

Lead Abatement Newsletter

Michigan Department of Health & Human Services Healthy Homes Section

Contractor/Risk Assessor Workshop 6/11/2015

For several years the annual **Lead Contractor, Risk Assessor, and Trainer Workshop** has been in August. This year the workshop will be **June 11, 2015**. The Workshop will again be held at the Grand Ledge Opera House in Grand Ledge, Michigan. Registration begins at 8:30 a.m. with the opening speaker beginning at 9:00 a.m.

The plan for this year is to deal mostly with supervisor and contractor issues in the morning, and inspector and risk assessor issues in the afternoon. Everyone is welcome to come for the whole day, but if you can only spend part of the day you can choose the sessions that are most important to you.

The center box in this article is a tentative look at who will be speaking and what they will be speaking about. If you haven't made your reservation yet for the work-

shop you may call 517-335-9390, fax 517-335-8800, or email wagarj@michigan.gov to reserve your place. Coffee

network or catch up with old friends.

The final agenda may change a little from the topics listed here. An email will be sent to State certified people providing information regarding the workshop. A finalized copy of the agenda will be attached, along with a map and other information.

We hope to see you there.

If you have any questions or need any other information, please contact Jay Wagar at 517-335-8466 or email him at [www.wagarj@michigan.gov](mailto:wagarj@michigan.gov).

2015 Workshop Speakers

State Update

Wesley Priem – Manager, (HHS)

Contractor Enforcement and Worksite Issues

Jim Copeland – Enforcement, HHS

Safe Homes/Safe Kids

Tina Reynolds – Michigan Environmental Council

HUD's Priorities for Inspections/Risk Assessments and Abatement Procedures

Jerry Freese – HUD: Director

Training, Certification, and Guidance Issues

Jay Wagar & Jennifer Shutts – Certification, HHS

Thanks & Acknowledgement to Lead Professionals

HHS Staff

City of Lansing Rental Property Ordinance

Jessica Yorko – Environmental Justice Coordinator, Ingham County Health Dept.

Insp/RA Enforcement and Methodologies

Jim Copeland & Courtney Wisinski

and pastries are provided in the morning, but you are on your own for lunch. A map of local restaurants will be provided. It's a good time to

assist. HHS will do their best to schedule a time that meets your needs. There will never be citations or penalties resulting from a compliance assist.

We ask that you fill out a Compliance Assistance Request Form. You may call 517-335-9390 to receive

the form or go to the HHS website at www.michigan.gov/leadsafe

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News Briefs:

1. On April 10, 2015 the Michigan Department of Community Health changed its name to the Michigan Department of Health and Human Services.

2. **We Want To Help You!** HHS is offering compliance assistance. This means, if

you are setting up an abatement worksite; or performing a lead testing activity such as an inspection, risk assessment, or clearance and you are unsure about how to do something, or if you want an evaluation of your procedures, please ask for ask for a compliance

assist. HHS will do their best to schedule a time that meets your needs. There will never be citations or penalties resulting from a compliance assist.

We ask that you fill out a Compliance Assistance Request Form. You may call 517-335-9390 to receive

the form or go to the HHS website at www.michigan.gov/leadsafe > State Certified Lead Professionals > Forms and Resources > Compliance Assistance Form and print the form. Fax to 517-335-8800 or email to copelandj3@michigan.gov.

Day Care Facility Licensing Requirements:



The Bureau of Children and Adult Licensing (BCAL), is the State agency that regulates day care licensing in Michigan. BCAL regulations require lead-based paint risk assessments be performed. Not all risk assessors regularly perform work at day care facilities, but if you do or get work in the future you need to be aware that there have been some changes. The actual day care licensing rule regarding lead-

based paint issues is very brief. It says in *R 400.5940 (8)*: “*Child care centers licensed after the effective date of these rules located in structures built before 1978 shall have a lead hazard risk assessment performed by a certified lead risk assessor. Any lead hazards identified shall be addressed as noted in the lead hazard risk assessment report. The results of the assessment shall be kept on file in the center.*”

Further information regarding the day care licensing rule and technical assistance may be found at: michigan.gov/lara/0,4601,7-154-35299_63294_5529_49572_53751-

336885--00.html .

In addition to providing a risk assessment report to the daycare owner to meet HHS requirements BCAL requires that you submit the “Lead Hazard Risk Assessment Form.” to BCAL. This BCAL specific form is located at: michigan.gov/documents/dhs/BCAL-4344_442693_7.pdf .

BCAL only requires a risk assessment for day care facilities, and they only require it be done once. In marketing you may suggest why a combination inspection/risk assessment would be better. Remember also, in your risk assessment report you need to give ongoing monitoring and re-evaluation recommendations.

XRF Calibration Checks:

The HUD Guidelines state that when doing calibration checks you must sample three times from the NIST strip closest to 1.0 mg/cm². It goes on to explain the proper way to sample in the 2012 HUD Guidelines page 7-26 at the end of the first paragraph under: 3. **Recording and Interpreting Calibration Check Readings**, it says, “*The average of the three calibration check readings should be calculated, rounded to the same number of decimal places as the XRF instrument displays,*

and recorded on the form.”

...when doing the calibration check you must average the three shots and the average must be within the XRF Calibration Check Limits ...

What this means is, when doing the calibration check you must average the three shots and the average must be within the **XRF Calibration Check Limits** listed in the Performance Characteris-

tic Sheet for the XRF being used. For example: for a Niton 300 the XRF Calibration Check Limit range is 0.8 to 1.2 mg/cm² (inclusive). If you take readings of 1.1, 1.2, and 1.4, and average them the result is 1.23, which is outside the Calibration Check Limits.

Several reports HHS has seen have calibration checks outside the limits. It seems people are just taking the 3 shots, but not taking the time to verify the results. Please be aware when performing calibration check.

Online Applications for Renewal & Initial Training:

For several years the Healthy Homes Section has offered certified lead professionals the choice to renew their annual certification and pay fees online, and we continue to urge you to do that. We are now in the final stages of getting a process established for doing initial applications online. This should become available by Spring of 2015. Obviously if you are already certified you don't need to apply online, but this system will also allow currently certified individuals to update their contact information online. If you

move, get a new phone number, change companies you work for, or get a new email address you will be able to update that information online yourself. Up until now if your contact information changed you would need to call, mail, or email that information. Many times those changes do not get to us. Incorrect contact information is the easiest way for you to get lost in the system. Every year when renewal letters are mailed about 10% of them are returned because of incorrect address information.

Most people reading this are already certified and won't need to apply online initially, but if you hire new employees it would allow them to go through the whole process online. The only things that can't be done online are the submittal of the training certificate, the work history form, and an acknowledgement sheet that you print off from the website. They must be mailed, faxed or emailed. The website for online renewals, contact information changes, and initial applications will be www.michigan.gov/elicense.

Trainer Issues for Inspector & Risk Assessor Classes:

1. When performing XRF testing for a lead-based paint Risk Assessment by itself it is required to test all deteriorated paint surfaces on distinct components, all friction and impact surfaces, (HUD Guidelines-2012 number 8 page 5-8), AND all surfaces that will be disturbed as part of the project. The HUD Guidelines-2012 page 5-53 state:

“Generally, risk assessors do not test intact paint for lead content. However, if certain areas of intact paint are expected to be disturbed in the future due to rehabilitation, renovation, maintenance, or other work that may disturb the paint, the paint in those areas should be analyzed by XRF testing or paint chip analysis.”

That being said, there have been agencies that are requesting a “risk assessment” only, but want all the paint tested throughout the house or apartment, stating there will be work throughout. They are doing this primarily to save money by not paying extra for the “lead inspection”. This is not the intent of

the regulations. Unfortunately there is no specific guidance in the HUD Guidelines-2012 as to when a risk assessment becomes a combination inspection/risk assessment. As an interpretive guidance HHS is saying if the request is to test all the paint in at least half of the rooms, then it should be considered a combination lead inspection/risk assessment.

2. Near the beginning of every Risk Assessment report there must be an Executive Summary. In several recently reviewed reports there have been instances where there is either no summary present, or what was listed as the executive summary was unclear or confusing. The requirement in the HUD Guidelines-2012 page 5-89 states:

It is recommended that a brief summary of the essential findings of the risk assessment be provided at the beginning of the report. This is helpful for all clients, but is especially useful for rental housing receiving Federal housing assistance, because HUD regulations require that tenants of such hous-

ing be notified of the results of a risk assessment (24 CFR 35.125). The HUD-required notification may be in the form of a summary and may be posted in a central place or distributed to individual units. The format of the executive summary provided at Form 5.7 meets the HUD requirements.

Also, regarding the summary or plain-language conclusion the Michigan Lead Hazard Control Rules state at 325.99404(10)(b):

(b) A plain-language conclusions section designed to provide the reader with easy identification of all lead hazards shall be positioned prominently near the front of the report.

HUD form 5.7 mentioned above, though not required, is a good pattern to use as it gives a simple format for where hazards are, what type of hazard is present, level of lead present in the paint and options for corrective action.

Please emphasize the executive summary/plain-language conclusions in your training classes.

Trainer Issues for Supervisors & Workers Classes

For Supervisors:

1. When discussing supervisor issues in initial training classes explain the need for them to be certified lead abatement contractors, or the need to be working for a certified lead abatement contractor before they can begin performing lead abatement. Give the students a copy of the contractor application and explain what is required. Many students are commenting that they weren't taught, or weren't taught sufficiently about being an abatement contractor.

2. When discussing the notification form, give them a copy. There is a new version with instructions on our website: www.michigan.gov/leadsafe > [State Certified Lead Professionals](#) > [Forms and Resources](#). Make sure they understand how to fill out the form and

make it clear they are required for every abatement project.

For Workers & Supervisors:

1. When doing hands-on activities have the proper equipment to demonstrate the activity. For example: If

When doing hands-on activities never say to the students, “You get the idea.”

demonstrating how to clean using a HEPA vacuum, then have a vacuum with the proper attachments to do the job. If you are cleaning carpets and tell them they need a beater bar, then you need a beater bar. If they are practicing wet sanding don't have them use

“imaginary” water. If you are concerned about things getting wet have the students put down enough plastic to protect the area where they are working. That way you get a two-for-one activity.

2. Require students to be successful with hands-on activities. If the activity is to hang plastic for containment barriers and the plastic does not stay on the wall, then they aren't done. They need to find a way to be successful. If you are worried about the paint, then provide them with equipment, materials, and advice that will allow them to not damage the paint. They need to see and do things correctly before they do it for real. When doing hands-on activities never say to the students, “You get the idea.”

**Healthy Homes Section
Contact Information**

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**Healthy Homes Section
Mission Statement**

To improve the health and wellbeing of Michigan citizens by promoting safe and healthy home environments through comprehensive home-based intervention programs, lead certification and regulations, public education and outreach, and statewide partnerships.

Opportunities for Lead Abatement Contractor:

In 2014 the legislature of the State of Michigan approved 1.25 million dollars for the Healthy Homes Section to use through the Lead Safe Home Program to repair homes where lead hazards are present. Primarily the focus is on homes where lead poisoned children are present, but also other homes where there are children under 6 years of age. For 2015 the legislature raised the amount to 1.75 million dollars. It is anticipated a similar amount will be approved for 2016. The Healthy Homes Section is looking for lead abatement contractors to help with the work on these projects. Currently HHS is spending between \$10,000 and \$12,000 per project .

To become an approved contractor

with the State of Michigan, and be approved to bid on these projects, you must be a certified lead abatement contractor in the State of Michigan, and been one for at least one year. There is also an additional application that must be filled out. There is no

additional cost to fill out and submit the vendor contractor application.

If you are interested in working as an abatement contractor for HHS funded projects and would like more information, please visit our website at: www.michigan.gov/leadsafe > Help for Lead Safe Homes > Application for Lead Safe Housing program (LSHP

Vendor, or call Carin Speidel at (517-335-9833 for details of the program and a vendor contractor application. If your company is approved you will be informed on a regular basis of all upcoming pre-bid walkthroughs throughout the State. After approval you may begin attending these walkthroughs immediately. We invite you to help make homes lead safe for the children of Michigan.



The Healthy Home Section is looking for your input to make this newsletter a better and more helpful resource for training providers and certified lead professionals. If you have a topic or issue you would like addressed let us know. We also solicit articles from trainers and certified lead professionals if you would like to write an article. Direct your questions, concerns, comments or ideas to Jay Wagar at:

wagarj@michigan.gov, or call 517-335-8466 or mail to

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