

1. Occupant protection and worksite preparation shall be performed in accordance with the applicable provisions of U.S. Department of Housing and Urban Development rules 24 CFR 35 included as subchapter Appendix 6-B, incorporated herein by reference.

2. The following work practices shall be prohibited:

i. Open flame burning or the use of high temperature (in excess of 1,100 degrees Fahrenheit) heat guns;

ii. Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;

iii. Uncontained water blasting or power washing; or

iv. Dry scraping or sanding more than two square feet of painted surface per room (interior) or more than 10 square feet per building (exterior).

3. All work shall be undertaken in a manner that prevents the spread of dust.

4. Specialized cleaning shall be performed at the end of each work day if the job will take more than one day and the area is to be occupied before work begins again and at the end of each job.

5. Occupant protection, worksite preparation and specialized cleaning ((i)1 and 4 above) are not required for maintenance activities that disturb painted surfaces that total:

i. Twenty square feet or less on the exterior of the building;

ii. Two square feet or less in any one interior room or space; or

iii. Ten percent or less of the total surface area of an interior or exterior component with a small surfaces area, including, but not limited to, window sills, baseboards or trim.

6. After the completion of any work involving the disturbance of painted surfaces of a size that exceeds the limits of (i)5 above, at least one dust wipe sample shall be taken by maintenance staff trained in accordance with (g) above in each room that is part of the work area at a location where work was performed. If the level exceeds the lead hazard level established by N.J.A.C. 5:17, the room shall be cleaned and retested until the results of testing demonstrate lead levels below the standard.

(j) Bare soil in excess of nine square feet per property shall be covered or access to these areas shall be restricted

and bare soil in play areas or walkways of any size shall be covered unless that soil has been tested and has been found to be below the lead hazard level established by the U.S. Environmental Protection Agency at 40 CFR 745, incorporated herein by reference.

(k) Garages and other structures on the site: Any work on garages and other structures on the site shall be performed in accordance with the lead-safe work practices listed in (i) above. Structures to which tenants have access shall comply with the requirements set forth in (a) through (e) above.

New Rule, R.2005 d.144, effective May 16, 2005.

See: 36 N.J.R. 2106(a), 37 N.J.R. 1754(c).

Amended by R.2006 d.177, effective May 15, 2006.

See: 37 N.J.R. 1698(a), 37 N.J.R. 1931(a), 38 N.J.R.2115(b).

Deleted "or" from the end of (a)liii; substituted "; or" for a period at the end of (a)liv; inserted (a)lv; rewrote (c)2iv; inserted "in accordance with (d)2iii(1) through (4) below" in the first sentence of the introductory paragraph of (d)2iii; inserted (d)2iii(1) through (4); substituted "correct ... complaint" for "respond to any report of deteriorated paint within three days" in (h)2i; and substituted the present text for "(Reserved)" in (j).

APPENDIX 6-A

INTERIM CONTROLS

(New Jersey Requirements Added in Italics)

U.S. Department of Housing and Urban Development

24 CFR 35.1330, Interim controls

35.1330 Interim controls

Interim controls of lead-based paint hazards identified in a risk assessment shall be conducted in accordance with the provisions of this section. Interim control measures include paint stabilization of deteriorated paint, treatments for friction and impact surfaces where levels of lead dust are above the levels specified. (See N.J.A.C. 5:17-3.5, Lead hazards.) Interim controls may be performed in combination with, or be replaced by, abatement methods.

(a) General requirements

(1) Only those interim control methods identified as acceptable methods in a current risk assessment report shall be used to control identified hazards.

(2) Occupants of dwelling units where interim controls are being performed shall be protected during the course of the work in accordance with 35.1345. (*See Appendix 6-B, Occupant protection and worksite preparation.*)

(3) *Testing shall be performed at the conclusion of interim control activities in accordance with N.J.A.C. 5:17.*