

Lead Poisoning Prevention in Indiana



Evaluating Homes for Lead-Based Paint Hazards

- *You cannot tell whether you have lead based paint or lead hazards without special testing by a trained professional.*
- *State health regulations require that a local health department conduct a risk assessment for the home of a lead poisoned child.*
- *Only a licensed risk assessor can make specific recommendations to reduce lead hazards in a home or child-occupied facility.*
- *A lead inspection will tell you where lead-based paint may be but not whether hazards are present.*
- *A clearance examination is the best way to ensure that the home is safe after maintenance, renovation, or abatement work. If only exterior paint is disturbed, this examination does not require dust wipe samples.*
- *Lead-based paint risk assessors, inspectors, and clearance examiners working in Indiana must be licensed by the Indiana Department of Environmental Management.*
- *Property owner must share the results of any sampling with future buyers and tenants.*

Contact IDEM's Lead Hotline 888-574-8150

Lead Primer

What are the dangers of lead poisoning? Severe childhood lead poisoning is uncommon in Indiana, but thousands of Hoosier children are poisoned by lower levels of lead that permanently damage the brain. This damage includes lowered IQ levels, a greater chance of learning disabilities and attention deficit disorders, and a tendency towards violent behavior. Indiana requires intervention to protect children six years or younger when a child has more than 10 micrograms of lead in a deciliter of blood.



How can I tell if a person is lead poisoned? You can only tell by testing a person's blood. Since lead leaves the blood over time, you cannot easily tell whether the person was lead poisoned in the past.

Why focus on children six or younger? The body has difficulty telling the difference between lead and calcium. As a result, in children, lead in blood can get into the brain and permanently damage it. Pregnant woman can pass lead to a fetus. Adults and children over six can also be lead poisoned but it takes higher levels. Children under seven are the most vulnerable group.

How many children are lead poisoned in Indiana? No one knows. However, all children eligible for Medicaid must be tested. The state recommends that all children living or playing in property built before 1978 be tested. National averages suggest that 1 in 25 children are lead poisoned. Race and income-levels are the biggest factors.

How do they get lead poisoned? Today, lead dust in the home and lead in soil are the primary sources of lead poisoning. Children playing on the floor get lead dust or contaminated soil on their toys, blankets, clothes and on their hands that they ingest. The lead dust may be invisible. Paint chips can still be a problem but that is less common.

Where does the lead come from? The lead primarily comes from deteriorated lead-based paint. Lead-based paint is most often found on the exterior of the home. This paint has contaminated the soil over the years. Inside, windows and doors are the most likely places to find lead-based paint because the paint was durable. Dust can be found everywhere. The only way to know for sure is to have it checked by a risk assessor or inspector licensed by the Indiana Department of Environmental Management.

Why 1978 and 1960? The use of lead-based paint on residential property was prohibited after January 1, 1978. Indiana presumes paint in a home or child-occupied facility built before 1960 is lead-based paint.



Testing Paint, Soil & Dust



You can determine whether lead is in paint, soil or dust in three ways:

- **Spot Test Kit:** A spot test kit contains chemicals that immediately changes color when it contacts lead. The most common is LeadCheck Swab. It is available at most good hardware stores. The results are not "official" and must be confirmed by laboratory analysis or, if paint, an XRF. But the kits are an effective low-cost tool to check your work before investing in the "official" results.
- **Laboratory analysis.** Right now, only an laboratory that is "NLLAP-Approved" can provide "official" answers for soil samples or dust wipe samples. Labs can also be used for paint chips analysis. The samples cost about \$10 each and take several days. You have to pay more for a quicker turnaround time. See www.epa.gov/lead/nllap.htm.
- **X-Ray Florescence Device:** XRFs emit radiation and measure what gets bounced back to a sensor. The results are almost immediate. EPA has approved XRFs to determine if paint is lead-based paint. EPA's research shows that they are good at measuring dust levels and probably soil levels, but EPA's regulations prevent the XRF from be used to provide "official" results.

What Property is Covered by Indiana's Lead-Based Paint Licensing Regulations?

- Target housing** means housing built before January 1, 1978. It does not include the following:
- Housing for the elderly or individuals with disabilities that is not occupied by or expected to be occupied by a child six years of age or younger; or
 - A zero-bedroom dwelling such as dorm or efficiency.

Child-occupied facility means a building or portion of a building that was built prior to January 1, 1978 and is visited by a child six years of age or younger for more than two days a week, for at least three hours a visit for an annual total of at least 60 hours. It includes day care centers, preschools, and kindergarten classrooms.

Who Can Evaluate Lead-Based Paint Hazards?



What Can They Do?

Risk Assessor (Licensed)

- Have either a bachelors degree and one year of experience, an associate's degree and two years of experience; or a high school diploma or GED and three years of experience.
- Successfully complete 3-day inspector course and 2-day risk assessor course.
- Take inspector and risk assessor exam from IDEM.
- Apply for 3-year license.

Risk Assessment

On-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards. Report must be written and:

- Identify deteriorated paint and causes of deterioration;
- Determine whether deteriorated paint is lead-based paint.;
- Provide results of dust samples from windows and floors in all living areas and common areas used by children;
- Provide results of soil samples from play areas, driplines, and other bare soil in yard;
- Prioritize interim control and abatement options; and.
- Provide signature and license number of risk assessor.

A limited risk assessment called a "Lead Hazard Screen" is also available when lead hazards are not likely to be present. In a Lead Hazard Screen, soil does not need to be sampled standards for "acceptable levels" are lower.

Lead Inspector (Licensed)

- Have high school diploma or general equivalency diploma.
- Successfully complete 3-day inspector course.
- Take inspector examination from IDEM.
- Apply for 3-year license.

Lead Inspection

Surface-by-surface investigation to determine the presence of lead-based paint. Report must be written and:

- Provide results of tests each interior and exterior component with a distinct painting history; and
- Provide signature and license number of risk assessor or lead inspector.



Abatement Clearance Examination

Investigation to ensure that lead dust hazards are not present when abatement is complete. Report must include signature and license number of risk assessor or inspector.

Clearance Examiner

(Licensed After October 2003)

- Successfully complete 5-hour course.
- Apply for 3-year license.

HUD Clearance Examination

Investigation to ensure that interim controls required by HUD are properly completed. Report must be written and:

- Confirm that deteriorated paint, and visible dust, debris, residue, and paint chips are not present;
- If interior paint disturbed, provide results of dust wipe samples on floors and window sills; and
- Provide signature and license number of risk assessor, lead inspector, or clearance examiner.



Anyone can take samples but only a licensed risk assessor may make specific recommendations to reduce lead hazards in a home or child-occupied facility.



WARNING! Lead Hazard Disclosure Requirements

Anyone who buys or leases target housing (generally housing built before 1978) must provide the buyer or tenant with any information concerning known lead-based paint and/or lead-based paint hazards. EPA or HUD may assess civil and criminal penalties up to \$11,000 per violation may be assessed. See 40 CFR 745.113 for more information.

Reports developed by risk assessors, inspectors and clearance examiners must be given to building owners who contracted with them for these services. However, to ensure that future owners and tenants get the information, please provide the building owner with a copy of the report and remind the owner of his or her responsibility to provide it to tenants and future owners.



Key References and Contacts

Contact IDEM's Lead Hotline 888-574-8150

- Indiana Regulations — 326 IAC 23 (See www.in.gov/legislative/iac/t03260/a00230.pdf and www.in.gov/idem/air/compliance/index.html#B)
 - ⇒ 23-1 Definitions
 - ⇒ 23-2 Licensing for Persons Engaging in Lead-Based Paint Activities
 - ⇒ 23-3 Approval of Training Course Providers
 - ⇒ 23-4 Work Practice Standards for Abatement Activities
 - ⇒ 23-5 Work Practice Standards for Non-Abatement Activities
- U.S. Environmental Protection Agency (EPA) Regulations — 40 CFR Part 765 (See www.epa.gov/lead/)
 - ⇒ Subpart D Lead-Based Paint Hazards
 - ⇒ Subpart E Residential Property Renovation Notice
 - ⇒ Subpart F Lead Hazard Disclosure in Target Housing
 - ⇒ Subpart L Lead-Based Paint Activities
- U.S. Department of Housing and Urban Development (HUD) Regulations — 24 CFR Part 35 (See www.hud.gov/offices/lead/index.cfm)
- U.S. Occupational Safety and Health Administration — 29 CFR 1926.62 (see www.osha.gov/SLTC/constructionlead/index.html)

Also see:

- IDEM — www.in.gov/idem/envirohealth
- National Lead Information Center — (800) 424-LEAD [5323]
- National Center for Healthy Housing — www.centerforhealthyhousing.org
- Alliance for Healthy Homes — www.afhh.org
- Lead-Safe Indiana Task Force and Improving Kids' Environment — www.ikecoalition.org or 317-442-3973



How do I know if someone is licensed?

If you hire someone to check out your home, ask to see their license. It looks like a driver's license but is issued by the Indiana Department of Environmental Management. There have been problems with home inspectors claiming to be licensed but are not. Contact IDEM at 888-574-8150 with questions.

When is lead-based paint a hazard?

Indiana law assumes that all paint in a building built before 1960 is lead-based paint. If intact, lead-based paint may not be a hazard. It is often better to keep the paint in place and maintain it until you do a major renovation using lead-safe work practices.

The following are lead-based paint hazards on target housing or child-occupied facilities:

1. Damaged or deteriorated lead-based paint.
This paint is either:
 - Cracking, chipping, peeling, or chalking; or
 - Separated from the substrate (wood, plaster, etc.)
2. Paint that has evidence of teeth marks.
3. Surface dust contains more than:
 - 40 micrograms of lead per square foot on floors; or
 - 250 micrograms of lead per square foot on interior window sills based on wipe samples.
 as measured by a dust wipe.
4. Bare soil contains total lead equal to or exceeding:
 - 400 parts per million in a play area or
 - Average of 1,200 parts per million of bare soil in the rest of the yard.

This document was prepared by Tom Neltner and January Jones of Improving Kids' Environment pursuant to a grant from the Indiana Department of Environmental Management (IDEM) and EPA through the Wayne County Health Department. IKE takes full responsibility for the materials presented. Contact IKE at www.ikecoalition.org or 317-442-3973 for more information.

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