for all single surface or composite samples of floors and interior windowsills window sills are equal to or greater than 10 $\mu g/ft^2$ for floors and 100 $\mu g/ft^2$ for interior windowsills, respectively;

(ii) On floors or interior windowsills in an unsampled residential dwelling in a multi-family dwelling, if a dust-lead hazard is present on floors or interior windowsills, respectively, in at least one sampled residential unit on the property; and

(iii) On floors or interior windowsills in an unsampled common area in a multi-family dwelling, if a dust-lead hazard is present on floors or interior windowsills, respectively, in at least one sampled common area in the same common area group on the property.

4. A soil-lead hazard is present:

(i) In a play area when the soil-lead concentration from a composite play area sample of bare soil is equal to or greater than 400 parts per million; or

(ii) In the rest of the yard when the arithmetic mean lead concentration from a composite sample (or arithmetic mean of composite samples) of bare soil from the rest of the yard (i.e., non-play areas) for each residential building on a property is equal to or greater than 1,200 parts per million.

(j) Recordkeeping.

All reports or plans required in this paragraph shall be maintained on site by the certified supervisor during abatement activities and by the certified firm or individual that prepared the report for no fewer than three years. The certified firm or individual also shall provide copies of these reports to the building owner who contracted for its services.

(k) Notification.

A certified firm must notify the Commissioner of lead-based paint activities as follows:

1. Except as provided in part 2 of this subparagraph, the Commissioner must be notified prior to conducting lead-based paint activities. The original notification must be received by the Commissioner at least five business days before the start date of any lead-based paint activities.

2. Notification for lead-based paint activities required in response to an elevated blood lead level (EBLL) determination, or federal, State, or local emergency abatement order, should be received by the Commissioner as early as possible before, but must be received no later than, the start date of the lead-based paint activities. Should the start date or location provided to the Commissioner change, an updated notification must be received by the Commissioner on or before the start date provided to the Commissioner. Documentation showing evidence of an EBLL determination or a copy of the federal, state, Tribal, or local emergency abatement order must be included in the written notification to take advantage of this abbreviated notification period.

3. Except as provided in part 2 of this subparagraph, updated notification must be provided

to the Commissioner for lead-based paint activities that will begin on a date other than the start date specified in the original notification as follows:

(i) For lead-based paint activities beginning prior to the start date provided to the Commissioner, an updated notification must be received by the Commissioner at least five business days before the new start date included in the notification.

(ii) For lead-based paint activities beginning after the start date provided to the Commissioner, an updated notification must be received by the Commissioner on or before the start date provided to the Commissioner.

4. Except as provided in part 2 of this subparagraph, updated notification must be provided to the Commissioner for any change in location of lead-based paint activities at least five business days prior to the start date provided to the Commissioner.

5. Updated notification must be provided to the Commissioner when lead-based paint activities are canceled or when there are other significant changes including, but not limited to, when the square footage or acreage to be abated changes by more than 20%. This updated notification must be received by the Commissioner on or before the start date provided to the Commissioner, or if work has already begun, within 24 hours of the change.

6. The following must be included in each notification:

(i) Notification type (original, updated, cancellation);

(ii) Date when lead-based paint activities will start;

(iii) Date when lead-based paint activities will end (approximation using best professional judgment);

(iv) Firm's name, certification number, address, and telephone number;

(v) Type of building (e.g., single family dwelling, multi-family dwelling, child-occupied facilities) on/in which abatement work will be performed;

(vi) Property name (if applicable);

(vii) Property address including apartment or unit number(s) (if applicable) for abatement work;

(viii) If using the abbreviated time period as described in part 2 of this subparagraph, documentation showing evidence of an EBLL determination or a copy of the federal, State, Tribal, or local emergency abatement order;

(ix) Name and certification number of the project supervisor;

(x) Approximate square footage or acreage to be abated;

(xi) Brief description of abatement, risk assessment, inspection, lead hazard screen, lead hazard reduction, and clearance activities to be performed; and

(xii) Name, title, and signature of the representative of the certified firm who prepared the notification.

7. Notification must be made by written notification or electronically by such means approved by the Commissioner. Written notification can be accomplished using the Division form titled "Lead-Based Paint Activity Notification," or a successor to that form approved by the Commissioner. All written notification must be delivered by U.S. Postal Service, fax, commercial delivery service, or hand delivery.

8. In the event of changes to the original notification, lead-based paint activities shall not begin

on a date or at location other than that specified in either an original or updated notification.

9. No firm or individual shall engage in lead-based paint activities prior to notifying the Commissioner of such activities according to the requirements of this subparagraph.