

What You Can Expect from a Lead Paint Inspection

What is a Lead Paint Inspection?

According to Michigan law (MCL 333.5451-5477), a Lead Paint Inspection is: “a *surface-by-surface investigation to determine the presence of lead paint and the provision of a report explaining the results of the investigation.*” A Lead Paint Inspection will test all painted components, such as windows, walls, doors, siding, etc. to show if that component contains lead paint, and determine how much lead is in the paint. This information is useful if work is done or paint is disturbed on components that contain lead paint.

The Lead Inspection Report does not show if the house or apartment is lead-safe. The Lead Inspection Report only shows if lead paint is present. It does not show the presence and location of lead paint hazards. A Risk Assessment identifies lead hazards and makes recommendations for removing lead paint hazards. A Risk Assessment is a separate service. A Lead Paint Inspection and Risk Assessment may be done together, but are not always done together (See the “What You Can Expect from a Lead Paint Risk Assessment” information sheet). Either a Lead Paint Inspection or Risk Assessment can be used to satisfy the lead disclosure requirements for real estate transactions.

Who can Do a Lead Paint Inspection?

Only a person certified by the Department of Community Health (MDCH) – Healthy Homes Section (HHS) as a lead inspector or a risk assessor can do a Lead Paint Inspection. A real estate home inspector **cannot** do a lead inspection unless he is certified by the State as a lead inspector or risk assessor. Persons certified by the State of Michigan are issued a card containing the person’s picture, name, certification number, and expiration date. The certification status of people can be checked by calling (517)335-9390 or toll-free (866)691-LEAD. This information is also listed on the HHS website at www.mi.gov/leadsafe or an individual can be verified at www7.dleg.state.mi.us/free.

What Areas in the Home Will Be Tested for Lead?

The individual must test the following locations for the presence of lead paint:

- In a house each interior and exterior building component that has, or may have had, a distinct painting history must be tested, except components that can be documented to have been replaced after 1978.
- In a multifamily housing structure, day care center, preschool or kindergarten classroom, each component that has a different painting history, as stated above must be tested, and also in every common area (such as hallways, stairways, cafeterias, gyms, etc), except for components that have been replaced after 1978.

How is a Lead Inspection Performed?

The individual conducting the Lead Paint Inspection must use lead sampling methods or instructions that are approved by the U.S. Department of Housing and Urban Development (HUD) and/or the U.S. Environmental Protection Agency (EPA). The regulations listed below may be found at www.hud.gov/lead and www.epa.gov/lead, or you may contact MDCH - Healthy Homes Section.

- HUD publication, *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*.
- EPA publications, *Lead-based Paint Activities Training and Certification Rule, & Lead Hazard Standards*

Building components that are painted, shellacked, varnished, and stained may have lead in them and must be tested for a Lead Inspection. Painted furniture, soil, and water may be tested if requested.

Paint chips, dust, and soil samples must be tested for lead by a laboratory approved by the EPA through the National Lead Laboratory Accreditation Program (NLLAP). Labs can be found at the EPA website: www.epa.gov/lead/pubs/nllaplist.pdf or by contacting the National Lead Information Center at (800)424-LEAD.

According to State and Federal law, lead detection test kits cannot be used on paint, dust or soil to determine lead content for a Lead-Based Paint Inspection. These kits include swabs, sticks or liquid drops that turn color when they come in contact with lead-containing surfaces.

What Does a Lead Inspection Report Contain?

The individual conducting the inspection must prepare an inspection report. The report must include all of the following information:

- Each testing method, device and sampling procedure used for paint analysis, and, if used, the serial number of any x-ray fluorescence (XRF) lead testing device.
- Specific locations of each painted component tested for the presence of lead paint.
- The results of the inspection in units of measure that match the type of sampling method used. See the tables below for the units of measure.

Michigan law states, the Lead Inspection Report must be given to the person who contracts for the service and report must be delivered within 20 business days. The lead inspector must keep a copy of the report for a minimum of three years.

The Lead Inspection Report will list locations tested for lead and the results of the testing. The results will be in numbers with units of measurement; the units are different for paint, dust, soil and water. EPA and HUD regulations define lead-based paint and lead-based paint hazards with the values and units of measurement defined in the table below:

Table 1: Lead Hazard Levels for Soil and Water	
Material Tested	Considered hazardous if lead is present at or above these levels
Bare soil (child play areas)	At or above 400 parts per million (ppm) of lead in the soil
Bare soil (other areas)	At or above 1200 ppm of lead
Water	equal to or more than 15 parts per billion (ppb) of lead in water

Table 2: Lead Hazard and Clearance Levels for Dust	
House dust (floors)	At or above 40 micrograms of lead per square foot of sampled area (ug/ft ²)
House dust (window sills)	At or above 250 ug/ft ² of lead
House dust (window troughs)	At or above 400 ug/ft ² of lead

Table 3: Definitions of Lead-Based Paint	
Paint tested by an X-Ray Fluorescence (XRF) analyzer	equal to or more than 1.0 milligrams per square centimeter (mg/cm ²) of lead on the sampled surface
Paint tested by paint chip analysis	equal to or more than 0.5% (one half of 1 percent) lead by dry weight, or equal to or more than 5,000 parts per million of lead in paint (ppm)

Contact Information

Complaints about improper work practices can be made by calling the Healthy Homes Section (HHS) at (866)691-5323 or (517)335-9390. Names of those making complaints will not be released.

The HHS website address is www.michigan.gov/leadsafe.

NOTE: this document is primarily intended for homeowner education. Complete information about Michigan lead laws and rules is available at the website listed above.

Mailing address: MDCH - Healthy Homes Section, P.O. Box 30195, Lansing, Michigan 48909



What You Can Expect from a Lead Paint Risk Assessment

What Is a Lead-Based Paint Risk Assessment?

According to Michigan Law a Lead-Based Paint Risk Assessment is defined as, "An on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards, and the provision of a report by the individual conducting the risk assessment explaining the results of the investigation and options for reducing lead-based paint hazards" (see Tables 1 and 2 below for hazard levels in dust, soil, and water). A Risk Assessment is done to show if a house or apartment is lead-safe, or not lead-safe, for young children. It also tells what must be done to fix any lead paint hazards found. A Risk Assessment alone will not identify all lead painted surfaces in a house or apartment. A combination Lead Paint Inspection and Risk Assessment will identify all lead based paint and all lead-based paint hazards.

Who Can Do a Risk Assessment?

Only a person certified by the Michigan Department of Community Health (MDCH) may do a Lead Risk Assessment. A real estate home inspector cannot do this service unless that person is certified by MDCH. Persons certified by the State of Michigan are issued a certification card containing the person's picture, name, certification number, and expiration date. The status of a person can be verified by calling (517)335-9390 or toll-free (866)691-LEAD. In addition, this information is listed on the Department's website at www.mi.gov/leadsafe or an individual can be verified at www7.dleg.state.mi.us/free.

How Is a Risk Assessment Performed?

The Risk Assessor will conduct a visual inspection of the house or apartment to find any paint that is peeling, cracking, chipping or chalking. He will determine the extent and causes of the paint in poor condition, and evaluate other potential lead paint hazards. The Risk Assessor will collect background information regarding the physical condition of the property, and use patterns of the residents in the house or apartment that may cause exposure to lead paint hazards.

In a single-family home, the Risk Assessor should test for lead on each surface that has deteriorated paint, shellac, varnish or stain. The individual should also test any other surface for lead if the surface is determined to be a potential lead paint hazard. Other surfaces may include friction surfaces of windows and impact surfaces on doors and door frames. In day care centers, preschools or kindergarten classrooms, the Risk Assessor should test rooms used by children, such as classrooms, cafeterias, and gyms. They should also test playground equipment and the soil where children play.

In a single-family home, the Risk Assessor should collect dust samples from a window and floor in all living areas where young children are most likely to come in contact with dust (in at least 6 rooms). In apartment buildings the deteriorated paint should be tested and dust samples taken in the apartments chosen to be tested. Common areas such as hallways, stairways, and laundry rooms where children are likely to come in contact with lead contaminated dust should also be tested.

Paint, dust and soil are required to be tested for a Risk Assessment. Water testing is optional but may be requested. For all testing the Risk Assessor must use lead sampling methods or instructions that are approved by the U.S. Department of Housing and Urban Development (HUD) www.hud.gov/lead and/or the U.S. Environmental Protection Agency (EPA) www.epa.gov/lead. References can be found at their websites or you may go to the Healthy Homes Section at www.mi.gov/leadsafe or call 517-335-9390.

Paint, dust, and soil samples must be analyzed by a lab approved by EPA through the National Lead Laboratory Accreditation Program (NLLAP). Labs can be verified: www.epa.gov/lead/pubs/nllaplist.pdf or by calling the National Lead Information Center at (800)424-LEAD.

According to Michigan law color changing lead detection test kits cannot be used on paint, dust or soil to determine lead content for a Risk Assessment. These kits include swabs, sticks or liquid drops that turn color when they come in contact with lead-containing surfaces.

What Does a Risk Assessment Report Contain?

The risk assessor must prepare a Risk Assessment report. The report must include:

- Specific locations of each painted component tested for lead.
- Results from testing equipment used.
- All results from the laboratory analysis of collected paint, soil, and dust samples.
- Any information regarding the condition of the property and use patterns of the residents that may cause lead paint exposure to young children.
- A description of the location, type, and severity of identified lead paint hazards and any potential hazards.
- A description of temporary and/or permanent options to remove each hazard found, and a priority for removing each hazard from the most serious to the least. If an encapsulant, paint, or enclosure (siding or drywall) is recommended, then the report should provide a re-evaluation and monitoring schedule for each option. This will insure that the home remains safe into the future.

According to Michigan law, the Risk Assessment report must be provided to the property owner, or the person who contracted for the service, within 20 days. The individual conducting the Risk Assessment must keep a copy of the report on file for a minimum of three years.

The Risk Assessment report will be helpful in deciding whether the housing unit is lead-safe for young children to live in. Risk Assessments reports of day care centers, preschools or kindergarten classrooms, etc. can be used to determine safety for young children to occupy those facilities during the day. A Risk Assessment can also satisfy lead disclosure requirements for real estate transactions.

The Risk Assessment report must list locations tested for lead and the results of the testing. The results will be numbers with units of measurement. The units are different for paint, dust, soil and water. EPA and HUD regulations define lead-based paint and lead-based paint hazards levels with the values and units of measurement listed in the following tables:

Table 1: Lead Hazard Levels for Soil and Water	
Material Tested	Considered hazardous if lead is present at or above these levels
Bare soil (child play areas)	At or above 400 parts per million (ppm) of lead in the soil
Bare soil (other areas)	At or above 1200 ppm of lead
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Paint tested by an X-Ray Fluorescence (XRF) analyzer	equal to or more than 1.0 milligrams per square centimeter (mg/cm ²) of lead on the sampled surface
Paint tested by paint chip analysis	equal to or more than 0.5% (one half of 1 percent) lead by dry weight, or equal to or more than 5,000 parts per million of lead in paint (ppm)

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What You Can Expect from a State Certified Lead Paint Abatement Company

What is Lead Paint Abatement?

Michigan law (MCL 333.5451-5477) abatement means an activity designed to permanently remove lead paint hazards. Abatement means:

- A project where a company is hired to remove lead paint hazards from a house, apartment, day care center, preschool, kindergarten, etc.
- A project where lead paint hazards are permanently removed by a certified lead abatement company (see Tables 1 and 2 below for hazard levels in dust, paint, soil, and water).
- Lead paint hazards are removed by enclosure (barrier), encapsulation (special paint-like product), replacement of lead painted windows, doors, etc., removal or covering of lead-contaminated soil, and any set up, cleanup, and disposal at the lead abatement worksite.

What is Not Lead Paint Abatement?

The legal definition of abatement does not include any of the following work:

- Renovation, remodeling, landscaping, or other work, if the work is not done to permanently remove lead paint hazards. It is not lead abatement if the work is done to repair, restore, or remodel a house or apartment even if the work may reduce or remove a lead paint hazard. Contractors performing this type of work on homes built before 1978 must follow regulation of the Environmental Protection Agency's (EPA) Renovation, Repair and Painting (RRP) Rule and must be certified by the EPA, and use lead safe work practices.
- Work that may temporarily, but not permanently, reduce a lead paint hazard.

The laws for non-abatement work are different from abatement work, but non-abatement work must be done with lead-safe work practices that reduce dust. Wetting painted surfaces before sanding or scraping the paint, and using special vacuums that have a High Efficiency Particulate Air (HEPA) filter, helps reduce lead dust hazards.

Anyone hired to do renovation, repairs, or painting on a home built before 1978 must provide the resident with booklet called "Renovate Right". That booklet has information about lead paint and possible dangers. The resident must sign a form that says they received the booklet.

Who Can Perform Lead Paint Abatement in Michigan?

Only a person certified by the Michigan Department of Community Health (MDCH) as a lead abatement supervisor or lead abatement worker can perform lead abatement activities. Certified people must work for a certified lead abatement company. People certified by the State of Michigan are issued a card containing the person's picture, name, certification number, and expiration date. The certification status of any person can be checked by contacting HHS at (517)335-9390 or toll-free (866)691-LEAD. In addition, information is on the State's website at www.michigan.gov/leadsafe or a person can be checked at www7.dleg.state.mi.us/free.

A lead abatement supervisor is required for each lead abatement job, and must be at the job site while all abatement work is being done. This requirement includes set up and clean up time. The lead abatement supervisor must make sure that all abatement work is done within the limits of federal, state, and local laws.

The lead abatement supervisor must write an Occupant Protection Plan (OPP) for all abatement

projects and it must have all the following information:

- The OPP must be specific to each house, apartment, and must be written before the work begins.
- The OPP must tell what will be done to protect people from exposure to any lead hazards while the work is being done.
- The OPP must be given to the occupants before the start of the abatement work and a copy must be kept at the worksite.

Containment of the Work Area

Containment of the work area is a very important part of the lead abatement job. It insures that the lead dust will not move into other areas of the house or apartment, or get on the owner's belongings. To protect the work area floors, doorways, registers, furniture, and appliances in the places will be covered with plastic sheeting. The plastic must stay there during the all the work and the plastic at the doorways must stay up until after clearance testing is done.

What Work Practices are required on an Abatement Project?

The abatement supervisor must make sure that all work is done in a lead safe way. Before any sanding, scraping, or cutting of paint is done, the surface will be lightly sprayed with water to prevent dust from spreading.

In general, any activity that makes dust, such as power tools without HEPA vacuum systems, or dry scraping and dry sanding, are not allowed. Burning paint off with torches or using heat guns can heat to over 1,100 °F is not allowed.

The abatement company employees must use abatement methods approved by the U.S. Department of Housing and Urban Development (HUD) www.hud.gov/lead and/or the U.S. Environmental Protection Agency (EPA) www.epa.gov/lead . Information about abatement methods and regulations is located at the Healthy Homes Section www.mi.gov/leadsafe .

What is Clearance Testing? Why is it Done? How is it Done?

State and federal laws say that a clearance test must be done after any lead abatement work is finished to prove the work area is safe enough for the residents to return. On the inside of a house or apartment the dust is tested to prove that abatement work has not created lead dust hazards that can poison young children, other occupants, or pets living in the building. Test results are compared with standard clearance lead levels listed in Table 2 below, which tell what is safe for reoccupation.

Only a certified Lead Inspector or Risk Assessor, who is completely independent of the abatement company, can perform clearance testing after abatement work is completed.

An interior visual inspection is done to see if the lead hazards have been removed. They also look to see if any visible dust or paint chips are still there. If any problems are found the supervisor must fix all of the problems before the clearance can continue. After the visual inspection passes the lead inspector or risk assessor must take dust wipe samples that are sent to a lab for analysis.

Clearance dust samples must be taken from the floors, windowsills, and window troughs in the rooms where work was done. At least one sample must be taken from outside the work area if containment was used. If no containment was used, then dust wipe samples may be taken in any room. A floor and a window in at least four rooms must be sampled. The samples must be tested for lead by an EPA approved lab. A list of approved labs can be found at the Healthy Homes Section website or the American Industrial Hygiene Association website at www.aiha.org .

After exterior paint abatement work is finished, an Inspector or Risk Assessor must do a visual inspection of the outdoor work area to see if the lead hazards were removed. The lead inspector or

lead risk assessor will then look for any paint chips on the ground next to the foundation of the house, or below any exterior surface abated. If paint chips are present, the abatement company must remove the chips and debris from the site and properly dispose of them before the clearance can be finished. No dust wipe clearance testing is required for abatement on the exterior of a house or apartment building.

What is in the Abatement Report That I Should Receive at the End of the Project?

An abatement supervisor must write a report at the end of each abatement project. According to Michigan law, the abatement project report must be given to the property owner. The report should include:

- Abatement methods used.
- Locations of rooms and components where abatement took place.
- Reason for selecting particular abatement methods for each component.
- Any suggested monitoring of encapsulants or enclosures.
- Results of clearance testing that show the house is clean enough to return to.

The abatement company that did the work must keep a copy of the report on file for a minimum of three years.

The results of the clearance testing will have numbers with units of measurement; the units are different for dust and soil. EPA and HUD regulations define clearance lead levels with the values and units of measurement shown in Table 1.

Table 1: Lead Hazard Levels for Soil and Water	
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