

**Cover Sheet for Example Documentation
for PHAB Domain 2 Standard 1 Measure 1**

The following documentation has been submitted to ASTHO for the Accreditation Library as a potential example of Health Department documentation that might meet the PHAB Standard and Measure 2.1.1 . This document is not intended to be a template, but is a reference as state health agencies develop and select accreditation documentation specific to the health department's activities.

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Maine Childhood Lead Poisoning Prevention Program

Policy and Procedure Manual for Environmental Lead Investigations

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Environmental Lead Investigations for Children with Blood Lead Levels 15ug/dl or Higher

Lead-based paint and lead-contaminated dust and soil remain the major causes of lead exposure in Maine children accounting for more than 85% of blood lead levels (BLLs) 15ug/dl or higher. In the vast majority of the cases the lead paint and lead dust originates from the family's home. Another significant source of the lead exposure is from an occupation of a household member who impacts lead, with the point of contact for the child being lead dust in the family vehicle and the child's car seat. Other sources of lead may be the principle cause for a specific instance of lead poisoning or contribute to the blood lead level elevation. These varied lead sources and exposure points require lead investigators to consider a number of exposure sources when performing an environmental lead investigation for the Maine Childhood Lead Poisoning Prevention Program (MCLPPP).

Environmental lead investigations (ELI) are centered on the poisoned child rather than the building and thus differ from normal risk assessments in several important ways:

1. The purpose of the investigation is to identify the cause of the lead poisoning, making it necessary to perform investigative services beyond a normal "risk assessment."
2. The investigator may assess relatively uncommon sources of lead, such as glazed pottery and traditional medicines or remedies, as well as other dwellings frequented by the child.
3. The investigator may test deteriorated paint on other non-housing objects regardless of who owns the object.
4. The range of dust sampling depends on the areas frequented by the child and may include locations such as the family vehicle and the child's car seat.
5. Bare soil areas frequented by the child are identified and sampled separately so that the hazards can be quantified.

Once the assessment of all possible sources of lead exposure has been completed, the most probable sources of the child's poisoning can be identified and remedial actions to eliminate any further exposure can be recommended. The lead inspector or risk assessor can recommend interim measures to immediately reduce the child's exposure to the lead source.

In some situations the inspector/risk assessor and the MCLPPP Environmental Coordinator will not be able to identify the source of lead exposure. The source may be obscure or the parent or guardian may be concealing information about another location or property owner they want to protect. This situation will be handled by the MCLPPP by building a good rapport with the family and convincing them that the intent is not to find the family or any individual at fault, but rather to help the child get well.

The results of the ELI are only released to the MCLPPP. Confidential information about the child or household should not be shared or revealed to any other agency. Information concerning building and site hazards and options for correcting those hazards will be reported to the owner and/or the occupant by the MCLPPP.

Introduction

The Maine Childhood Lead Poisoning Prevention Program (MCLPPP) in the Department of Health and Human Services, Maine Center for Disease Control was developed to identify and coordinate care for lead poisoned children in Maine. The MCLPPP program is funded by the state of Maine to promote and monitor statewide lead screening tests, to coordinate health and environmental care for lead poisoned children, and to encourage public actions to prevent lead exposures.

The Maine Center for Disease Control estimates that approximately 100 children in Maine aged 1-5 years are expected to have elevated blood lead levels (i.e. $\geq 10 \mu\text{g/dl}$) each year. Over 40 Maine children are identified each year as being lead poisoned, with confirmed blood lead levels of $15 \mu\text{g/dl}$ or higher. An additional 10 children each year are identified with persistent blood lead levels between 10 and $14 \mu\text{g/dl}$. These children need medical, nursing, and environmental interventions. Environmental lead investigations and remediation of lead hazards are accomplished through collaborative efforts with The Maine State Housing Authority, The Department of Environmental Protection, and local Community Action Programs.

Overview

The purpose of the Policy and Procedure Manual for Environmental Lead Investigations is to provide Maine licensed risk assessors with the procedural guidelines of the MCLPPP when performing environmental lead investigations involving a lead poisoned child. The MCLPPP procedure manual is to be used in conjunction with all applicable State and Federal laws such as the DEP chapter 424 Lead Management Regulations, DHHS Rules for Environmental lead investigations, HUD, and EPA standards.

The function of each section is to explain the standard operating procedure for the program's environmental policies and to act as a reference guide for conducting environmental lead investigations.

Definitions and Abbreviations

- Abatement:** Means any set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by appropriate State and Federal agencies, including, but not limited to, (a) the removal of lead based paint and lead contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, and the removal or covering of lead contaminated soil; and (b) all preparation, cleanup, disposal, and post abatement clearance testing activities associated with such measures. For purposes of this definition, “permanently” means for at least 20 years.
- Accessible Surface:** Means an interior or exterior surface painted with lead-based paint that is accessible for a young child to mouth or chew.
- BLL:** Stands for a blood lead level
- Certified Inspector:** Means an individual who has been trained to conduct lead inspections, lead determinations, clearance examinations and lead-safe evaluations.
- Certified Risk Assessor:** Means an individual who has been trained to conduct risk assessments as well as lead inspections, lead determinations, clearance examinations and lead-safe evaluations.
- DEP:** Stands for the Maine Department of Environmental Protection.
- Department:** Means the Department of Health and Human Services
- DHHS:** Stands for the Department of Health and Human Services
- ELI:** Stands for an environmental lead investigation.
- HETL:** Stands for the Health and Environmental Testing Laboratory
- HUD:** Stands for the United States Department of Housing and Urban Development

Lead Inspection: Means a surface-by-surface investigation to determine the presence and condition of lead-based paint and the provision of a written report.

Lead-Based Paint: Means paint or other surface coatings that contain lead in excess of limits established under the Maine DEP Chapter 424 Lead Management Regulations.

Lead-Based Paint Hazard: Means any condition that causes exposure to lead from dust, soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects

Lead Contaminated Dust: Means surface dust in a residential setting that contains an area or mass concentration of lead in excess of levels determined by State and Federal agencies.

Lead Contaminated Soil: Means bare soil on residential property that contains lead at or in excess of the levels determined to be hazardous to human health.

MCLPPP: Stands for the Maine Childhood Lead Poisoning Prevention Program.

MSHA: Stands for the Maine State Housing Authority.

State: Means the State of Maine.

Protocols for Environmental Lead Investigations

I. Statutory Authority

The Maine Childhood Lead Poisoning Prevention Program (MCLPPP) has the authority under 22 MRSA, “The Lead Poisoning Control Act,” to conduct inspections in homes where a case of lead poisoning has been identified or when lead based substances that could contribute to a poisoning have been identified. Furthermore, the statute allows the department to delegate the conduct of the environmental lead investigation to appropriate personnel.

22 MRSA § 1320. Inspection of dwelling units and child care facilities by the department.

“Any authorized representative of the department, upon presenting appropriate credentials to the owner or occupant, or a representative of either, may inspect any dwelling unit or child-occupied facility at reasonable times for the purpose of ascertaining the presence of lead-based substances, and may remove samples or objects necessary for laboratory analysis. ...”

Statutory Mandate

The Lead Poisoning Control Act specifies circumstances under which the department is required to conduct environmental lead inspections

22 MRSA § 1320-A. Inspection of dwellings by department.

“Except in the case of an owner-occupied, single-family residence, the department shall within 30 days inspect all dwelling units in a dwelling when:

Lead poisoning found. A case of lead poisoning has been found in any dwelling unit within the dwelling; or

Lead base substances. Lead base substances have been found in any dwelling unit within the dwelling.”

II. Environmental Lead Investigation Referral System

Upon notification from the Health and Environmental Testing Laboratory (HETL) of a child with a confirmed blood lead level > 15 ug/dl, the Department will a) contact the primary medical care provider to ascertain that the family has been notified of the diagnosis, and b) make a referral to Public Health Nursing for a home visit and initiation of case management services. The MCLPPP will then initiate environmental services as follows:

1. The MCLPPP will make the initial contact with the parent and the owner (if different from parent) to notify them of the need for an environmental lead investigation, the process, and timeframe.
2. The MCLPPP will send a referral to a contracted risk assessor in the region where the lead poisoned child resides to request environmental services.
 - a. The referral forms forwarded to the risk assessor's office will include the adult occupant's name, the owner's name, phone numbers, housing information, and any other pertinent information.
 - b. If the risk assessor is unable to respond to the request within the necessary time frame listed below, the MCLPPP will contact another risk assessor to request the environmental investigation.
3. The risk assessor should contact the tenant/parent within 48 hours to schedule the environmental lead investigation (ELI). When the ELI has been scheduled, the risk assessor will send the MCLPPP confirmation of the date and time via e-mail or by returning the referral form with the date and time of ELI on it.
4. When scheduling the EI, the risk assessor should allow at least 5 days for the MCLPPP to formally notify the property owner of the EI.
 - a. The MCLPPP will send the owner a notice letter with the ELI time, date, place, and who will be performing the investigation.
 - b. If a medical emergency (BLL >45 µg/dl) necessitates an immediate EI, the MCLPPP will note that on the referral form and instruct the risk assessor to hand deliver notice letter to the owner. The notice letter will be faxed or e-mailed to risk assessor.
5. For legal reasons, there must not be unauthorized inspections of dwellings that are not listed on the referral form. If a building owner or tenant requests inspection of a unit not listed on the referral form, contact the MCLPPP. MCLPPP will determine whether other units need to be inspected and forward that information to the risk assessor (See Section VII).

III. Time Frames for Environmental Lead Investigations

The time frames within which environmental services are conducted are directly related to the child's blood lead level. It is important that agencies realize that "time is of the essence" when a child has been lead-poisoned and may require the risk assessor's immediate attention. Below are the required time frames for environmental lead investigations, based on CDC standards.

Blood Lead Level	Conduct environmental investigation
≥45 ug/dl	within 1-2 working days
20-44 ug/dl	within 1 weeks
15-19 ug/dl	Within 2 weeks

Children who have venous blood lead levels above 45 ug/dl are considered a medical emergency; these environmental lead investigations must receive the highest priority by MCLPPP and contracted investigators.

IV. Conducting Environmental Lead Investigations

All environmental lead investigations are child-centered, full risk assessments. All environmental lead investigations are conducted in accordance with DEP chapter 424 Lead Management Regulations. Risk assessors shall perform the ELI using HUD approved X-Ray Fluorescent (XRF) equipment and dust wipe sampling for identified living units.

The ELI is also conducted following MCLPPP protocols. Every effort should be made to identify the source of the lead poisoning for the poisoned child. This may include obtaining readings on such surfaces as cribs, recently refinished furniture, or toys. The risk assessor will have full access to all painted surfaces when conducting environmental lead investigations. If access to painted surfaces is limited, the inspectors can presume it to be lead-based paint. This condition is included in the notice to the owner.

Risk Assessors will perform the environmental investigation and provide a written report of findings to the MCLPPP and to the DEP in accordance with the requirements of the DEP Chapter 424 regulations.

1. Risk Assessment Questionnaire

- a. Investigators will administer a risk assessment questionnaire (RAQ) prior to beginning testing/sampling. (a sample copy is included in Appendix A and can be obtained from the MCLPPP).
- b. The investigator will interview the parents of the lead poisoned child to obtain responses to the questions on the RAQ
- c. The investigator may answer some of the questions by observing conditions in the home.
- d. RAQs are to be submitted to MCLPPP within 2 business days of the investigation.

2. Identification, Quantification, and Determination of the Existence of Lead Based Paint

- a. Inspect all components and all surfaces, including those coated with paint, varnish, shellac, stain, or other coatings in each room, all of the associated interior common areas, and all exterior areas.
- b. Identify lead hazards using standards from DEP Chapter 424 Lead Management Regulations.
- c. In addition to components with lead-based paint in poor condition, friction, impact or chewable components with lead-based paint in fair condition may be designated as lead hazards with an accompanying high lead dust wipe. See Appendix B for detailed instructions on determining lead hazards on friction, impact and chewable surfaces in fair condition.
- d. Identify potential lead hazards, i.e. components with lead-based paint in good condition that may present a lead hazard if further deterioration occurs or if the paint is disturbed during re-painting, renovation or remodeling activities.

3. Environmental Sampling

- a. Collect dust wipe samples in rooms or areas frequented by the lead poisoned child, as indicated by the RAQ. If any individual in the household is in an occupation that exposes them to lead, conduct dust wipes in the family vehicle and the child's car seat.
- b. Collect or, if the pipes have been flushed, instruct the parent in collecting first draw and flushed water samples.
- c. Collect soil samples from bare soil in play areas and from the building drip line. If the ground is frozen at the time of the ELI the investigator will return the following spring to collect soil samples.

NOTE: All environmental samples must be submitted to the HETL (Health and Environmental Testing Laboratory) for analysis. The HETL will invoice the MCLPPP directly for the analyses performed. All samples sent to the lab must include a case ID # in the project code section on the HETL form. When the risk assessor submits the samples to the lab, the "Bill Other" section of the lab form will determine who the lab will bill for the services. Please be sure to check this section off and to write in LMCLPP.

V. Posting the Building for Environmental Lead Hazards

Upon completion of the environmental lead investigation, if any lead hazards have been identified in a rental unit, the risk assessor will post the building with the approved Department signage before leaving the premises.

1. Place the approved MCLPPP signage on a visible place in the front of the building, usually a window or door.
2. Fax or e-mail MCLPPP to inform the program staff that environmental lead hazards were found on the interior and/or exterior of the building
3. The inspector should note the date of the posting on the cover sheet of the report being sent to the MCLPPP
4. The posting shall remain on the building until the MCLPPP has issued a final clearance letter to the owner. If an owner or tenant destroys the posting notice, the MCLPPP will send a letter to the owner or tenant stating their responsibilities and the posting mandate in 22 MRSA Section 1321.
5. The MCLPPP may ask the risk assessor to re-post the building if a posting has been erroneously removed.

VI. Environmental Lead Investigation Reports

Two copies of the complete ELI report must be submitted to the MCLPPP. In accordance with state confidentiality laws, the name of the lead poisoned child or the child's parents cannot be disclosed on the report. Please use the assigned case ID# and building address as identifiers.

MCLPPP expects high quality, accurate reports for each ELI conducted. Investigators will subject their reports to thorough quality assurance review prior to submission to MCLPPP. MCLPPP will review a portion these documents for errors and omissions and require corrections where necessary.

1. Report components

Reports submitted to the MCLPPP must have a sheet separator with an index tab between each section. The standard components for the reports are (in this order):

- a. Cover Page (with Case ID#)
- b. Introduction on how to read the report
- c. Lead Hazard summary: All lead hazards identified during the investigation, including dust, soil, and water hazards should be clearly identified. Lead paint in fair condition which meets the definition of lead hazard per Appendix B should be listed as well.
- d. All necessary floor plans
- e. Lead paint inspection summary report per XRF (with Case ID #)
- f. Detailed report per XRF
- g. A summary table of dust, soil, and water sampling results
- h. Copy of HETL Report of Sample Results (with appropriate Case ID #)

- i. HETL Chain of Custody Record (with Case ID # under project code)
- j. XRF retest sheet

2. Floor plans

The floor plan should be well marked and provide enough detail to enable the property owner to read and understand it. Floor plans should be constructed using approved MCLPPP software.

VII. Other Units in Multi-Unit Rental Buildings

1. Upon issuance of an Order to Correct Environmental Lead Hazards, MCLPPP will :
 - a. Notify the owner of the requirement for inspection of all other multi-bedroom units and any single bedroom units in which children reside including:
 - i. Requiring the owner to provide to the investigator access to these units within two weeks of the date of the Order to Correct. The landlord or their representative will be responsible for notifying tenants and providing physical access to each unit, and
 - ii. Requiring access for the investigator to any single or no bedroom units for evidence of inhabitation by children during the same time period.
 - b. Provide the investigator with a written referral stating which additional units will be inspected and visually assessed.
2. The investigator will:
 - a. Schedule with the owner to perform lead inspections in all multi-bedroom units and visual inspections of no or single bedroom units within two weeks of the referral,
 - b. Perform lead inspections of all multi-bedroom units and single or no bedroom units with evidence of children in residence,
 - c. Perform dust sampling in units with resident children less than six years of age, and
 - d. Provide MCLPPP with a lead inspection report complying with DEP standards for each additional unit tested within 2 weeks of the completion of the additional testing in the building. Where more than one unit is inspected the reports can be compiled into one document.

VIII. Dust Sampling and Visual Assessment Visits

This sampling may take the form of a clearance examination after abatement or other remediation of lead hazards. It may also be utilized to determine continuing or new risk factors in existing lead poisoning case or in the case of a persistent blood lead between 10 and 14 ug/dl. The following is the protocol for these visits:

1. The MCLPPP will fax a referral with all necessary information to the investigator.
2. Investigators will contact the occupant to schedule the visit and send MCLPPP confirmation within 48 hours via phone, fax, or email.
3. The investigator will follow the DEP Chapter 424 Lead Management Regulations for conducting clearance examinations or for lead dust testing for risk assessments as indicated by the referral.
4. Upon receipt of testing results, the investigator will forward within 5 days written results of the visual inspection and dust sampling.
5. For properties ordered abated MCLPPP will send a final clearance letter to the owner after the dwelling has passed the clearance requirements and indicate that the posting may be removed.

Appendix A

Risk Assessment Questionnaire

Maine Childhood Lead Poisoning Prevention Program
Environmental Investigation
Parent Questionnaire and Assessment of Potential Lead Hazards

Case ID No.:

Location:

Date:

Investigator:

Part I – General Information Questions for Parents

1. Where do you think the child was exposed to the lead hazard? _____

2. Do you rent or own your home? rent own (circle one)

If rent:

a. Did you receive a brochure from your landlord at the time you first rented this unit called “Protect your family from lead in your home”? Yes No

b. Did the landlord make a statement about the presence of lead in the building and have you sign a form stating you received this information? Yes No

If yes, which did they state (check one):

___ Leaded paint present

___ No leaded paint present

___ Unknown

c. Do you receive rent subsidies? Yes No

If Yes, what type (check one):

___ Section 8 voucher

___ Public housing authority

3. When did you/ your family move into this home? _____

(If less than 12 months at this address), where else have you lived in the past 12 months?

Dates: _____

Address: _____

- What was the condition of the paint at this address? _____

4. Does the child go to daycare or regularly visit a friend or relative?

(more than 10 hours/ week) Yes No (circle one)

If Yes, where is the daycare or home located?

Address: _____

Number of hours per week spent at this address: _____

General condition of the building: _____

Any recent renovation or remodeling? Yes No (circle one)

If Yes, when? _____

Part II – Assessment of potential lead-based paint and dust hazards – questions for parents

1. Has this building ever been tested for lead-based paint or lead-contaminated dust?

(include home test kits) Yes No (circle one)

If Yes, when _____ Results _____

2. When was this home built? _____

If unknown, do you know approximately how old this building is? _____

3. Has there been any recent

Remodeling: Yes No when? _____

Renovation: Yes No when? _____

Window replacement: Yes No when? _____

Repainting: Yes No when? _____

Part III – Assessment of potential water lead hazards – questions for parents

1. Where do you get your drinking water?

Municipal water private well bottled water

2. Do you use tap water to prepare infant formula, powdered milk or juice for children?

Yes No

3. What faucet do you usually use for drinking water? _____

4. Has your water ever been tested for lead? Yes No

If Yes, what were the results

Part IV – Assessment of potential soil lead hazards – questions for parents

1. Are there areas of bare soil outside the house? Yes No

2. Are there paint chips near the building or play areas? Yes No

If Yes, where? _____

3. Has there been any exterior renovation or repainting done on this building? Yes No

If Yes, when? _____

4. Has the soil ever been tested for lead? Yes No

If Yes, when? _____ Results _____

Part V – Assessment of Occupation/ Hobby sources of lead

1. Do any adults or older children work in jobs that expose them to lead, such as:

- Construction in old buildings
- Painting in old buildings
- Demolition of old buildings
- Plumbing in old buildings
- Repairing radiators in cars
- Auto body repair
- Salvaging metal or batteries
- Other _____

2. Do any adults or older children have hobbies that could expose them to lead such as:

- Fishing
- Hunting or target shooting
- Melting lead to make ammunition or fishing sinkers
- Making pottery
- Repairing or repainting old boats
- Making jewelry
- Making stained glass
- Refinishing antiques or old furniture
- Other _____

3. Do you separate work clothes from other laundry? Yes No

Part VI – Child behavior risk factors

1. What rooms does your child play in the most? _____

2. Are there any rooms in the home where your child is not allowed to go? _____

3. Where does your child sleep? _____

4. Does your child have a favorite window to look out or play at? Yes No

If Yes, where _____

(For inspector: Is there any paint in poor condition in this area? Yes No

5. Does your child have a favorite nook inside the house where s/he plays? Yes No

If Yes, where _____

(For inspector: Is there any paint in poor condition in this area? Yes No)

6. (If the home has a porch or deck) Does your child play on the porch/deck? Yes No

If Yes, how frequently? _____

(For inspector: Is there any paint in poor condition in this area,? Yes No)

7. (If the home is a rental with common areas) Does the child play in any of the common areas? Yes No

If Yes, where? _____

8. Does your child suck his/her fingers or thumb? Yes No

9. Does your child chew on painted surfaces in the house such as window sills, railings, door moldings? YesNo

10. Does your child put other objects in his/her mouth such as toys or jewelry?

Yes No

11. Do you have a pet such as a dog or cat that could track lead soil or dust into the house? Yes No

12. Does the child bathe in an old bathtub with deteriorated glazing? Yes No

13. Are any foods served or stored in ceramic or glazed dishes or pots? Yes No

Part VII – (Ask these questions only if refugee or immigrant family)

1. Do you use any imported cosmetics such as Kohl, Surma or Ceruse? Yes No

2. Does the family use any home remedies or herbal treatments? Yes No

3. Does the family eat canned foods from other countries? Yes No

Part VIII – Inspector assessment of household hygiene and dust hazards

1. Are there any painted floors in the home? Yes No

If Yes, location _____

2. Are the hard floor coverings smooth and cleanable? Yes No

3. Are there any carpeted floors? Yes No

If Yes, do the carpets appear clean? Yes No

4. Is there dust/ debris in the window wells? Yes No

4. Apparent cleanliness of the home

- Appears generally clean
- Some evidence of housecleaning but areas of dirt/debris
- No evidence of recent housecleaning

Part XIX – Inspector assessment of potential lead hazards

Hazard category	Identified potential hazard
Paint/ Dust	
Water	
Soil	
Adult occupation/ hobby	
Child behavior	
Objects from outside the U.S.	
Hygiene/ household maintenance & housecleaning	

Appendix B

Identifying Lead Hazards on Friction, Impact, and Chewable Surfaces with Lead- Based Paint in Fair Condition

Identifying Lead Hazards on Friction, Impact, and Chewable Surfaces with Lead-Based Paint in Fair Condition

Definitions:

1. "Lead Hazard" means any condition that may cause exposure to lead from lead-contaminated dust, etc...or lead-based paint that is in poor condition. Lead Inspectors and Risk Assessors may identify lead-based paint on chewable, friction, and impact surfaces as a lead hazard dependent upon the surface condition, location, and other relevant factors. (DEP Chapter 424, Page5)
2. "Friction surface" means a surface that is subject to abrasion or friction including, but not limited to, window, door, floor, and stair surfaces. (DEP Chapter 424, Page 3)
3. "Impact Surface" means a surface that is subject to damage by repeated sudden force, such as certain parts of door frames. (DEP Chapter-424., Page 4)
4. "Chewable surface" means an interior or exterior surface painted with lead-based paint that a child 6 years of age or younger can mouth or chew, such as window sills and chair rails. (DEP Chapter-424., Page 1)
5. Conditions of Paint: As applied to lead-based paint on each individual component or side of a building or room:

“Fair condition is one in which the paint is intact, but worn; minor chips are evident as a result of normal wear and tear; no adhesion or substrate problems, e.g., no broken wallboard is present. Individual interior components with large surface areas (walls, ceilings, floors, doors) that evidence less than or equal to 2 square feet of normal wear and tear or direct damage are considered to be in fair condition. Individual interior components with small surface areas (window sills, baseboards) that evidence less than or equal to 10 percent normal wear and tear or direct damage on the total surface area of the component are considered to be in fair condition. Exterior components with large surface areas that evidence less than or equal to 10 square feet or normal wear and tear or direct damage are to be considered in fair condition. Exterior components with small surface areas that evidence less than

or equal to 10 percent normal wear and tear or direct damage will be considered in fair condition.” (DEP Chapter 424, Page 2)

Note: All lead-based paint in poor condition that is identified during an environmental lead investigation is a lead hazard that must be abated under Maine law.

1. Friction surfaces

A friction surface in “fair” condition is a lead hazard to be abated only if:

- a.) Lead dust levels on the nearest horizontal surface (e.g. window sill or floor near the window) are equal to or greater than clearance standards AND
- b.) There is evidence that the surface is subject to abrasion, AND
- c.) Lead-based paint is known or presumed to be present on the friction surface.

2. Impact surfaces

An impact surface in “fair” condition is a lead hazard to be abated only if:

- a.) Lead dust levels on the nearest horizontal surface are equal to or greater than clearance standards, AND
- b.) Paint on the impact surface is damaged or otherwise deteriorated, AND
- c.) The damaged paint is caused by impact from a related building component, AND
- d.) Lead-based paint is known or presumed to be present on the impact surface.

3. Chewable surfaces

A chewable surface in “fair” condition is a lead hazard to be abated only if:

- a.) There is evidence that a child 6 years of age or younger has chewed on the component, AND
- b.) Lead-based paint is known or presumed to be present on the chewable surface.

Examples of friction or impact surfaces that may be considered lead hazards if they meet all of the criteria outlined above:

- Window systems
- Doors
- Floors
- Stair treads
- Baseboards
- Drawers and cabinets
- Porches and decks

Examples of chewable surfaces that may be considered lead hazards if they meet all of the criteria outlined above:

- Window sills
- Baseboards
- Stair treads
- Chair rails
- Furniture

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Environmental Lead Investigations for Children with Blood Lead Levels 15ug/dl or Higher

Lead-based paint and lead-contaminated dust and soil remain the major causes of lead exposure in Maine children accounting for more than 85% of blood lead levels (BLLs) 15ug/dl or higher. In the vast majority of the cases the lead paint and lead dust originates from the family's home. Another significant source of the lead exposure is from an occupation of a household member who impacts lead, with the point of contact for the child being lead dust in the family vehicle and the child's car seat. Other sources of lead may be the principle cause for a specific instance of lead poisoning or contribute to the blood lead level elevation. These varied lead sources and exposure points require lead investigators to consider a number of exposure sources when performing an environmental lead investigation for the Maine Childhood Lead Poisoning Prevention Program (MCLPPP).

Environmental lead investigations (ELI) are centered on the poisoned child rather than the building and thus differ from normal risk assessments in several important ways:

1. The purpose of the investigation is to identify the cause of the lead poisoning, making it necessary to perform investigative services beyond a normal "risk assessment."
2. The investigator may assess relatively uncommon sources of lead, such as glazed pottery and traditional medicines or remedies, as well as other dwellings frequented by the child.
3. The investigator may test deteriorated paint on other non-housing objects regardless of who owns the object.
4. The range of dust sampling depends on the areas frequented by the child and may include locations such as the family vehicle and the child's car seat.
5. Bare soil areas frequented by the child are identified and sampled separately so that the hazards can be quantified.

Once the assessment of all possible sources of lead exposure has been completed, the most probable sources of the child's poisoning can be identified and remedial actions to eliminate any further exposure can be recommended. The lead inspector or risk assessor can recommend interim measures to immediately reduce the child's exposure to the lead source.

In some situations the inspector/risk assessor and the MCLPPP Environmental Coordinator will not be able to identify the source of lead exposure. The source may be obscure or the parent or guardian may be concealing information about another location or property owner they want to protect. This situation will be handled by the MCLPPP by building a good rapport with the family and convincing them that the intent is not to find the family or any individual at fault, but rather to help the child get well.

The results of the ELI are only released to the MCLPPP. Confidential information about the child or household should not be shared or revealed to any other agency. Information concerning building and site hazards and options for correcting those hazards will be reported to the owner and/or the occupant by the MCLPPP.

Introduction

The Maine Childhood Lead Poisoning Prevention Program (MCLPPP) in the Department of Health and Human Services, Maine Center for Disease Control was developed to identify and coordinate care for lead poisoned children in Maine. The MCLPPP program is funded by the state of Maine to promote and monitor statewide lead screening tests, to coordinate health and environmental care for lead poisoned children, and to encourage public actions to prevent lead exposures.

The Maine Center for Disease Control estimates that approximately 100 children in Maine aged 1-5 years are expected to have elevated blood lead levels (i.e. ≥ 10 $\mu\text{g}/\text{dl}$) each year. Over 40 Maine children are identified each year as being lead poisoned, with confirmed blood lead levels of 15 $\mu\text{g}/\text{dl}$ or higher. An additional 10 children each year are identified with persistent blood lead levels between 10 and 14 $\mu\text{g}/\text{dl}$. These children need medical, nursing, and environmental interventions. Environmental lead investigations and remediation of lead hazards are accomplished through collaborative efforts with The Maine State Housing Authority, The Department of Environmental Protection, and local Community Action Programs.

Overview

The purpose of the Policy and Procedure Manual for Environmental Lead Investigations is to provide Maine licensed risk assessors with the procedural guidelines of the MCLPPP when performing environmental lead investigations involving a lead poisoned child. The MCLPPP procedure manual is to be used in conjunction with all applicable State and Federal laws such as the DEP chapter 424 Lead Management Regulations, DHHS Rules for Environmental lead investigations, HUD, and EPA standards.

The function of each section is to explain the standard operating procedure for the program's environmental policies and to act as a reference guide for conducting environmental lead investigations.

Definitions and Abbreviations

- Abatement:** Means any set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by appropriate State and Federal agencies, including, but not limited to, (a) the removal of lead based paint and lead contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, and the removal or covering of lead contaminated soil; and (b) all preparation, cleanup, disposal, and post abatement clearance testing activities associated with such measures. For purposes of this definition, “permanently” means for at least 20 years.
- Accessible Surface:** Means an interior or exterior surface painted with lead-based paint that is accessible for a young child to mouth or chew.
- BLL:** Stands for a blood lead level
- Certified Inspector:** Means an individual who has been trained to conduct lead inspections, lead determinations, clearance examinations and lead-safe evaluations.
- Certified Risk Assessor:** Means an individual who has been trained to conduct risk assessments as well as lead inspections, lead determinations, clearance examinations and lead-safe evaluations.
- DEP:** Stands for the Maine Department of Environmental Protection.
- Department:** Means the Department of Health and Human Services
- DHHS:** Stands for the Department of Health and Human Services
- ELI:** Stands for an environmental lead investigation.
- HETL:** Stands for the Health and Environmental Testing Laboratory
- HUD:** Stands for the United States Department of Housing and Urban Development

Lead Inspection: Means a surface-by-surface investigation to determine the presence and condition of lead-based paint and the provision of a written report.

Lead-Based Paint: Means paint or other surface coatings that contain lead in excess of limits established under the Maine DEP Chapter 424 Lead Management Regulations.

Lead-Based Paint Hazard: Means any condition that causes exposure to lead from dust, soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects

Lead Contaminated Dust: Means surface dust in a residential setting that contains an area or mass concentration of lead in excess of levels determined by State and Federal agencies.

Lead Contaminated Soil: Means bare soil on residential property that contains lead at or in excess of the levels determined to be hazardous to human health.

MCLPPP: Stands for the Maine Childhood Lead Poisoning Prevention Program.

MSHA: Stands for the Maine State Housing Authority.

State: Means the State of Maine.

Protocols for Environmental Lead Investigations

I. Statutory Authority

The Maine Childhood Lead Poisoning Prevention Program (MCLPPP) has the authority under 22 MRSA, “The Lead Poisoning Control Act,” to conduct inspections in homes where a case of lead poisoning has been identified or when lead based substances that could contribute to a poisoning have been identified. Furthermore, the statute allows the department to delegate the conduct of the environmental lead investigation to appropriate personnel.

22 MRSA § 1320. Inspection of dwelling units and child care facilities by the department.

“Any authorized representative of the department, upon presenting appropriate credentials to the owner or occupant, or a representative of either, may inspect any dwelling unit or child-occupied facility at reasonable times for the purpose of ascertaining the presence of lead-based substances, and may remove samples or objects necessary for laboratory analysis. ...”

Statutory Mandate

The Lead Poisoning Control Act specifies circumstances under which the department is required to conduct environmental lead inspections

22 MRSA § 1320-A. Inspection of dwellings by department.

“Except in the case of an owner-occupied, single-family residence, the department shall within 30 days inspect all dwelling units in a dwelling when:

Lead poisoning found. A case of lead poisoning has been found in any dwelling unit within the dwelling; or

Lead base substances. Lead base substances have been found in any dwelling unit within the dwelling.”

II. Environmental Lead Investigation Referral System

Upon notification from the Health and Environmental Testing Laboratory (HETL) of a child with a confirmed blood lead level > 15 ug/dl, the Department will a) contact the primary medical care provider to ascertain that the family has been notified of the diagnosis, and b) make a referral to Public Health Nursing for a home visit and initiation of case management services. The MCLPPP will then initiate environmental services as follows:

1. The MCLPPP will make the initial contact with the parent and the owner (if different from parent) to notify them of the need for an environmental lead investigation, the process, and timeframe.
2. The MCLPPP will send a referral to a contracted risk assessor in the region where the lead poisoned child resides to request environmental services.
 - a. The referral forms forwarded to the risk assessor's office will include the adult occupant's name, the owner's name, phone numbers, housing information, and any other pertinent information.
 - b. If the risk assessor is unable to respond to the request within the necessary time frame listed below, the MCLPPP will contact another risk assessor to request the environmental investigation.
3. The risk assessor should contact the tenant/parent within 48 hours to schedule the environmental lead investigation (ELI). When the ELI has been scheduled, the risk assessor will send the MCLPPP confirmation of the date and time via e-mail or by returning the referral form with the date and time of ELI on it.
4. When scheduling the EI, the risk assessor should allow at least 5 days for the MCLPPP to formally notify the property owner of the EI.
 - a. The MCLPPP will send the owner a notice letter with the ELI time, date, place, and who will be performing the investigation.
 - b. If a medical emergency (BLL >45 µg/dl) necessitates an immediate EI, the MCLPPP will note that on the referral form and instruct the risk assessor to hand deliver notice letter to the owner. The notice letter will be faxed or e-mailed to risk assessor.
5. For legal reasons, there must not be unauthorized inspections of dwellings that are not listed on the referral form. If a building owner or tenant requests inspection of a unit not listed on the referral form, contact the MCLPPP. MCLPPP will determine whether other units need to be inspected and forward that information to the risk assessor (See Section VII).

III. Time Frames for Environmental Lead Investigations

The time frames within which environmental services are conducted are directly related to the child's blood lead level. It is important that agencies realize that "time is of the essence" when a child has been lead-poisoned and may require the risk assessor's immediate attention. Below are the required time frames for environmental lead investigations, based on CDC standards.

Blood Lead Level	Conduct environmental investigation
≥45 ug/dl	within 1-2 working days
20-44 ug/dl	within 1 weeks
15-19 ug/dl	Within 2 weeks

Children who have venous blood lead levels above 45 ug/dl are considered a medical emergency; these environmental lead investigations must receive the highest priority by MCLPPP and contracted investigators.

IV. Conducting Environmental Lead Investigations

All environmental lead investigations are child-centered, full risk assessments. All environmental lead investigations are conducted in accordance with DEP chapter 424 Lead Management Regulations. Risk assessors shall perform the ELI using HUD approved X-Ray Fluorescent (XRF) equipment and dust wipe sampling for identified living units.

The ELI is also conducted following MCLPPP protocols. Every effort should be made to identify the source of the lead poisoning for the poisoned child. This may include obtaining readings on such surfaces as cribs, recently refinished furniture, or toys. The risk assessor will have full access to all painted surfaces when conducting environmental lead investigations. If access to painted surfaces is limited, the inspectors can presume it to be lead-based paint. This condition is included in the notice to the owner.

Risk Assessors will perform the environmental investigation and provide a written report of findings to the MCLPPP and to the DEP in accordance with the requirements of the DEP Chapter 424 regulations.

1. Risk Assessment Questionnaire

- a. Investigators will administer a risk assessment questionnaire (RAQ) prior to beginning testing/sampling. (a sample copy is included in Appendix A and can be obtained from the MCLPPP).
- b. The investigator will interview the parents of the lead poisoned child to obtain responses to the questions on the RAQ
- c. The investigator may answer some of the questions by observing conditions in the home.
- d. RAQs are to be submitted to MCLPPP within 2 business days of the investigation.

2. Identification, Quantification, and Determination of the Existence of Lead Based Paint

- a. Inspect all components and all surfaces, including those coated with paint, varnish, shellac, stain, or other coatings in each room, all of the associated interior common areas, and all exterior areas.
- b. Identify lead hazards using standards from DEP Chapter 424 Lead Management Regulations.
- c. In addition to components with lead-based paint in poor condition, friction, impact or chewable components with lead-based paint in fair condition may be designated as lead hazards with an accompanying high lead dust wipe. See Appendix B for detailed instructions on determining lead hazards on friction, impact and chewable surfaces in fair condition.
- d. Identify potential lead hazards, i.e. components with lead-based paint in good condition that may present a lead hazard if further deterioration occurs or if the paint is disturbed during re-painting, renovation or remodeling activities.

3. Environmental Sampling

- a. Collect dust wipe samples in rooms or areas frequented by the lead poisoned child, as indicated by the RAQ. If any individual in the household is in an occupation that exposes them to lead, conduct dust wipes in the family vehicle and the child's car seat.
- b. Collect or, if the pipes have been flushed, instruct the parent in collecting first draw and flushed water samples.
- c. Collect soil samples from bare soil in play areas and from the building drip line. If the ground is frozen at the time of the ELI the investigator will return the following spring to collect soil samples.

NOTE: All environmental samples must be submitted to the HETL (Health and Environmental Testing Laboratory) for analysis. The HETL will invoice the MCLPPP directly for the analyses performed. All samples sent to the lab must include a case ID # in the project code section on the HETL form. When the risk assessor submits the samples to the lab, the "Bill Other" section of the lab form will determine who the lab will bill for the services. Please be sure to check this section off and to write in LMCLPP.

V. Posting the Building for Environmental Lead Hazards

Upon completion of the environmental lead investigation, if any lead hazards have been identified in a rental unit, the risk assessor will post the building with the approved Department signage before leaving the premises.

1. Place the approved MCLPPP signage on a visible place in the front of the building, usually a window or door.
2. Fax or e-mail MCLPPP to inform the program staff that environmental lead hazards were found on the interior and/or exterior of the building
3. The inspector should note the date of the posting on the cover sheet of the report being sent to the MCLPPP
4. The posting shall remain on the building until the MCLPPP has issued a final clearance letter to the owner. If an owner or tenant destroys the posting notice, the MCLPPP will send a letter to the owner or tenant stating their responsibilities and the posting mandate in 22 MRSA Section 1321.
5. The MCLPPP may ask the risk assessor to re-post the building if a posting has been erroneously removed.

VI. Environmental Lead Investigation Reports

Two copies of the complete ELI report must be submitted to the MCLPPP. In accordance with state confidentiality laws, the name of the lead poisoned child or the child's parents cannot be disclosed on the report. Please use the assigned case ID# and building address as identifiers.

MCLPPP expects high quality, accurate reports for each ELI conducted. Investigators will subject their reports to thorough quality assurance review prior to submission to MCLPPP. MCLPPP will review a portion these documents for errors and omissions and require corrections where necessary.

1. Report components

Reports submitted to the MCLPPP must have a sheet separator with an index tab between each section. The standard components for the reports are (in this order):

- a. Cover Page (with Case ID#)
- b. Introduction on how to read the report
- c. Lead Hazard summary: All lead hazards identified during the investigation, including dust, soil, and water hazards should be clearly identified. Lead paint in fair condition which meets the definition of lead hazard per Appendix B should be listed as well.
- d. All necessary floor plans
- e. Lead paint inspection summary report per XRF (with Case ID #)
- f. Detailed report per XRF
- g. A summary table of dust, soil, and water sampling results
- h. Copy of HETL Report of Sample Results (with appropriate Case ID #)

- i. HETL Chain of Custody Record (with Case ID # under project code)
- j. XRF retest sheet

2. Floor plans

The floor plan should be well marked and provide enough detail to enable the property owner to read and understand it. Floor plans should be constructed using approved MCLPPP software.

VII. Other Units in Multi-Unit Rental Buildings

1. Upon issuance of an Order to Correct Environmental Lead Hazards, MCLPPP will :
 - a. Notify the owner of the requirement for inspection of all other multi-bedroom units and any single bedroom units in which children reside including:
 - i. Requiring the owner to provide to the investigator access to these units within two weeks of the date of the Order to Correct. The landlord or their representative will be responsible for notifying tenants and providing physical access to each unit, and
 - ii. Requiring access for the investigator to any single or no bedroom units for evidence of inhabitation by children during the same time period.
 - b. Provide the investigator with a written referral stating which additional units will be inspected and visually assessed.
2. The investigator will:
 - a. Schedule with the owner to perform lead inspections in all multi-bedroom units and visual inspections of no or single bedroom units within two weeks of the referral,
 - b. Perform lead inspections of all multi-bedroom units and single or no bedroom units with evidence of children in residence,
 - c. Perform dust sampling in units with resident children less than six years of age, and
 - d. Provide MCLPPP with a lead inspection report complying with DEP standards for each additional unit tested within 2 weeks of the completion of the additional testing in the building. Where more than one unit is inspected the reports can be compiled into one document.

VIII. Dust Sampling and Visual Assessment Visits

This sampling may take the form of a clearance examination after abatement or other remediation of lead hazards. It may also be utilized to determine continuing or new risk factors in existing lead poisoning case or in the case of a persistent blood lead between 10 and 14 ug/dl. The following is the protocol for these visits:

1. The MCLPPP will fax a referral with all necessary information to the investigator.
2. Investigators will contact the occupant to schedule the visit and send MCLPPP confirmation within 48 hours via phone, fax, or email.
3. The investigator will follow the DEP Chapter 424 Lead Management Regulations for conducting clearance examinations or for lead dust testing for risk assessments as indicated by the referral.
4. Upon receipt of testing results, the investigator will forward within 5 days written results of the visual inspection and dust sampling.
5. For properties ordered abated MCLPPP will send a final clearance letter to the owner after the dwelling has passed the clearance requirements and indicate that the posting may be removed.

Appendix A

Risk Assessment Questionnaire

Maine Childhood Lead Poisoning Prevention Program
Environmental Investigation
Parent Questionnaire and Assessment of Potential Lead Hazards

Case ID No.:

Location:

Date:

Investigator:

Part I – General Information Questions for Parents

1. Where do you think the child was exposed to the lead hazard? _____

2. Do you rent or own your home? rent own (circle one)

If rent:

a. Did you receive a brochure from your landlord at the time you first rented this unit called “Protect your family from lead in your home”? Yes No

b. Did the landlord make a statement about the presence of lead in the building and have you sign a form stating you received this information? Yes No

If yes, which did they state (check one):

___ Leaded paint present

___ No leaded paint present

___ Unknown

c. Do you receive rent subsidies? Yes No

If Yes, what type (check one):

___ Section 8 voucher

___ Public housing authority

3. When did you/ your family move into this home? _____

(If less than 12 months at this address), where else have you lived in the past 12 months?

Dates: _____

Address: _____

- What was the condition of the paint at this address? _____

4. Does the child go to daycare or regularly visit a friend or relative?

(more than 10 hours/ week) Yes No (circle one)

If Yes, where is the daycare or home located?

Address: _____

Number of hours per week spent at this address: _____

General condition of the building: _____

Any recent renovation or remodeling? Yes No (circle one)

If Yes, when? _____

Part II – Assessment of potential lead-based paint and dust hazards – questions for parents

1. Has this building ever been tested for lead-based paint or lead-contaminated dust?

(include home test kits) Yes No (circle one)

If Yes, when _____ Results _____

2. When was this home built? _____

If unknown, do you know approximately how old this building is? _____

3. Has there been any recent

Remodeling: Yes No when? _____

Renovation: Yes No when? _____

Window replacement: Yes No when? _____

Repainting: Yes No when? _____

Part III – Assessment of potential water lead hazards – questions for parents

1. Where do you get your drinking water?

Municipal water private well bottled water

2. Do you use tap water to prepare infant formula, powdered milk or juice for children?

Yes No

3. What faucet do you usually use for drinking water? _____

4. Has your water ever been tested for lead? Yes No

If Yes, what were the results

Part IV – Assessment of potential soil lead hazards – questions for parents

1. Are there areas of bare soil outside the house? Yes No

2. Are there paint chips near the building or play areas? Yes No

If Yes, where? _____

3. Has there been any exterior renovation or repainting done on this building? Yes No

If Yes, when? _____

4. Has the soil ever been tested for lead? Yes No

If Yes, when? _____ Results _____

Part V – Assessment of Occupation/ Hobby sources of lead

1. Do any adults or older children work in jobs that expose them to lead, such as:

- Construction in old buildings
- Painting in old buildings
- Demolition of old buildings
- Plumbing in old buildings
- Repairing radiators in cars
- Auto body repair
- Salvaging metal or batteries
- Other _____

2. Do any adults or older children have hobbies that could expose them to lead such as:

- Fishing
- Hunting or target shooting
- Melting lead to make ammunition or fishing sinkers
- Making pottery
- Repairing or repainting old boats
- Making jewelry
- Making stained glass
- Refinishing antiques or old furniture
- Other _____

3. Do you separate work clothes from other laundry? Yes No

Part VI – Child behavior risk factors

1. What rooms does your child play in the most? _____

2. Are there any rooms in the home where your child is not allowed to go? _____

3. Where does your child sleep? _____

4. Does your child have a favorite window to look out or play at? Yes No

If Yes, where _____

(For inspector: Is there any paint in poor condition in this area? Yes No

5. Does your child have a favorite nook inside the house where s/he plays? Yes No

If Yes, where _____

(For inspector: Is there any paint in poor condition in this area? Yes No)

6. (If the home has a porch or deck) Does your child play on the porch/deck? Yes No

If Yes, how frequently? _____

(For inspector: Is there any paint in poor condition in this area,? Yes No)

7. (If the home is a rental with common areas) Does the child play in any of the common areas? Yes No

If Yes, where? _____

8. Does your child suck his/her fingers or thumb? Yes No

9. Does your child chew on painted surfaces in the house such as window sills, railings, door moldings? YesNo

10. Does your child put other objects in his/her mouth such as toys or jewelry?

Yes No

11. Do you have a pet such as a dog or cat that could track lead soil or dust into the house? Yes No

12. Does the child bathe in an old bathtub with deteriorated glazing? Yes No

13. Are any foods served or stored in ceramic or glazed dishes or pots? Yes No

Part VII – (Ask these questions only if refugee or immigrant family)

1. Do you use any imported cosmetics such as Kohl, Surma or Ceruse? Yes No

2. Does the family use any home remedies or herbal treatments? Yes No

3. Does the family eat canned foods from other countries? Yes No

Part VIII – Inspector assessment of household hygiene and dust hazards

1. Are there any painted floors in the home? Yes No

If Yes, location _____

2. Are the hard floor coverings smooth and cleanable? Yes No

3. Are there any carpeted floors? Yes No

If Yes, do the carpets appear clean? Yes No

4. Is there dust/ debris in the window wells? Yes No

4. Apparent cleanliness of the home

- Appears generally clean
- Some evidence of housecleaning but areas of dirt/debris
- No evidence of recent housecleaning

Part XIX – Inspector assessment of potential lead hazards

Hazard category	Identified potential hazard
Paint/ Dust	
Water	
Soil	
Adult occupation/ hobby	
Child behavior	
Objects from outside the U.S.	
Hygiene/ household maintenance & housecleaning	

Appendix B

Identifying Lead Hazards on Friction, Impact, and Chewable Surfaces with Lead- Based Paint in Fair Condition

Identifying Lead Hazards on Friction, Impact, and Chewable Surfaces with Lead-Based Paint in Fair Condition

Definitions:

1. "Lead Hazard" means any condition that may cause exposure to lead from lead-contaminated dust, etc...or lead-based paint that is in poor condition. Lead Inspectors and Risk Assessors may identify lead-based paint on chewable, friction, and impact surfaces as a lead hazard dependent upon the surface condition, location, and other relevant factors. (DEP Chapter 424, Page5)
2. "Friction surface" means a surface that is subject to abrasion or friction including, but not limited to, window, door, floor, and stair surfaces. (DEP Chapter 424, Page 3)
3. "Impact Surface" means a surface that is subject to damage by repeated sudden force, such as certain parts of door frames. (DEP Chapter-424., Page 4)
4. "Chewable surface" means an interior or exterior surface painted with lead-based paint that a child 6 years of age or younger can mouth or chew, such as window sills and chair rails. (DEP Chapter-424., Page 1)
5. Conditions of Paint: As applied to lead-based paint on each individual component or side of a building or room:

“Fair condition is one in which the paint is intact, but worn; minor chips are evident as a result of normal wear and tear; no adhesion or substrate problems, e.g., no broken wallboard is present. Individual interior components with large surface areas (walls, ceilings, floors, doors) that evidence less than or equal to 2 square feet of normal wear and tear or direct damage are considered to be in fair condition. Individual interior components with small surface areas (window sills, baseboards) that evidence less than or equal to 10 percent normal wear and tear or direct damage on the total surface area of the component are considered to be in fair condition. Exterior components with large surface areas that evidence less than or equal to 10 square feet or normal wear and tear or direct damage are to be considered in fair condition. Exterior components with small surface areas that evidence less than

or equal to 10 percent normal wear and tear or direct damage will be considered in fair condition.” (DEP Chapter 424, Page 2)

Note: All lead-based paint in poor condition that is identified during an environmental lead investigation is a lead hazard that must be abated under Maine law.

1. Friction surfaces

A friction surface in “fair” condition is a lead hazard to be abated only if:

- a.) Lead dust levels on the nearest horizontal surface (e.g. window sill or floor near the window) are equal to or greater than clearance standards AND
- b.) There is evidence that the surface is subject to abrasion, AND
- c.) Lead-based paint is known or presumed to be present on the friction surface.

2. Impact surfaces

An impact surface in “fair” condition is a lead hazard to be abated only if:

- a.) Lead dust levels on the nearest horizontal surface are equal to or greater than clearance standards, AND
- b.) Paint on the impact surface is damaged or otherwise deteriorated, AND
- c.) The damaged paint is caused by impact from a related building component, AND
- d.) Lead-based paint is known or presumed to be present on the impact surface.

3. Chewable surfaces

A chewable surface in “fair” condition is a lead hazard to be abated only if:

- a.) There is evidence that a child 6 years of age or younger has chewed on the component, AND
- b.) Lead-based paint is known or presumed to be present on the chewable surface.

Examples of friction or impact surfaces that may be considered lead hazards if they meet all of the criteria outlined above:

- Window systems
- Doors
- Floors
- Stair treads
- Baseboards
- Drawers and cabinets
- Porches and decks

Examples of chewable surfaces that may be considered lead hazards if they meet all of the criteria outlined above:

- Window sills
- Baseboards
- Stair treads
- Chair rails
- Furniture