



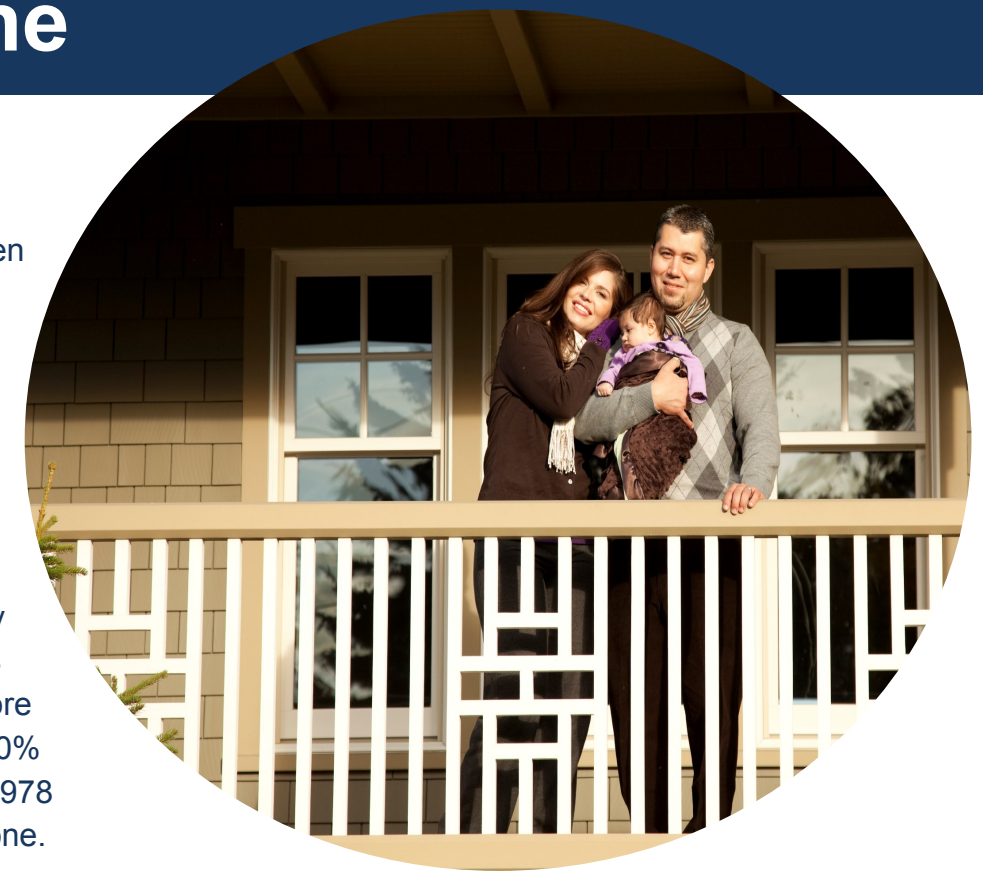
Maine Department of Environmental Protection

[www.maine.gov/dep](http://www.maine.gov/dep)

# Lead in Maine

Every year, hundreds of children in Maine are poisoned by lead. Children less than six years old are most at risk of lead poisoning. Most lead poisonings in Maine are caused by exposure to dust from old lead paint. Lead can cause learning disabilities and behavioral problems that last a lifetime.

More than half of Maine homes may have lead paint. Exposure to lead is most common in buildings built before 1950 (when paint contained up to 50% lead), and in buildings built before 1978 when repainting or remodeling is done.



## What is a lead hazard?

A lead hazard is any condition that may cause exposure to lead from lead-contaminated dust, lead-contaminated soil, lead-contaminated water or lead-based paint that is in poor condition. Maine DEP regulations define the paint conditions and amounts of lead in dust, soil and water that constitute a lead hazard. It is possible to have lead paint in a home without it being a lead hazard.

By law, lead hazards may only be identified by a Maine-licensed lead

inspector or risk assessor in the course of a lead inspection. Lead inspections may be performed to comply with a licensing requirement, as requested prior to a real estate sale, as part of a lead poisoning investigation, or because an owner wants to learn where there are lead hazards and lead paint in a home.

Additionally, when a lead hazard has been identified in a multi-unit residence or child-occupied facility, an order to abate is issued by the Department of Health and Human Services.



## What lead paint regulations apply to my project?

Who are you (Note 1)		Contractors <sup>2</sup> and/or Employees Doing work in:				
	Homeowner Doing your own work	Landlord Doing your own work	Child- occupied facility (See note 3)	Public Building (not child occupied)	Commercial or industrial facilities	Residential
What rules may apply						
<b>DEP Chapter 424</b>	NO	YES	YES	NO	NO	YES
<b>DEP Emergency Provision</b>	YES	YES	YES	YES	YES	YES
<b>US EPA RRP rule</b>	NO	YES	YES	NO	NO	YES
<b>OSHA</b>	NO	POSSIBLY Note 2	YES	YES	YES	YES

**YES:** See description of the laws and rules below to determine which may apply to your particular construction project. Need additional advice? Please contact the Maine DEP at 287-7688.

**NO:** Exempt from the particular rule or law.

**Note 1:** Maine DHHS, Lead Poisoning Control Act requires Lead Abatement to address lead hazards if an Abatement Order is issued. In that case, all work that addresses identified lead hazards must be done by a DEP Licensed Lead Abatement Contractor. If you have an abatement order on your property, or have any questions, please call the Maine Childhood Lead Poisoning Prevention Unit at 207-287-4311

**Note 2:** Depending on corporate structure landlords and sole proprietor contractors may or may not have to follow OSHA standards. If in doubt, either contact your legal counsel, accountant or the OSHA area office for guidance.

**Note 3:** Child-occupied facility” means a pre-1978 building or portion of a building visited regularly by the same child, up to 6 years of age, on at least 2 different days within any week, provided that each day’s visit lasts at least 3 hours, the combined weekly visit lasts at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day-care centers, preschools, and kindergarten classrooms.

## Resources

If you have any questions about lead, or state and federal lead regulations please contact the DEP Lead and Asbestos Hazard Prevention Program at (207) 287-7688 or visit our website at [www.maine.gov/dep/waste/lead](http://www.maine.gov/dep/waste/lead)

### Certified Renovation Companies in Maine

Please visit the US EPA website at: <https://www.epa.gov/lead>

Then use the search for “a lead safe certified firm” link. Maine has several companies that are certified.

### RRP Training Providers Licensed by U.S. EPA

Please visit the US EPA website at: <https://www.epa.gov/lead>

Then use the “Locate an RRP training class or provider” link to search for a training provider or class.

### Lead Services in Maine

#### State Agencies

Maine DEP (licensing, enforcement)	(207) 287-7688
Maine CDC (childhood lead poisoning)	866-292-3474 (toll-free in ME) or 207-287-4311
Maine BGS (school assistance)	(207) 624-7341
Maine BLS (public sector OSHA agencies/state buildings/employees)	(207) 623-7900

#### Federal Agencies

OSHA – private employers	Augusta (207) 624-9160 Bangor (207)941-8177
US EPA Region 1 Boston MA	1-888-372-7341 (ext. 1524)

## Renovation, Repair and Painting Program: Do-It-Yourselfers

Although the Renovation, Repair and Painting Rule does not apply to homeowners renovating, repairing, or painting their own homes, do-it-yourself projects can easily create dangerous lead dust. Protect your family and home – set up safely, control the dust, and clean up completely.

### Work Safely

- Remove all furniture, area rugs, curtains, food, clothing, and other household items until cleanup is complete.
- Items that cannot be removed from the work area should be tightly wrapped with plastic sheeting and sealed with tape.
- Cover floors with plastic sheeting.
- If working on a larger job, construct an airlock at the entry to the work area.
- The airlock consists of two sheets of thick plastic. One sheet is completely taped along all four edges.
- The plastic sheet is then cut down the middle.
- The second sheet is only taped along the top and acts as a flap covering the slit in the first sheet of plastic.
- Turn off forced-air heating and air conditioning systems. Cover vents with plastic sheeting and tape the sheeting in place with tape.
- Close all windows in the work area.
- If disturbing paint, when using a hand tool, spray water on lead-painted surfaces to keep dust from spreading.

### Get the Right Equipment

It is important to get the right equipment to protect you and your family from lead exposure.

- NIOSH-certified disposable respirator with a HEPA (High-Efficiency Particulate Air) filter (N-100, R-100, or P-100).
- HEPA filter-equipped vacuum cleaner. Regular household vacuums may release harmful lead particles into the air.
- Wet-sanding equipment (e.g., spray mister), wet/dry abrasive paper, and wet sanding sponges for "wet-methods."
- Two buckets and all-purpose cleaner. Use one bucket for the cleaning solution and the other bucket for rinsing. Change the rinse water frequently and replace rags, sponges, and mops often.
- Heavy-duty plastic sheeting and heavy-duty plastic bags.
- Tape. You will need tape to completely seal the plastic sheeting in place.
- Protective clothing. To keep lead dust from being tracked throughout your home, wear clothes such as coveralls, shoe covers, hats, goggles, face shields, and gloves or clean work clothes and launder separately.

Plan for and complete a home renovation, repair or painting project using lead safe work practices.

### Maine Department of Environmental Protection Lead Management Regulation

**Chapter 424** applies to any residential or child occupied facilities where abatement is required by DHHS, contractually, or by other government agencies, such as HUD. Only Maine DEP licensed lead abatement companies with trained and certified workers and supervisors may be hired to do the lead hazard reduction work. Single family owner occupied homeowners are allowed to do lead hazard reduction work without licensing, but will need to take whatever training DHHS requires in cases where a child in the home has been lead poisoned.

Maine Regulations require that the lead abatement contractors notify the DEP of dates for the removal, that certain work practices be followed, and that the work area be inspected and tested for lead hazards prior to re-occupancy.

The **Maine DEP Emergency Provision Statute** applies to any person engaged in any renovation, remodeling, maintenance or repair project involving lead-based paint not subject to the licensing and certification requirements of chapter 424, and states they shall take reasonable precautions to prevent the release of lead to the environment, including the cleanup, removal and appropriate disposal of all visible lead-based paint debris generated by the project. This is the broadest of the regulations to help protect the public from any work that creates a potential release of lead whether residential, industrial or from any other structure.

**Maine Department of Health and Human Services Childhood Lead Poisoning Prevention Program** under Rules Relating to the Lead Poisoning Control Act. These Rules were established to protect public health by ensuring that rental properties housing lead-poisoned children are abated and landlords fulfill their responsibilities as identified in the Lead Poisoning Control Act (22 M.R.S. §§ 1320 & 1320A).

The **US Environmental Protection Agency** has the Renovation, Repair and Painting Rule when work on pre-1978 residential and child occupied facilities that disturb more than 6 square feet per room per thirty days of interior paint or 20 square feet per 30 days of exterior paint occurs.

EPA's 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from lead-based paint hazards associated with renovation, repair and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be EPA-certified. These requirements became fully effective April 22, 2010.

**Commercial, industrial, public buildings other than child occupied facilities, steel structures and maritime industry** when work on lead coated surfaces employers must comply with federal OSHA's lead standards for Construction 29CFR1926.62, General Industry 29CFR1910.1025 and/or Shipyard 29CFR1915.1025 as they apply.

## Lead Abatement vs. Lead RRP

**Abatement and RRP activities may sometimes look similar, but they are not!**

Abatement is a specialized activity designed to address lead in the home. RRP activities (including most home contracting work) disturb paint as a consequence of the activity, but they are often undertaken for reasons unrelated to lead issues.

### Lead-Based Paint Activities (Abatement)

Lead-Based Paint Activities include lead-based paint inspections, risk assessments and abatements (lead-based paint removal).

- Lead abatement projects are designed to permanently eliminate existing lead-based paint hazards. They may be ordered by a state or local government in response to a lead-poisoned child or other reason, or may be undertaken voluntarily at any time.
- Lead risk assessments are designed to identify lead hazards and management strategies, and lead inspections are designed to locate all lead-based paint in a home.
- Individuals must be trained and certified to conduct lead-based paint activities, and firms must be certified.
- Lead-based activities are regulated differently than renovation, repair and painting jobs, even though, in some cases, the activities are similar.

### Renovation, Repair and Painting (RRP)

- RRP projects are typically performed at the option of the property owner for aesthetic or other reasons, or as an interim control to minimize lead hazards. It is NOT designed to permanently eliminate lead-based paint hazards.
- Since RRP projects can disturb lead-based paint in homes and buildings built before 1978, thus creating new lead hazards, individual renovators must be trained and certified lead-safe RRP practices, and firms must be certified.
- Learn more about EPA's RRP certification and training program at [www.epa.gov/lead](http://www.epa.gov/lead)

#### **Consider Hiring a Certified Lead Abatement Contractor or Inspector**

Any time you cut into surfaces painted with lead paint, even if the paint is covered by layers of newer paint, you risk creating hazardous lead dust. You can reduce the risk of lead exposure in your home by hiring a certified lead inspector to check to see if there is lead paint in the area of your work. If there is lead, then you may want to have a trained and certified lead abatement contractor perform an abatement to remove the lead from the area before you begin work.

#### **Consider Hiring a Certified RRP Contractor**

When you think you may have lead paint, it may be best to hire a trained lead-safe certified RRP contractor. These contractors have been trained in special methods to minimize dust and clean up thoroughly to reduce the chance of lead contamination.

### Hiring a Lead Abatement Contractor

When hiring a lead abatement contractor you want to be sure to get a contractor that will deliver the best quality of service for the best price. Be sure to obtain several bids on your project, as costs can vary considerably. Items to think about when hiring a contractor include:

- the contractor's history of and references for similar projects;
- cost - make sure comparable services are being quoted;
- details of the exact services to be provided, including monitoring, project design, replacement, damages, etc.;
- the contractor's recent history of violations of state or federal lead laws;
- the type and amount of liability insurance carried by the contractor;
- whether to hire a lead design consultant to ensure the removal is done in accordance with regulations.

Most importantly, talk to each contractor, learn exactly what they will do for you, check your comfort level with them, and then hire based upon overall quality of services, not just cost.

### Hiring an EPA Certified Renovation Firm

In addition to the advice given above on hiring an abatement contractor, the homeowner should also ask to see the EPA Certified Firm Certification and training certificate for the Certified Renovator of all bidding companies.

### Lead Abatement Professionals

Looking for a lead abatement professional to do inspections, risk assessments or a licensed company to do the abatement? Check the Maine DEP website at: <http://www.maine.gov/dep/waste/lead/findalp.html>

