United States
Environmental Protection
Agency

Prevention, Pesticides
and Toxic Substances
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EPA 747-F-98-001
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(http://www.epa.gov/lead)

EPA FACT SHEET

Proposed Rule on Identification of Lead-Based Paint Hazards

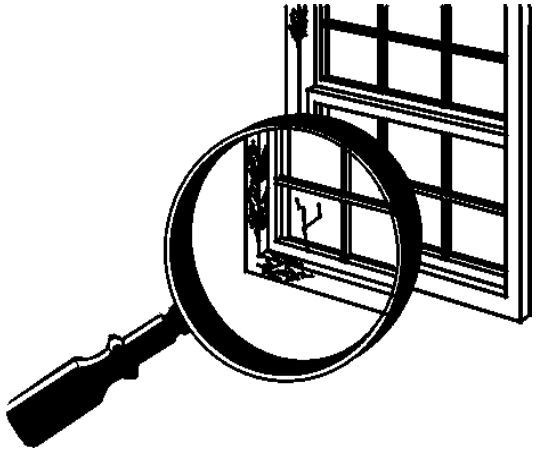
Under the Toxic Substances Control Act (TSCA), paint, dust, and soil are sources of lead that constitute lead-based paint hazards if exposure to them "would result" in adverse human health effects. In the proposed rule (63 *Federal Register* 30302, June 3, 1998), EPA defines hazardous conditions for paint, dust, and soil. These standards apply to target housing (most housing built before 1978) and child-occupied facilities, such as day-care centers. They can be used as a tool to prevent childhood lead-poisoning by identifying properties that contain hazards before children are harmed.

How are Lead-based Paint, Dust, and Soil Hazards Defined?

Lead-Based Paint. Lead-based paint is defined by statute as paint with a lead concentration of 1 milligram per square centimeter, or 0.5 percent by weight. EPA proposes that lead-based paint is in "poor condition" and therefore is a hazard under any of the following conditions:

- **More than two square feet of deteriorated paint on interior components with large surface areas**, such as inside walls, ceilings, floors, and doors;
- **More than 10 square feet of deteriorated paint on exterior components with large surface areas**, such as outside walls; or
- **Deteriorated paint on more than 10 percent of the total surface area of interior or exterior components with small surface areas**, such as window sills, baseboards, soffits, and trim.

EPA is not proposing separate standards for chewable surfaces or friction and impact surfaces at this time, but instead is asking for public input on how best to address these sources.



Dust. EPA is proposing that dust be considered a hazard based on average measurements of the loading of lead in dust. Loading is the weight of lead present per unit of surface area. The proposed dust-lead hazard standards are **50 micrograms per square foot (µg/ft^2) or higher for uncarpeted floors** and **250 µg/ft^2 or higher for interior window sills**. EPA is not proposing hazard standards for carpeted floors or window troughs at this time.

Soil. EPA proposes that bare soil on residential property and child-occupied facilities be considered a hazard based on the yard-wide average concentration of lead. Lead concentration is defined as the relative amount of lead within the soil measured in

parts per million (ppm) by weight. **The proposed hazard standard is 2000 ppm**. EPA recommends removing or permanently covering soil containing lead that equals or exceeds this level.

Clearance Standards

Under the proposed rule, post-abatement dust cleanup must be repeated until **dust** clearance standards have been met. The proposed clearance standards are the same as the dust-lead hazard standards: 50 $\mu g/ft^2$ and 250 $\mu g/ft^2$ for uncarpeted floors and window sills, respectively. Although EPA has not proposed a hazard standard for dust in window troughs, EPA is proposing a dust-lead clearance standard of 800 $\mu g/ft^2$ for window troughs.

How to Identify & Control Hazards

Although more than 60 million homes contain some lead-based paint, EPA estimates that many fewer have lead-based paint hazards. The only way to determine if a home contains hazards is to have it tested by a certified professional called a risk assessor. EPA is developing guidance with recommendations on when property owners should consider having a risk assessment performed. This guidance also will contain recommendations on how property owners should respond to any hazards identified by the risk assessor. Additional information may be obtained by calling the National Lead Information Clearinghouse at 1-800-424-LEAD and requesting EPA publications including *Protect Your Family From Lead in Your Home* and *Lead in Your Home: A Parent's Reference Guide*.

How to Submit Comments

Comments on this proposed rule may be submitted in written or electronic form. Each comment must bear the docket control number 62156. A public version of the official record for this rule (docket control number 62156) is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays, in the TSCA Nonconfidential Information Center, Room NEB607, 401 M Street, SW, Washington, DC.

Written comments. Written comments must be received on or before September 1, 1998. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW, Room G099, East Tower, Washington, DC 20460.

Electronic Comments. Comments and data also may be submitted electronically to: oppt.ncic@epamail.epa.gov. No Confidential Business Information (CBI) should be submitted through e-mail. E-mailed comments must avoid the use of special characters and any form of encryption, and be submitted in ASCII file format. Comments and data will also be accepted on disks in WordPerfect 5.1/6.1 or ASCII file format. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

Oral comments. If requested, the Agency will hold public meetings to hear oral comments. The Agency will announce in the *Federal Register* the time and place of any public meetings. Oral statements will be scheduled on a first-come first-served basis by calling the telephone number listed in the *Federal Register* notice. All statements will be made part of the public record and will be considered in the development of the final rule.

For More Information

For general information contact the National Lead Information Center's Clearinghouse, 1-800-424-LEAD (5323). Information is also available on EPA's website at http://www.epa.gov/lead/. For specific technical and policy questions regarding this rule, contact Jonathan Jacobson at (202) 260-3779 or e-mail at jacobson.jonathan@epamail.epa.gov.