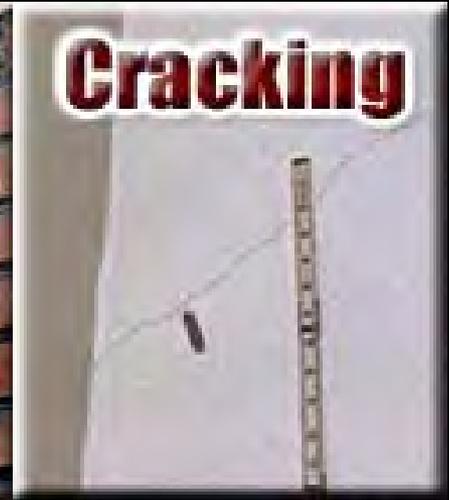
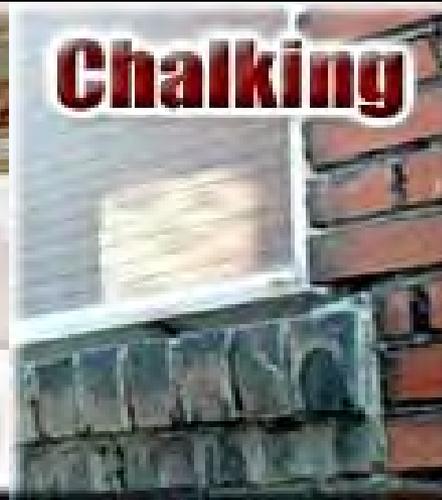
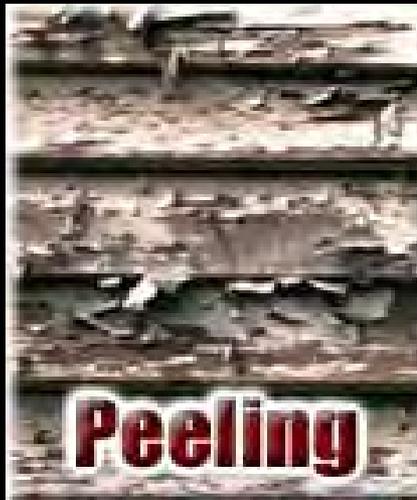


Lead, Unsafe Work Practices, EMPs & the THO



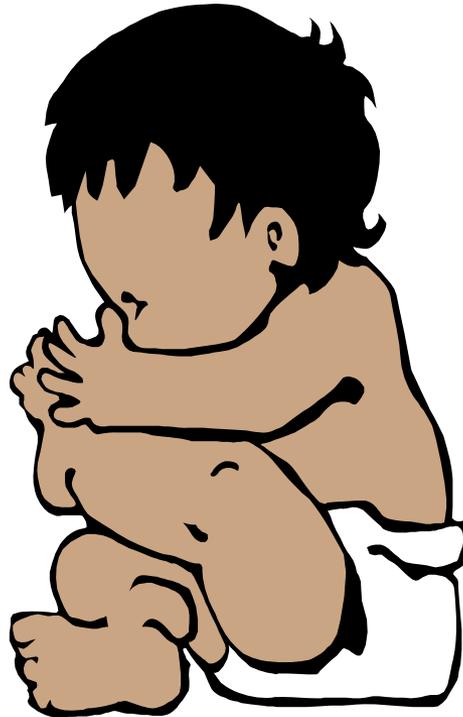
Guidance • Support • Prevention • Protection

Austin Sumner, MD, MPH
State Epidemiologist – Environmental Health
12/2/2009

Lead

Why are we concerned?

**Children are at special risk
for lead poisoning.**



Lead Poisoning

In Vermont, the most frequent way children become lead poisoned is by eating lead dust from paint in houses built before 1978.

Other Sources of Lead

Soil

Water

Lead from parent's job

Lead from parent's hobby

Reused building materials

Car and house keys

Imported children's jewelry

Lead-glazed ceramics

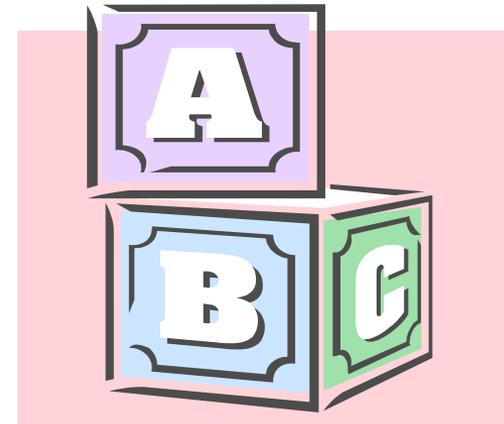
Antique furniture

Imported mini-blinds

Effects of Lead

Lead in the body can:

- Hurt the brain, kidneys, and nervous system
- Slow down growth and development
- Make it hard to learn
- Damage hearing and speech
- Cause behavior problems



Vermont's Lead Law

- Designed to protect children and workers
- Applies to houses and child care facilities built before 1978
- Requires anyone disturbing more than 1 sq. ft. of paint on a house built before 1978 to:
 - Use lead-safe work practices
 - Not use prohibited work practices
- Requires landlords and owners of child care facilities to keep their property in good condition by using Essential Maintenance Practices (EMPs)

ASSUME

All paint in homes built before
1978 contains lead unless
proven otherwise

Required Lead-Safe Work Practices

Anyone disturbing more than 1 sq. ft. of paint on a house built before 1978 **must**:

Contain work areas with plastic sheeting

Mist painted surfaces before scraping or sanding

Use protective clothing

Limit access to work areas

Wet paint debris before sweeping

Unsafe Work Practices (Prohibited)

Anyone disturbing more than 1 sq. ft. of paint on a house built before 1978 **must NOT:**

Dry scrape / dry sand

Machine sand or grind

Open flame burn or torch

Use abrasive blasting

Hydro-blast or high pressure wash

Use a heat gun above 1100° F

Use methylene chloride chemical strippers

What is required of landlords and owners of child care facilities built before 1978?

Property owners or property managers must:

- Perform Essential Maintenance Practices (EMPs) annually using an EMP-certified person
- Submit an EMP Compliance Statement every 365 days to the Department of Health and insurance carrier
- Provide tenants with a lead pamphlet and with a copy of the Compliance Statement
- Post a notice for tenants to report deteriorated paint

What are the Essential Maintenance Practices (EMPs)?

- Conduct a visual inspection of interior and exterior surfaces to identify deteriorated paint (annually and at tenant turnover)
- Stabilize interior and exterior paint within 30 days if more than 1 sq. ft. of deteriorated paint is found
- Install window well inserts in wooden windows
- Remove visible paint chips from the grounds
- Perform specialized cleaning after doing work, at change of tenant, and at least annually in common areas

- Don't Forget
Anyone disturbing paint
on pre-1978 houses:
- **Must** use lead-safe work practices
 - **Must not** use prohibited practices

What is the Town Health Officer role regarding Essential Maintenance Practices?

To investigate public health complaints about chipping and peeling paint in pre-1978 rental properties

How to Respond

- Contact the Childhood Lead Poisoning Prevention Program (CLPPP) at 800-439-8550 to determine if a current Compliance Statement has been filed.
- Investigate complaint.
 - Look for:
 - Lead poster
 - Window well inserts
 - Deteriorated paint (greater than 1 sq. ft.)
 - Tenant has received lead pamphlet
 - Evidence of prohibited practices or not using required practices

Vermont Department of Health

**Please use this
EMP Compliance
Check Form
for your
investigations.**

**The next several
slides will guide you
through the Vermont
EMP and Federal
disclosure questions
on the form.**

Essential Maintenance Practices Compliance Check Form	
Property Address: <input type="checkbox"/> Rental <input type="checkbox"/> Daycare <input type="checkbox"/> Other _____	Owner Name, Address, & Phone Number:
Reason for Compliance Check: <input type="checkbox"/> Initial <input type="checkbox"/> Follow-up (Last inspection date: _____) <input type="checkbox"/> Random Check <input type="checkbox"/> Complaint <input type="checkbox"/> Other _____	Person Conducting Check Name & Title: <input type="checkbox"/> Health Officer <input type="checkbox"/> VDH Staff <input type="checkbox"/> Other _____
Vermont Essential Maintenance Practices	
<ul style="list-style-type: none"> • 'Prevent Lead Poisoning' poster posted <ul style="list-style-type: none"> <input type="checkbox"/> Yes: <input type="checkbox"/> Common area <input type="checkbox"/> Each Apartment <input type="checkbox"/> No • Window well inserts in all wooden windows <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable: Windows are <input type="checkbox"/> vinyl <input type="checkbox"/> metal <input type="checkbox"/> other _____ <input type="checkbox"/> No: Windows without inserts, location(s): _____ • Surfaces and fixtures free of deteriorated paint <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No: <input type="checkbox"/> Greater than 1 ft² of deteriorated paint on an interior surface, location(s): _____ <input type="checkbox"/> Greater than 1 ft² of deteriorated paint on an exterior surface, location(s): _____ • EPA 'Protect Your Family From Lead' pamphlet given to tenants <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No: <input type="checkbox"/> Tenant reports that he/she did not receive pamphlet <input type="checkbox"/> Tenant unavailable <input type="checkbox"/> Unknown • Evidence of Prohibited Practices <input type="checkbox"/> Yes <ul style="list-style-type: none"> <input type="checkbox"/> Burning <input type="checkbox"/> Water Blasting <input type="checkbox"/> Dry Scraping <input type="checkbox"/> Power Sanding <input type="checkbox"/> Sandblasting <input type="checkbox"/> Other _____ <input type="checkbox"/> No 	
Federal Disclosure	
<ul style="list-style-type: none"> • Tenant notification in lease <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No • Notification of renovation <ul style="list-style-type: none"> <input type="checkbox"/> Yes: contractor name, address, phone number: _____ <input type="checkbox"/> No 	
Overall Findings & Required Corrections:	
Required Compliance Date: _____	Follow-up Check Date Set: _____
Referred to Other State Agency/Department or Other Organization: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Details/Comments: _____	
Signature: _____	Date: _____

Vermont EMP:
'Prevent Lead Poisoning' poster

Posters need to be visible to all tenants (in a common area or in each unit)

Posters may look like:

Notice to Occupants



Promptly report all deteriorated paint or visible paint chips to the Owner or Owner's agent.

This means any paint on the inside and outside of this building that is chipping, peeling, chalking, flaking, cracking, or damaged. It also includes any visible paint chips on the ground.

Prevent Lead Poisoning

Name of Owner or Owner's Agent : _____

Address: _____

Telephone: _____

Important Notice to Occupants:

Promptly report all "deteriorated" paint on the inside or outside of this building to the Owner or the Owner's Agent. This means any paint that is chipping, peeling, chalking, flaking, cracking or damaged.



Prevent Lead Poisoning

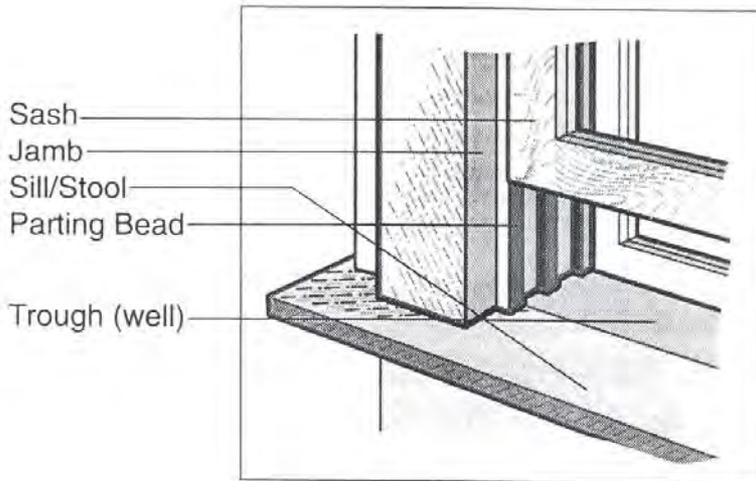


Name of Owner or Owner's Agent: _____

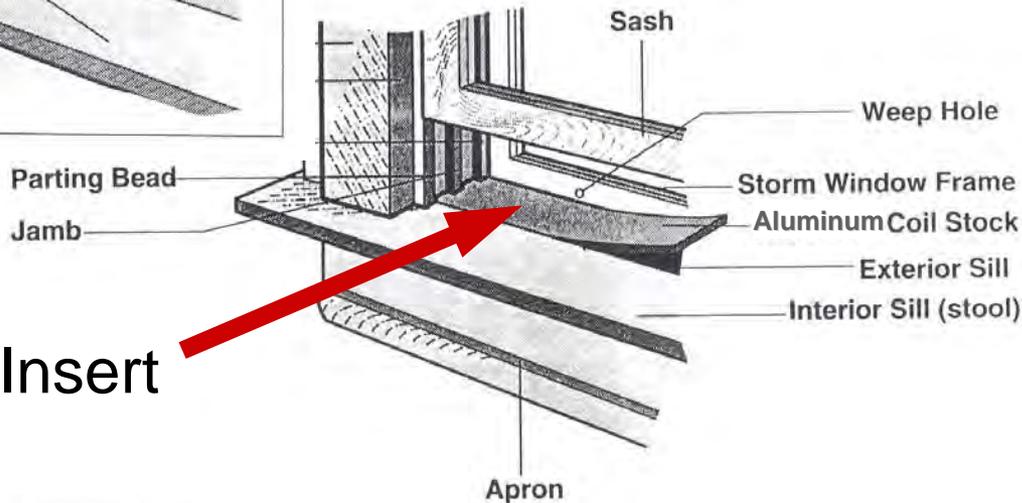
Address: _____

Telephone: _____

Vermont EMP: Window well inserts in wooden windows



✗ Aluminum and vinyl windows do not need inserts.
✗ Wooden replacement windows (installed after 1978) do not need inserts.



Window Well Insert

Vermont EMP:
Surfaces and fixtures free of deteriorated paint



Check to see if there is more than 1 sq. ft. of deteriorated paint on interior or exterior surfaces.

Vermont EMP: EPA 'Protect Your Family From Lead' pamphlet given to tenants

Page _____ of _____

Essential Maintenance Practices (EMP) Compliance Statement

(in accordance with 18 VSA § 1759)

An EMP Compliance Statement must be filed every 365 days for each residential rental property. A separate EMP Compliance Statement is required for each building along with its outbuilding(s). Please print.

Physical Address of Property: _____ Original Date of Construction: _____
 _____ Number of Units in Building: _____

I hereby certify that: 1) the following essential maintenance practices were completed on the dates given by the EMP certified person or entity specified for the property listed above; 2) all work was performed using lead safe work practices; and 3) that all information provided on this form is true and accurate. I understand that providing false, incomplete or inaccurate information on this form is unlawful and is punishable by civil and criminal penalties pursuant to Vermont law.

Legibly print property owner's or manager's name _____ Property Owner's or Manager's Signature _____ Date _____

Property Owner's or Manager's Address _____ Phone Number _____

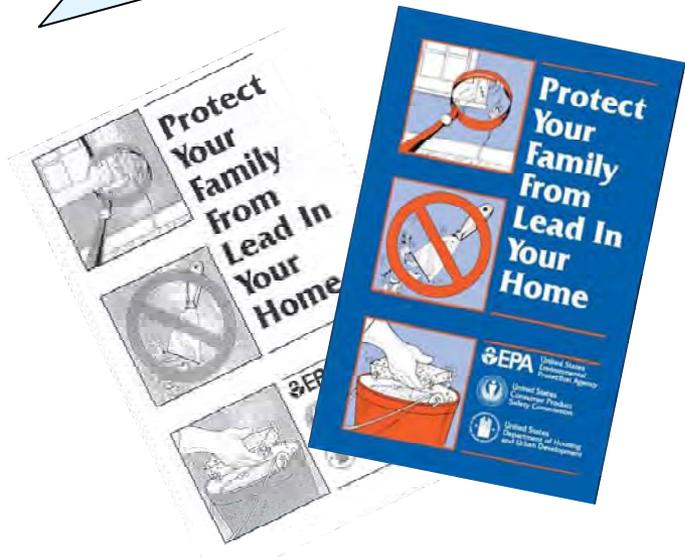
Name of All Other Owner(s) and Property /Management Co., if any	Address	Phone Number

Side 1: For the Property

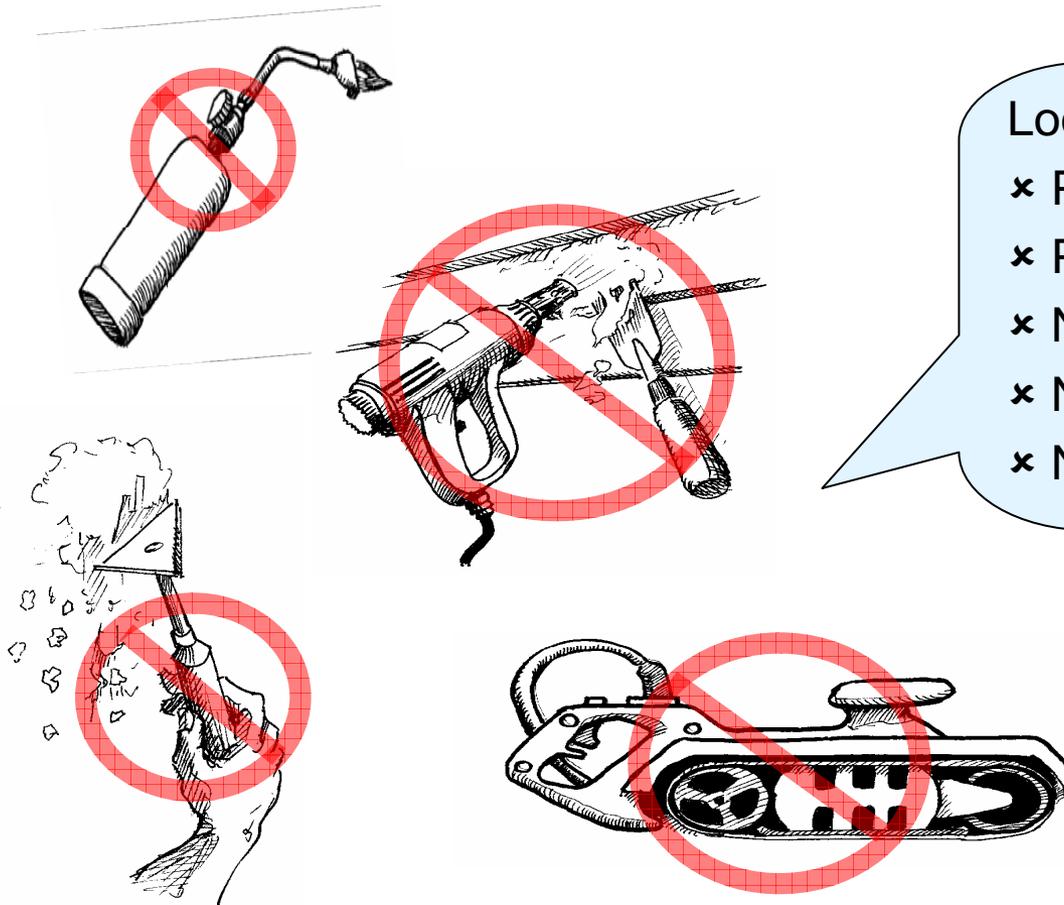
<input type="checkbox"/> Visually inspected all exterior surfaces of the building and outbuilding(s) to identify deteriorated paint.	EMP Certificate #	Date
<input type="checkbox"/> Used safe work practices to stabilize deteriorated paint exceeding 1 sq. ft. on exterior surfaces within 30 days of visual inspection or report by tenant. <input type="checkbox"/> None	EMP Certificate #	Date
<input type="checkbox"/> Access to the area by children was blocked if deteriorated paint was identified after November 1 and will be fixed by May 31.		
<input type="checkbox"/> For any outdoor area, removed all visible paint chips from the ground on the property. <input type="checkbox"/> None	EMP Certificate #	Date
<input type="checkbox"/> Used safe work practices to stabilize deteriorated paint exceeding 1 sq. ft. on interior surfaces in common areas within 30 days of inspection or report by tenant. <input type="checkbox"/> None	EMP Certificate #	Date
<input type="checkbox"/> Performed annual specialized cleaning in common areas within the building.	EMP Certificate #	Date
<input type="checkbox"/> Posted a notice to occupants encouraging them to report deteriorated paint to the owner or owner's agent.	Location	Date

✖ Tenants should have received the booklet pictured.

✖ Tenants should also receive a copy of the Compliance Statement annually.



Vermont EMP: Evidence of Prohibited Practices



Look for such things as:

- × Paint dust, chips and debris
- × Power sanding equipment
- × No poly in the work area
- × No bottles for misting surfaces
- × No signs to indicate work area

Federal Disclosure

- Tenant lease includes lead disclosure
- If renovations underway, tenants were given advance notification and booklet “Renovate Right”

After the Investigation

- Notify property owner of any Vermont Lead Law violations
 - During the notification process, you may also provide educational materials to landlords, tenants and others.

- Require violations to be corrected
 - Voluntary compliance
 - Health order
 - Emergency health order

Lead Information Resources

- Vermont Department of Health (800) 439-8550
<http://healthvermont.gov/>
- Environmental Protection Agency (EPA)
<http://www.epa.gov/lead/>
- Centers for Disease Control & Prevention
<http://www.cdc.gov/nceh/lead/>
- Vermont Housing and Conservation Board
(*site about lead including list of free EMP trainings*)
<http://www.leadsafevermont.org/>