

ADMINISTRATIVE POLICY

LIMITED PAINT TESTING

for

EPA RENOVATION, REPAIR AND PAINTING RULE PROJECTS

- Draft Policy -

Purpose: The purpose of this Administrative Policy is to allow paint testing by XRF and/or paint chip analysis on those surfaces to be distributed during an EPA regulated Renovation, Repair and Painting (RRP) project. This administrative policy does not apply if:

- Federal funds are used to finance some or all of the project
- The activity is in part of whole a Lead Hazard Control Activity as defined in R324.99102(1)(d)

Limited paint testing for RRP projects are permitted subject to **all** of the following requirements:

I—Limited paint testing is conducted only on projects subject to the EPA’s RRP rule. Such projects cannot be “combination projects” where any portion of the project is subject to or will become within 6 months subject to regulations and rules of the Michigan Lead Abatement Act.

II—Limited paint testing is performed by a State of Michigan certified Risk Assessor or Lead Inspector using documented methodologies as found in R325.99401. If an XRF is used the Risk Assessor and /or Lead Inspector must be trained in the use of the XRF.

III—Limited paint testing shall include each component affected by the renovation activity. Representative component testing is not permitted ie. One window to represent all windows

IV—Limited paint testing shall be conducted only within the defined work area. Only an EPA Certified Renovator, a State of Michigan Certified Supervisor or State of Michigan Risk Assessor and/or Lead Inspector may define the work area.

V—Limited paint testing is not allowed if the defined work area involves more than 50% of the total number of Room Equivalentents as defined by HUD in Chapter 7 of the Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing except for the following:

- A. the project is limited to window and/or exterior door replacement only.
- B. the project involves only exterior surfaces
- C. a room equivalent does not include a room where less than 6 square feet of painted surface will be disturbed.

VI—The Risk Assessor and/or Lead Inspector shall within 20 business days provides a report to the property owner(s) and to the Renovation Firm(s) that contains all of the following information:

- A. The address where the limited paint testing was conducted and the date when the limited paint testing occurred.
- B. The name, signature, certification number, address and phone number of the certified Inspector and/or Risk Assessor who conducted the limited paint testing.
- C. The serial number of the XRF and XRF testing results classified as positive or negative for lead at or greater than 1 mg/cm² and to the extent used all paint chip test results from a NLLAP certified lab.
- D. A description of each component sampled that includes at a minimum the component type (baseboard, door jamb, etc.), the room location, location within the room (Side A, B, C or D), the color of the component and the substrate.

VII—The Certified Risk Assessor and/or Lead Inspector shall report each limited paint testing activity to the Department before the 15th of every month following the activity, on forms provided by the Department.

VIII—The Certified Risk Assessor and/or Lead Inspector shall maintain reports and records regarding all limited paint testing activities for a period of 3 years. These records shall be made available to the Department upon request.