Advisory Committee on Childhood Lead Poisoning Prevention
of the Centers for Disease Control and Prevention
Draft Position Statement:
Recommendation to Improve International Model Codes
to Prevent Exposure to Lead-Based Paint Hazards

Introduction

The ACCLPP is [*insert standard description*]

Extensive research and other results from the field provide clear evidence that lead-based paint hazards poison children[i] and certain renovation and remodeling activities create and disperse lead-based paint hazards.[ii] In its report, *Preventing Lead Exposure in Young Children: A Housing-Based Approach to Primary Prevention of Lead Poisoning*, the ACCLPP has recommended that local laws and regulations require minimum lead-safe housing treatments for property repair and maintenance and authorize government agencies to ensure lead safety through enforcing housing codes. In the same document, the ACCLPP also calls for regulations that address lead-dust hazards and deteriorated paint as code violations, prohibit unsafe work practices, require post work clearance dust-testing, and provide for enforcement.

Recommendation

Because the International Property Maintenance Code and Existing Building Code are positioned to influence the hundreds of state and local jurisdictions that adopt them, the ACCLPP respectfully recommends that the standards committees of the International Code Council (ICC) ensure that pertinent model codes explicitly and effectively prohibit lead-based paint hazards and prevent their creation and dispersion during activities that disturb lead-based paint in existing buildings.

Specific Problems in the Current Codes and Recommended Change Proposals

1. International Property Maintenance Code

Present provisions regarding paint condition: Sections 304.2 and 305.3 state, respectively, that exterior and interior surfaces shall be maintained in good condition. Section 304.2 specifies that exterior peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Sections 305.3 specifies that interior peeling, chipping, flaking or abraded paint shall be repaired, removed, or covered.

Problem: This code does not require safeguards around deteriorated lead-based paint, yet deteriorated paint in pre-1978 housing is a dangerous health hazard if the paint contains lead. The code also specifies removing interior paint, a directive that may trigger EPA or state abatement requirements.

Recommendation: The code should require that, absent evidence from an independent lead-based paint inspection or risk assessment that the paint is lead-free, deteriorated paint be repaired using lead safe work practices to ensure that the work does not create, disperse, or leave behind any hazardous lead dust. Some of this information is already presented in the Commentary about the IPMC; this information must be elevated to code provisions so that the code official will be expected to routinely require repair of presumed or actual lead-based paint using lead safe work practices. Also the code should require clearance testing if lead safe work practices were not followed. Suggested language:

A. *All exterior surfaces … shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, chalking, flaking, chipping and abraded paint shall be repaired and surfaces repainted. Deteriorated lead-based paint shall be repaired using lead-safe work practices as described in 304.2.1, and the underlying condition causing paint failure shall be repaired. On properties built before 1978, paint is presumed to be lead-based paint unless it has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.*

B. *All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chalking, chipping, flaking or abraded paint shall be repaired. Deteriorated lead-based paint shall be repaired using lead-safe work practices as described below, and the underlying condition causing paint failure shall be repaired. In properties built before 1978, paint is presumed to be lead-based paint unless it has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.*

C. *Lead safe work practices. Occupants and their belongings shall be protected from exposure to paint debris and dust. The ground and plantings under and adjacent to the work area shall be covered with plastic sheeting or other impermeable material extending out from the edge of the structure a sufficient distance to collect falling paint debris. Doors, windows, vents, and other openings located on the same floor as the work area or below the work area shall be closed. Where other properties are in close proximity to the work area, plastic sheeting or other impermeable material must be erected to ensure that dust and debris do not contaminate other buildings or migrate to adjacent property. Doors within the work area that must be used while the job is being performed must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area. The following methods shall not be used when removing, repairing, or disturbing painted surfaces that contain lead-based paint: open flame burning or torching; machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; abrasive blasting or sandblasting without HEPA local exhaust control; heat guns operating above 1100 degrees*

Fahrenheit or charring the paint; dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 ft. of electrical outlets, or when treating defective paint spots totaling no more than 20 sq. ft. on exterior surfaces; and paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation. After paint-disturbing activities have been completed, the plastic sheeting or other impermeable material shall be wet-cleaned or wiped and then removed. Then the walls, windowsills, and floors in the work area shall be washed with a wet mop or cloth and cleaned using a vacuum cleaner with an efficient filtration system, and washed again with a wet mop or cloth to ensure that no debris or dust is left behind.

D. *Clearance testing. The code official is permitted to order clearance lead dust testing by an independent certified lead-based paint inspector or risk assessor or sampling technician if the requirement for lead safe work practices was not met during the repair of deteriorated lead-based paint. The testing shall be conducted according to ASTM standards and shall consist of a visual examination, collection of dust samples from four floors and four window sills, submission of the samples to an EPA-approved laboratory, and disclosure of the lab results to the owner and tenants. If the property fails clearance, it shall be re-cleaned until it passes a clearance test.*

2. **International Existing Building Code**

Present provisions regarding disturbing painted surfaces: none.

Problem: This code does not safeguard the public health, safety and welfare from lead-based paint hazards caused by the disturbance of painted surfaces during the repair, alteration, change of occupancy, addition and relocation of existing buildings. In pre-1978 housing, deteriorated paint is a very serious health hazard if the paint contains lead.

Recommendation: The code should require that, absent evidence from an independent lead-based paint inspection or risk assessment that the paint is lead-free, work that disturbs painted surfaces in pre-1978 housing be conducted using lead safe work practices to ensure that the work does not create, disperse, or leave behind any hazardous lead dust. Suggested language:

A. Where a pre-1978 building undergoes an addition, change in occupancy, alteration renovation or repair, etc.

   …lead-safe work practices shall be used when disturbing, repairing, or replacing painted surfaces, unless the paint has been determined lead-free by a certified lead-based paint inspector or risk assessor.

B. Add to evaluations section (1301.5) a new paragraph on lead-based paint safety.

   For renovation repairs, alterations, additions, and changes of occupancy in or on pre-1978 building, unless the paint has been determined lead-free by a certified

lead-based paint inspector or risk assessor, lead-safe work practices shall be used when disturbing, repairing, or replacing painted surfaces.

C. *Lead safe work practices. Occupants and their belongings shall be protected from exposure to paint debris and dust. The ground and plantings under and adjacent to the work area shall be covered with plastic sheeting or other impermeable material extending out from the edge of the structure a sufficient distance to collect falling paint debris. Doors, windows, vents, and other openings located on the same floor as the work area or below the work area shall be closed. Where other properties are in close proximity to the work area, plastic sheeting or other impermeable material must be erected to ensure that dust and debris do not contaminate other buildings or migrate to adjacent property. Doors within the work area that must be used while the job is being performed must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area. The following methods shall not be used when removing, repairing, or disturbing painted surfaces that contain lead-based paint: open flame burning or torching; machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; abrasive blasting or sandblasting without HEPA local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 ft. of electrical outlets, or when treating defective paint spots totaling no more than 20 sq. ft. on exterior surfaces; and paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation. After paint-disturbing activities have been completed, the plastic sheeting or other impermeable material shall be wet-cleaned or wiped and then removed. Then the walls, windowsills, and floors in the work area shall be washed with a wet mop or cloth and cleaned using a vacuum cleaner with an efficient filtration system, and washed again with a wet mop or cloth to ensure that no debris or dust is left behind.*

D. *Clearance testing. The code official is permitted to order clearance lead dust testing by an independent certified lead-based paint inspector or risk assessor or sampling technician if the requirement for lead safe work practices was not met during the repair of deteriorated lead-based paint. The testing shall be conducted according to ASTM standards and shall consist of a visual examination, collection of dust samples from four floors and four window sills, submission of the samples to an EPA-approved laboratory, and disclosure of the lab results to the owner and tenants. If the property fails clearance, it shall be re-cleaned until it passes a clearance test.*

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i [3]CDC. Managing elevated blood lead levels among young children: Recommendations from the Advisory Committee on Childhood Lead Poisoning Prevention. Atlanta: U.S. Department of Health and Human Services, CDC; 2002. [14]Pirkle JL, Kaufmann RB, Brody DJ, Hickman T, Gunter EW, Paschal DC. Exposure of the U.S. population to lead, 1991 - 1994. Environ Health Perspect 1998;106:745 - 50. [6]Lanphear BP, Burgoon DA, Rust SW, Eberly S, Galke W. Environmental exposures to lead and urban children's blood lead levels. Environ Res 1998;76:120 - 30.

ii [27]Amitai Y, Brown MJ, Graef JW, Cosgrove E. Residential deleading: effects on the blood lead levels of lead-poisoned children. Pediatrics 1991;88:893 - 7. [28]Reissman DB, Matte TD, Gurnitz KL, Kaufmann RB, Leighton J. Is home renovation or repair a risk factor for exposure to lead among children residing in New York City? J Urban Health 2002;79:502 - 11.