

LEAD-BASED PAINT REQUIREMENTS

For CDBG Rehab Projects over \$5,000

Housing & Community Development
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INTRODUCTION

This presentation will give an overview of HUD's lead hazard requirements for CDBG rehabilitation projects over \$5,000, why these rules matter for protecting residents and workers, and how your organization can stay in compliance.

01

What is a Lead-Based Paint Hazard?

02

Why are Lead-Based Paint Hazards a problem?

03

Lead-Based Paint Hazard Requirements for Homeowner Rehab Projects over \$5,000

04

How the Lead Hazard Reduction Capacity Building Program will address lead hazards



WHAT ARE LEAD HAZARDS?

A **Lead Hazard** occurs when an individual is exposed to lead in such a way that the lead can enter their body. When lead gets in the body it gets into the bloodstream and can cause tremendous damage.

Common sources of Lead Hazards include:

- Lead-Based Paint
- Contaminated Dust
- Soil
- Water



WHAT'S THE PROBLEM WITH LEAD?

- Lead exposure occurs when a child comes in contact with lead by touching, swallowing, or breathing in lead or lead dust

There are no safe levels of lead exposure

- Even low levels of lead in blood have been shown to negatively affect a child's health.



WHY THIS MATTERS

Lead exposure can cause

- Damage to the brain and nervous system
- Slowed growth and development
- Learning and behavior problems
- Hearing and speech problems

Long Term Impact of Lead

- Lower IQ
- Decreased ability to pay attention
- Underperformance in school



LEAD HAZARDS TODAY

► **In the US**

31 million homes constructed before 1978 (the year lead-based paint was banned for residential use) still contain lead-based paint.

► **Childhood Impact**

3.8 million of those homes have one or more children under the age of six living there.



Environmental & Energy Law Program. (2024). EPA finalized rule to reduce lead paint exposure in homes and childcare facilities. Harvard Law School.

LEAD HAZARDS TODAY

► Target Housing

- Any housing constructed prior to 1978 for rehab projects.
- Exceptions include housing exclusively for the elderly or persons with disabilities or any 0-bedroom dwelling such as a studio or single-room occupancy unit.

► Child-Occupied Facility

A property that a child under the age of six visits for at least 2 hours per day, on at least 3 different days per week, and for a total of at least 60 hours per year.

Environmental & Energy Law Program. (2024). EPA finalized rule to reduce lead paint exposure in homes and childcare facilities. Harvard Law School.

U.S. Department of Housing and Urban Development. (2012). Lead Safe Housing Rule (24 CFR Part 35). Retrieved March 11, 2025



ATHENS-CLARKE COUNTY



Age of Housing Stock

- In 2023, of the 59,436 housing units in Athens-Clarke County, about **20,704 were built 1979 and earlier.**
- Nearly 35% of the housing units in Athens-Clarke County could *potentially* have Lead Based Paint.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Year Structure Built. American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25034. Retrieved March 11, 2025

Renter Occupied

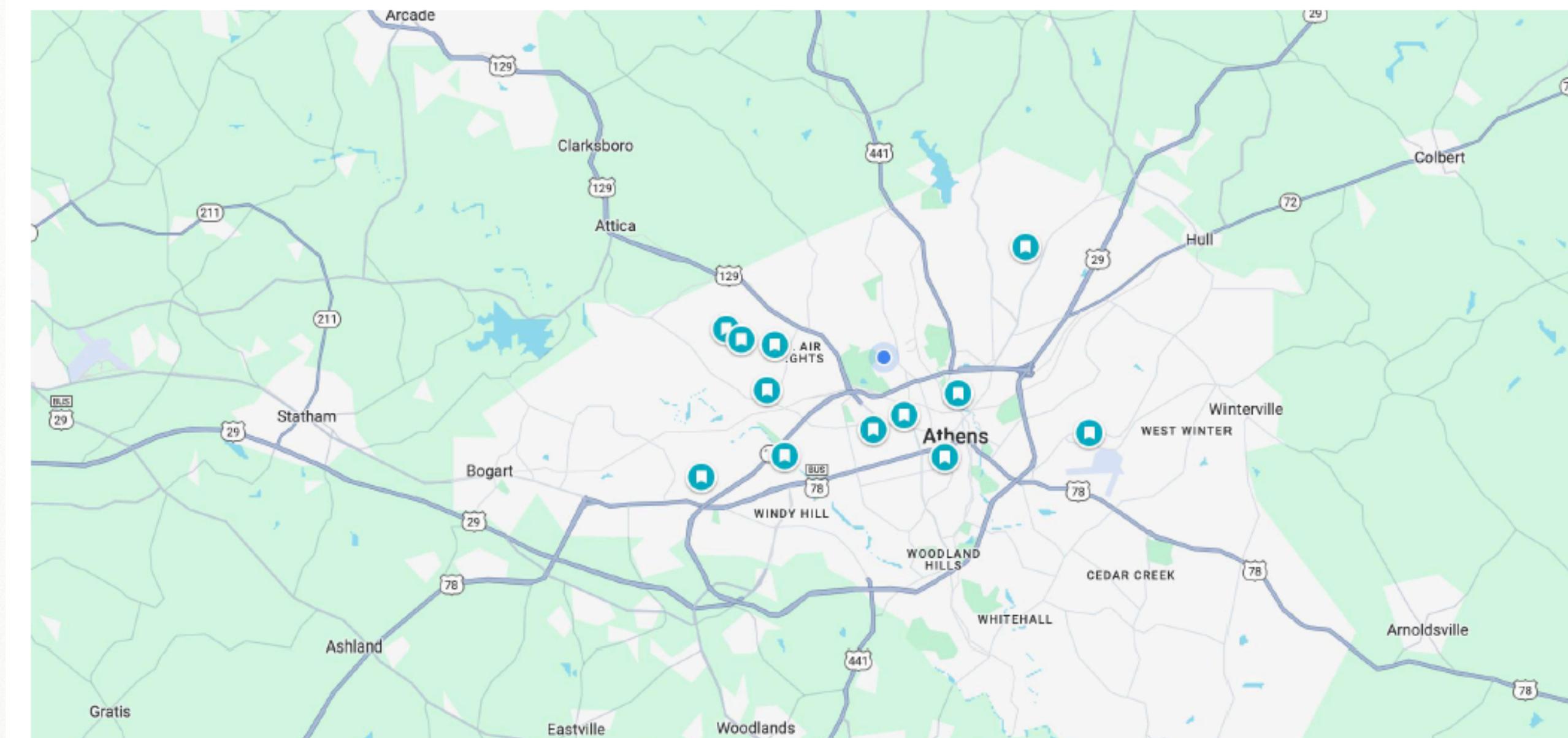
- As of 2022 over 30,000 housing units are renter occupied. (About 60%)
- Renting may increase barriers to addressing lead hazards.

U.S. Census Bureau. (2022). Tenure. American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25003. Retrieved August 29, 2025.

LOCAL IMPACT



Cases of Childhood Lead Poisoning in Clarke County 2017-July 2025



Elevated Blood Levels

Ribbons represent the cases of elevated blood lead levels in children in Athens-Clarke County between 2017 and 2025.

How this helps...

- Data can indicate where to focus our resources and help us identify target neighborhoods.
- Can indicate which schools to partner with for educational opportunities.
- Our program can be a financial resource in remediating lead in homes where children are impacted.

(Data and image provided by Phillip Elliot, District Lead Coordinator for the Georgia Department of Public Health)



PREVENTING LEAD HAZARDS AND EXPOSURE

▶ **Home Safety Precautions**

The presence of lead is not a threat as long as the paint is intact and there is no risk.

▶ **Construction**

Lead risks are influenced by factors such as the presence, condition, and accessibility of lead-based paint, lead-contaminated dust, soil, or water, as well as the frequency and duration of exposure.



REDUCING LEAD PAINT HAZARDS AND EXPOSURE

► **Interim Controls**

Interim controls practices that are taken to **temporarily reduce the risk of exposure** or likelihood of exposure to lead-based paint hazards. While they are not permanent abatement, they are intended to quickly and effectively reduce risk of exposure.

Examples:

- Paint Stabilization
- Specialized Cleaning
- Friction and impact surface treatments
- Soil Treatments

Lead Hazard Requirements for CDBG Rehab Projects

\$5,001 - \$25,000

for Pre-1978 Properties

Step 1:	Step 2:	Step 3:	Step 4:	Step 5:	Step 6:
Paint Testing or Presumption	Risk Assessment	Interim Controls	Safe Work Practices	Clearance Examination	Notification
<ul style="list-style-type: none">• Test all disturbed surfaces with certified inspector, OR• Presume surfaces contain lead-based paint• Documentation required in project file	<ul style="list-style-type: none">• Certified risk assessor must conduct risk assessment before rehab begins• Includes:<ul style="list-style-type: none">◦ Assisted unit(s)◦ Common areas◦ Exterior painted surfaces• Findings from the risk assessment will indicate which interim controls will be needed.	<ul style="list-style-type: none">• Must address all identified hazards with interim controls (temporary)• Examples:<ul style="list-style-type: none">◦ Paint stabilization◦ Friction/impact surface treatments◦ Specialized cleaning	<ul style="list-style-type: none">• Required during rehab activities• Examples:<ul style="list-style-type: none">◦ Containment of dust/debris◦ Wet sanding/scrapping only◦ HEPA vacuuming & specialized cleaning◦ Worker training (EPA RRP Rule)• No open-flame burning or dry sanding	<ul style="list-style-type: none">• Must be performed by certified inspector or risk assessor• Clearance includes:<ul style="list-style-type: none">◦ Visual inspection◦ Dust wipe sampling & lab results• Occupants cannot re-enter until clearance is passed	<ul style="list-style-type: none">• Before work: Provide EPA/HUD pamphlet “Protect Your Family from Lead in Your Home”• After work: Provide written notice of:<ul style="list-style-type: none">◦ Evaluation results◦ Hazard reduction activities completed• Must be delivered within 15 days



REDUCING LEAD PAINT HAZARDS AND EXPOSURE

► Lead Abatement

The **permanent removal or control of lead-based paint hazards** through specialized methods ensuring at least 20 years of protection from lead hazard. These methods must be performed by a certified professional.

Examples:

- Paint Removal
- Encapsulation
- Soil Removal
- Enclosure
- Component Replacement

Lead Hazard Requirements for CDBG Rehab Projects

Over \$25,001

for Pre-1978 Properties

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KEY TAKE AWAYS

\$5,001 - \$25,000:

Interim Controls Temporary:

- Short-term measures to reduce exposure to lead hazards (not permanent).
- **Examples:** paint stabilization, specialized cleaning, friction/impact surface treatments, soil covering.
- Required for projects \$5,000– \$25,000 (24 CFR § 35.930(c)).

BOTH:

- Testing/presumption
- Risk assessment
- Safe work practices
- Clearance exam
- Occupant notification

OVER \$25,000:

Lead Abatement (Permanent):

- Permanent removal or encapsulation of lead-based paint hazards.
- **Methods:** component replacement (e.g., windows), enclosure, encapsulation, or soil removal.
- Required for projects over \$25,000 (24 CFR § 35.930(d)).

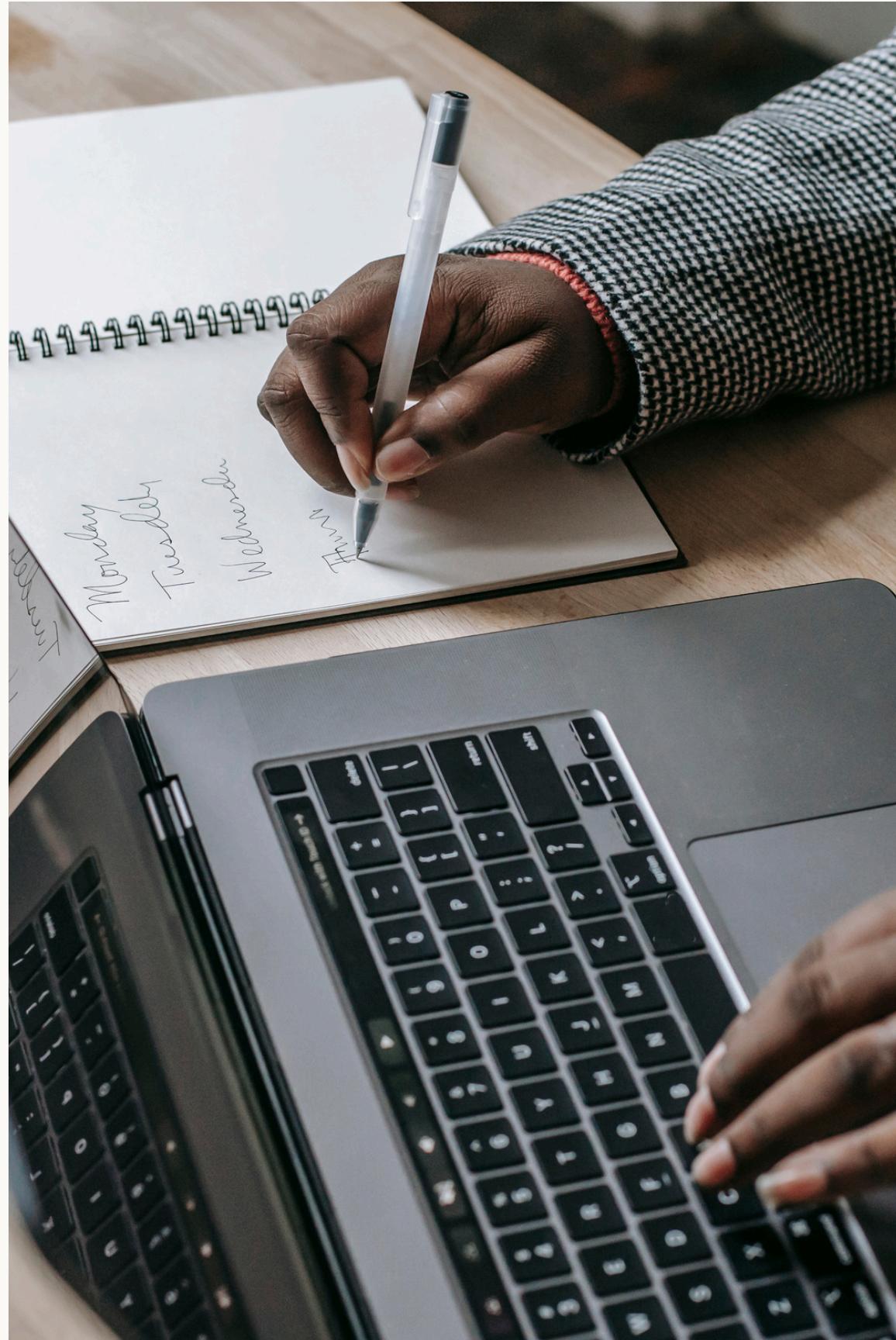
RECORDKEEPING

To ensure record keeping and compliance is maintained, subrecipients are to provide the following lead hazard documentation prior to reimbursement request:

- ▶ **Paint testing or presumption** documentation
- ▶ **Risk assessment** reports
- ▶ **Interim control** work specs - demonstrates what work was done to address lead hazard.
- ▶ **Clearance reports** - Clearance must be conducted be a qualified examiner once lead hazard reduction activities are complete. Keep this report for your records.
- ▶ Documentation of Occupant **Notification** - Document that occupant has been notified of the lead hazard and remediation that has taken place.

* Note this is not an exclusive list of documentation required for CDBG rehabilitation projects. Examples of additional documentation include: an approved Environmental Review, a deed to secure debt, etc.





KEY TAKE AWAYS

Remember:

- ▶ Threshold matters:
Projects over \$5,000 = **identify and address lead hazards** (\$5,001 - 25,000 *interim controls*, Over \$25,000 *lead abatement*)
- ▶ Always use safe work practices to protect occupants including children
- ▶ Keep thorough documentation
- ▶ Compliance protects families and is necessary for funding



LEAD HAZARD REDUCTION CAPACITY BUILDING PROGRAM

► **Purpose of the Lead Hazard
Program**

To prevent and reduce exposure to lead-based paint hazards and to protect children and vulnerable individuals from lead hazards in homes.



LEAD HAZARD REDUCTION CAPACITY BUILDING PROGRAM

- ▶ **Inspect for Lead**
An inspection tells us that lead paint is present, but not whether there is a lead hazard.
- ▶ **Risk Assessments**
Lead risks are influenced by factors such as the presence, condition, and accessibility of lead-based paint, lead-contaminated dust, soil, or water, as well as the frequency and duration of exposure.



APPROACHES TO REDUCING LEAD HAZARDS

1. Community Outreach & Education

Providing awareness campaigns, workshops, and resources to inform residents, landlords, and stakeholders about lead risks and prevention strategies.

2. Forming Strategic Partnerships and Collaborations

Collaborating with local agencies, housing organizations, and healthcare providers to align efforts, secure funding, and implement policies that support long-term lead hazard reduction.

3. Training & Workforce Development

Certifying local professionals in lead inspection, risk assessment, and abatement to expand the community's capacity to address lead hazards.

CAPACITY BUILDING PHASES

Phase 1

August 2024 - March 2025

Start Up

- **Hire Staff**
- **Work Plan**
- **Policies and Procedures**
- **Benchmarks**

Strategic Planning

- **Needs Assessments**
- **Coalition Building**
- **Program Feasibility**
- **Workforce Development Planning**

Phase 2

April 2025 - December 2026

Awareness & Partnerships

- **Formalize Partnerships**
- **Public Outreach, Engagement, Trust Building**
- **Create public and private market demand**
- **Intake and Enrollment Systems**

Training & Certification

- **Train, License, and Certify staff and partners**
- **Confirm Target Area**
- **Solicit bids from Lead Abatement Firms**

Phase 3

January 2027 - August 2027

Lead Abatement

- **Lead Inspection Risk Assessments**
- **Complete Lead Abatement Projects**
- **Prepare to Apply for Additional Funding**
- **Document Processes**

CONCLUSION

- Lead exposure remains a critical public health and housing issue, especially for children.
- **Homeowner rehabilitation projects over \$5,000** utilizing CDBG funding require lead paint hazards are *identified and addressed for Pre-1978 houses.*
- The **Lead Hazard Reduction Capacity Building Program** aims to build local capacity for lead hazard identification and remediation.

Next Steps

- HCD is in the process of updating the **CDBG Homeowner Rehab Policy** to reflect requirements for projects over \$5,000.
- **Coffee, Chat, and Learn Education Series** will provide valuable information about Lead Prevention and creating safe and healthy homes. **First session is Thursday, October 23 at 10 am at the Athens-Clarke County Library.**
- Stay engaged and informed—your role is vital in reducing lead hazards and increasing **safe** affordable housing!



RESOURCES

24 CFR Part 35: Lead-Based Paint Poisoning Prevention in Certain Residential Structures

EPA: *Renovation, Repair, and Painting (RRP) Rule*

HUD/EPA/CDC Pamphlet: *Protect Your Family from Lead in Your Home*

Housing and Community Development

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