

## **Appendix F**

# **Community Protection Measures Program Plan**

## COMMUNITY PROTECTIVE MEASURES PROGRAM PLAN

### 1. Introduction

The Butte Priority Soils Operable Unit (BPSOU) was the site of historical ore mining, milling, and/or smelting activities from the 1870s through 1982. Since 1982, active mining and milling activities are still occurring within the active mine area, generally northwest of the city of Butte, Montana. Historical mining activity dispersed tailings, waste, smelter emissions, and dust into the environment, resulting in elevated concentrations of contaminants of concern (COCs) in soil, dust, and water. The U.S. Environmental Protection Agency (EPA) has identified arsenic, lead and mercury as the primary COCs in soil and dust within the BPSOU. These COCs, and the potential risks associated with them, have been the subject of study and remediation by EPA since the 1980s. Remedial action levels, established by EPA for residential, commercial/ industrial, and recreational soils and dust are listed in Table 1. These action levels apply to all properties within the BPSOU and 2020 Residential Metals Abatement Program (RMAP) Expanded Area, as described herein.

**Table 1. Soil, Dust, Backfill, and Vapor Action Levels**

Contaminant of Concern	Exposure Scenario	Concentration
Lead	Residential	1,200 mg/kg
	Non-Residential	2,300 mg/kg
Arsenic	Residential	250 mg/kg
	Commercial	500 mg/kg
	Recreational	1,000 mg/kg
Mercury	Residential	147 mg/kg
	Residential (vapor)	0.43 µg/m <sup>3</sup>

mg/kg: milligrams per kilogram. µg/m<sup>3</sup>: micrograms per cubic meter.

As a result of the potential risks associated with elevated COCs, remedial actions may have already been implemented at a property or may be necessary or recommended in the future, either in conjunction with residential or commercial development or based on remedial sample results. The purpose of the remediation is to protect human health and the environment primarily through reduction of exposure to arsenic and lead to below the established remedial action cleanup levels for the specified use.

The EPA 2006 Record of Decision (ROD) for BPSOU required implementation by the Atlantic Richfield Company and Butte Silver Bow County (BSB) of a RMAP to sample, assess, and abate COC contamination in residential properties within and adjacent to BPSOU. The EPA 2020 ROD Amendment describes the recent expansion of the program. The selected remedy requires implementation of awareness and education programs to further protect the Butte community. This Community Protective Measures Program (CPMP) Plan sets forth Atlantic Richfield's and BSB's specific responsibilities with respect to the coordination, implementation and

management of the CPMP and is intended to operate in conjunction with the RMAP Plan and the Institutional Controls Implementation and Assurance Plan (ICIAP) for the BPSOU site.

## **2. Components**

The CPMP responsibilities are comprised of the following components each of which will be implemented and managed by Atlantic Richfield, or as allocated and agreed by BSB, or their respective contractor(s):

- Community Outreach
- Community Awareness and Education
- Public Inquiries
- Geographic Information System (GIS)

Each of the above CPMP components as well as the Atlantic Richfield and BSB specific responsibilities and obligations with respect to each are addressed below.

## **3. Community Outreach**

The primary purpose of the CPMP is to provide community outreach and education to residents within and adjacent to BPSOU on how to reduce the risks of exposure to residual waste. The CPMP's outreach will include a multi-media effort to connect with residents of all ages and demographics. This effort will include the use of print media, flyers, radio spots, presentations at group meetings, booths at civic events, social media, and website notifications among other methods. Target populations include:

- Homeowners
- Families with Young Children
- Realtors
- Medical Professionals
- Daycares
- Contractors
- Renovators
- Schools
- Lenders
- Civic Groups

## **4. Community Awareness and Education**

While the Public Outreach component of the CPMP provides the access to residents, the Community Awareness and Education component provides the education and information needed to ensure that citizens make good decisions in regard to their interaction with residual waste. Through the CPMP Program, BSB will provide information regarding existing

environmental sampling results, remedial actions taken or planned, protectiveness rationale of remedies and action levels, information and referrals regarding applicable permit requirements, and information regarding methods for reducing exposure including best practices for personal/home hygiene and diet, for renovation and demolition, and for food gardens and play areas.

The Program shall provide a range of education components to enhance and maintain the community's awareness of potential sources of and risks from arsenic, lead and/or mercury in and around homes and commercial properties, as well as approaches residents can take to avoid exposures. The educational components include the distribution of educational materials to local contractors (e.g., electricians, roofers, carpenters), hardware/lumber suppliers, childcare facilities/programs (e.g., Head Start), and housing authorities (e.g., Human Resource Council – Section 8 and Low Income Energy Assistance Program [LIEAP]). Informative presentations are available for real estate agents and property owners. Periodic mailings to property owners and public service announcements aired by the local television station are also designed to provide public awareness. Outreach will also rely on the medical community, particularly pediatricians and the Women, Infant, and Children (WIC) program to inform the public about risk, health monitoring, and the Programs activities. The Program also includes participation in community health fairs and family fairs to provide outreach to the community.

The education and outreach component specifically addresses portions of homes and commercial buildings that pose a risk for potential exposure. Such portions addressed are the attic space (if an exposure pathway exists), interior living space, and exterior yard areas. The Program shall rely on educational materials and face-to-face consultations to ensure that homeowners, remodeling contractors, developers, home inspectors, potential buyers, and weatherization workers are aware of the following:

1. The potential presence of lead, arsenic, and/or mercury in attics or earthen basements.
2. The importance of restricting access to those areas by sensitive populations and taking the appropriate measures to ensure that dust is not tracked into the interior living space when infrequent access occurs.
3. The proper contact information prior to implementing any remodeling project and/or landscaping project to ensure that dust and soil are appropriately handled and disposed of by a responsible entity and/or by approved contractors.

Educational materials shall be provided to all Program participants at the time when an environmental assessment of the home is implemented (whether interior or exterior) as well as when applicable building permits are sought for remodeling projects. Recommendations made to each resident will be based on the results of environmental sampling at their homes and specific information collected by Program staff regarding daily habits and activities. See Attachment A for examples of program fact sheets and other educational materials.

The awareness and education materials will be available through BSB's community outreach activities and the GIS. With assistance and input from EPA and the State, the existing awareness and education materials will be updated, and new materials created, as necessary.

## **5. Public Inquiries**

Through the Public Inquiries component, BSB will respond to questions or other inquiries from residents within or adjacent to BPSOU if related to the RMAP program abatement activities. The process may include providing information and guidance on residual wastes; property assessments related to soil, dust, and/or domestic well conditions; referral to additional resources, sampling, and potential remediation; or providing programmatic control services (e.g., materials handling, interior dust, or soil swap).

## **6. Geographic Information System**

The GIS component of the CPMP is a computer-based tool that will have both geographic information functionality and institutional controls management functionality. The geographic information functionality will utilize spatial data for mapping, analyzing, and storing data for properties within the Site (e.g., aerial photos and information regarding property ownership, restrictive covenants, remedial actions, environmental sampling data and "as built" details). The data available through the geographic information functionality will be updated and maintained by BSB in accordance with Section 3.3.2 of the ICIAP. The CPMP functionality will include various web-based tools designed to facilitate implementation of this CPMP Plan by BSB by making certain Site information available to members of the public and tracking public outreach activities.

**CPMP Attachment A**  
(CPMP Fact Sheets and Educational Flyers)

## SOIL SAMPLING AND CLEANUP ACTIVITIES



As you may be aware, Butte Silver Bow County (BSB), the Atlantic Richfield Company, United States Environmental Protection Agency (EPA) and the Montana Department of Environmental Quality (DEQ) have been working actively in the Butte community and surrounding areas to ensure that soil arsenic, lead and mercury concentrations are below applicable action levels. This fact sheet is intended to provide you with information about the action levels and associated soil sampling and cleanup activities in and around Butte.

The EPA developed action levels for Butte and the surrounding areas (see the table below and Figure 2 provided in the ICIAP) to identify when remedial action is necessary. The action levels are based on detailed site-specific health studies and EPA has determined the action levels are protective of human health.

**Table 1. Soil, Dust, Backfill, and Vapor Action Levels**

Contaminant of Concern	Exposure Scenario	Concentration
<b>Lead</b>	<b>Residential</b>	<b>1,200 mg/kg</b>
	<b>Non-Residential</b>	<b>2,300 mg/kg</b>
<b>Arsenic</b>	<b>Residential</b>	<b>250 mg/kg</b>
	<b>Commercial</b>	<b>500 mg/kg</b>
	<b>Recreational</b>	<b>1,000 mg/kg</b>
<b>Mercury</b>	Residential	147 mg/kg
	Residential (vapor)	0.43 $\mu\text{g}/\text{m}^3$

mg/kg: milligrams per kilogram.  $\mu\text{g}/\text{m}^3$ : micrograms per cubic meter.

If you are unsure if your property has been sampled, contact BSB's Superfund Program at (406) 497-5040. If you need to leave a voicemail, include your name, address and contact information. If your property has been sampled, results can be provided for your property upon request. If your property has not been sampled or your property has been sampled and certain eligibility requirements are met, BSB will collect soil and dust samples on your property upon request. You will be asked to sign an access agreement to authorize the sampling. If sample results show that the applicable arsenic/lead/mercury action levels are exceeded, a cleanup plan will be developed and cleanup will be completed. In general, cleanup activities include treatment or removal of impacted soils, and revegetation.



## **RESIDENTIAL ATTIC AND INTERIOR DUST SAMPLING AND CLEANUP ACTIVITIES**

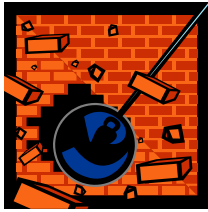
As you may be aware, Butte Silver Bow County (BSB), the Atlantic Richfield Company, United States Environmental Protection Agency (EPA) and the Montana Department of Environmental Quality (DEQ) have been working actively in the Butte community and surrounding areas to ensure that arsenic and or lead concentrations in interior living space and attic dust are below EPA applicable action levels. This fact sheet is intended to provide you with information about the action levels and associated dust sampling and cleanup activities in and around Butte.

The EPA developed action levels for Butte and the surrounding areas (see Figure 1) to identify when remedial action is necessary. The EPA established applicable action levels for arsenic, lead and mercury in accessible attic and interior dust are 250 mg/kg, 1,200 mg/kg, and 147 mg/kg, respectively. The action levels are based on detailed site-specific health studies in Butte and surrounding areas and EPA has determined that action levels are considered protective of human health.

Subject to certain eligibility requirements, sampling of attic dust will be initiated upon request from the landowner.

If you are unsure if your attic has been sampled or if your attic meets the eligibility requirements, contact BSB's Superfund Program at (406) 497-5040. If you need to leave a voicemail, include your name, address, and contact information. You will be asked to sign an access agreement to authorize the sampling. If your attic has been sampled, results can be provided for your property upon request. If your attic dust is sampled and sample results show that the applicable arsenic/lead action levels are exceeded, a cleanup plan will be developed and cleanup will be completed.





## DEMOLITION AND REMODELING

Butte Silver Bow County (BSB) requires a demolition permit for demolition and a building permit for certain remodeling activities. When workers are demolishing or remodeling buildings within Butte and the surrounding area (see Figure 1), there is a potential for exposure to arsenic or lead above the applicable action levels particularly if the renovation impacts attics. As part of the demolition or remodeling process, existing sample results can be obtained from BSB.

To mitigate the potential exposure to arsenic or lead during demolition or remodeling, the following Best Management Practices can be employed.

### **Recommended Demolition Best Management Practices**

- Wear masks to reduce or filter inhalation of dust.
- Wear coveralls and hats to reduce skin and hair contact.
- Remove and leave coveralls and hats before leaving demolition area.
- Wash hands before eating or drinking.
- Conduct demolition only in calm or light wind conditions to prevent dust dispersal.
- Where practicable wet-down structures before, during and after demolition, and wet-down debris when loading for transport away from the site.
- Cover loads leaving the site.

### **Recommended Remodeling Best Management Practices**

- Wear masks to reduce or filter inhalation of dust.
- Wear coveralls and hats to reduce skin and hair contact.
- Remove and leave coveralls and hats before leaving remodeling area.
- Wash hands before eating or drinking.
- Remove area rugs and furniture from affected rooms before remodeling.
- Completely cover wall to wall carpeting with protective sheeting or plastic.
- Cover doors, vents, and cabinets with plastic sheeting to prevent migration.

If you have concerns or questions regarding demolition or remodeling activities, you can contact the BSB Superfund Program by phone at (406) 497-5040 or BSB Building Codes Division at 497-6210. If you need to leave a voicemail, include your name, address, and contact information.

## **WHERE CAN I GET MORE INFORMATION ABOUT SUPERFUND?**

- Butte-Silver Bow Superfund Program: <http://www.co.silverbow.mt.us/417/Superfund-Division>.
- Atlantic Richfield Company: [ARMontana.com](http://ARMontana.com).
- United States Environmental Protection Agency (EPA) Region 8: <https://www.epa.gov/region8/superfund-sites-region-8>.
- Montana Department of Environmental Quality (DEQ): <http://deq.mt.gov/Land/FedSuperfund>.
- Montana Technical University Library: <https://www.mtech.edu/library/>.
- Citizen's Technical Environmental Committee (CTEC): <http://www.buttectec.org/>.

# The Residential Metals Program

## Superfund Activities

**FREE**

### Free Soil and Dust Sampling for Property Owners

Fill out a Sample Request form and return it

Contact us to schedule attic and/or indoor dust sampling

Soil sampling can be done upon receiving a Sample Request form or at a scheduled date and time (weather permitting)

Samples are analyzed by a certified lab for lead, arsenic, and mercury

Contamination cleaned-up free of charge

For More Details . . . . .



**497-5040**  
**Butte-Silver Bow Health Dept.**  
**25 W. Front St.**  
**Butte, MT 59701**



# FACT SHEET

## EPA and HUD Move to Protect Children from Lead-Based Paint Poisoning; Disclosure of Lead-Based Paint Hazards in Housing

### SUMMARY

The Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) are announcing efforts to ensure that the public receives the information necessary to prevent lead poisoning in homes that may contain lead-based paint hazards. Beginning this fall, most home buyers and renters will receive known information on lead-based paint and lead-based paint hazards during sales and rentals of housing built before 1978. Buyers and renters will receive specific information on lead-based paint in the housing as well as a Federal pamphlet with practical, low-cost tips on identifying and controlling lead-based paint hazards. Sellers, landlords, and their agents will be responsible for providing this information to the buyer or renter before sale or lease.

### LEAD-BASED PAINT IN HOUSING

Approximately three-quarters of the nation's housing stock built before 1978 (approximately 64 million dwellings) contains some lead-based paint. When properly maintained and managed, this paint poses little risk. However, 1.7 million children have blood-lead levels above safe limits, mostly due to exposure to lead-based paint hazards.

### EFFECTS OF LEAD POISONING

Lead poisoning can cause permanent damage to the brain and many other organs and causes reduced intelligence and behavioral problems. Lead can also cause abnormal fetal development in pregnant women.

### BACKGROUND

To protect families from exposure to lead from paint, dust, and soil, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also

known as Title X. Section 1018 of this law directed HUD and EPA to require the disclosure of known information on lead-based paint and lead-based paint hazards before the sale or lease of most housing built before 1978.

### WHAT IS REQUIRED

Before ratification of a contract for housing sale or lease:

- Sellers and landlords must disclose known lead-based paint and lead-based paint hazards and provide available reports to buyers or renters.
- Sellers and landlords must give buyers and renters the pamphlet, developed by EPA, HUD, and the Consumer Product Safety Commission (CPSC), titled *Protect Your Family from Lead in Your Home*.
- Home buyers will get a 10-day period to conduct a lead-based paint inspection or risk assessment at their own expense. The rule gives the two parties flexibility to negotiate key terms of the evaluation.
- Sales contracts and leasing agreements must include certain notification and disclosure language.
- Sellers, lessors, and real estate agents share responsibility for ensuring compliance.



## WHAT IS NOT REQUIRED

- This rule does not require any testing or removal of lead-based paint by sellers or landlords.
- This rule does not invalidate leasing and sales contracts.

## TYPE OF HOUSING COVERED

Most private housing, public housing, Federally owned housing, and housing receiving Federal assistance are affected by this rule.

## TYPE OF HOUSING NOT COVERED

- Housing built after 1977 (Congress chose not to cover post-1977 housing because the CPSC banned the use of lead-based paint for residential use in 1978).
- Zero-bedroom units, such as efficiencies, lofts, and dormitories.
- Leases for less than 100 days, such as vacation houses or short-term rentals.
- Housing for the elderly (unless children live there).
- Housing for the handicapped (unless children live there).

- Rental housing that has been inspected by a certified inspector and found to be free of lead-based paint.

- Foreclosure sales.

## EFFECTIVE DATES

- For owners of more than 4 dwelling units, the effective date is September 6, 1996.
- For owners of 4 or fewer dwelling units, the effective date is December 6, 1996.

## THOSE AFFECTED

The rule will help inform about 9 million renters and 3 million home buyers each year. The estimated cost associated with learning about the requirements, obtaining the pamphlet and other materials, and conducting disclosure activities is about \$6 per transaction.

## EFFECT ON STATES AND LOCAL GOVERNMENTS

This rule should not impose additional burdens on states since it is a Federally administered and enforced requirement. Some state laws and regulations require the disclosure of lead hazards in housing. The Federal regulations will act as a complement to existing state requirements.

### FOR MORE INFORMATION

- For a copy of *Protect Your Family from Lead in Your Home* (in English or Spanish), the sample disclosure forms, or the rule, call the National Lead Information Clearinghouse (NLIC) at (800) 424-LEAD, or TDD (800) 526-5456 for the hearing impaired. You may also send your request by fax to (202) 659-1192 or by Internet E-mail to [ehc@cais.com](mailto:ehc@cais.com). Visit the NLIC on the Internet at <http://www.nsc.org/nsc/ehc/ehc.html>.
- Bulk copies of the pamphlet are available from the Government Printing Office (GPO) at (202) 512-1800. Refer to the complete title or GPO stock number 055-000-00507-9. The price is \$26.00 for a pack of 50 copies. Alternatively, persons may reproduce the pamphlet, for use or distribution, if the text and graphics are reproduced in full. Camera-ready copies of the pamphlet are available from the National Lead Information Clearinghouse.
- For specific questions about lead-based paint and lead-based paint hazards, call the National Lead Information Clearinghouse at (800) 424-LEAD, or TDD (800) 526-5456 for the hearing impaired.
- The EPA pamphlet and rule are available electronically and may be accessed through the Internet.

#### Electronic Access:

**Gopher:** [gopher.epa.gov:70/11/Offices/PestPreventToxic/Toxic/lead\\_pm](http://gopher.epa.gov:70/11/Offices/PestPreventToxic/Toxic/lead_pm)

**WWW:** <http://www.epa.gov/opptintr/lead/index.html>  
<http://www.hud.gov>

**Dial up:** (919) 558-0335

**FTP:** [ftp.epa.gov](ftp://ftp.epa.gov) (To login, type "anonymous." Your password is your Internet E-mail address.)

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# **EPA and HUD Real Estate Notification and Disclosure Rule Questions and Answers**

## **The Rule**

### **What is the purpose of this rule and who is affected?**

To protect the public from exposure to lead from paint, dust, and soil, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X. Section 1018 of this law directed HUD and EPA to require disclosure of information on lead-based paint and lead-based paint hazards before the sale or lease of most housing built before 1978. The rule would ensure that purchasers and renters of housing built before 1978 receive the information necessary to protect themselves and their families from lead-based paint hazards.

### **When does the rule take effect?**

The rule's effective date depends on the number of housing units owned.

! For owners of more than 4 dwelling units, the effective date is September 6, 1996.

! For owners of 4 or fewer dwelling units, the effective date is December 6, 1996.

## **Affected Housing**

### **What type of housing is affected by this rule?**

This rule applies to all housing defined as target housing, which includes most private housing, public housing, housing receiving federal assistance, and federally owned housing built before 1978.

### **What type of housing is not affected by this rule?**

Housing that is not affected by this rule includes:

! 0-bedroom dwellings, such as lofts, efficiencies, and studios.

! Leases of dwelling units of 100 days or fewer, such as vacation homes or short-term rentals.

! Designated housing for the elderly and the handicapped unless children reside or are expected to reside there.

! Rental housing that has been inspected by a certified inspector and is found to be free of

lead-based paint.

### **How does this rule apply to housing common areas such as stairwells, lobbies, and laundry rooms?**

Common areas are those areas in multifamily housing structures that are used or are accessible to all occupants. The rule requires that sellers and lessors disclose available lead information about common areas so that families can be informed about preventive actions.

### **Why doesn't this rule affect housing built after 1978?**

Congress did not extend the law to housing built after 1978 because the Consumer Product Safety Commission banned the use of lead-based paint in housing in 1978.

### **Is my home unsafe if it contains lead-based paint?**

Approximately three-quarters of the nation's housing built before 1978 contains some lead-based paint. This paint, if properly managed and maintained, poses little risk. If allowed to deteriorate, lead from paint can threaten the health of occupants, especially children under 6 years old. If families and building owners are aware of the presence of lead-based paint and the proper actions to take, most lead-based paint hazards can be managed. The EPA pamphlet *Protect Your Family From Lead in Your Home* provides important information for families and home owners to help them identify when lead-based paint is likely to be a hazard and how to get their home checked.

## **Seller & Lessor Responsibilities**

### **What if I'm selling target housing?**

Property owners who sell target housing must:

- ! Disclose all known lead-based paint and lead-based paint hazards in the housing and any available reports on lead in the housing.
- ! Give buyers the EPA pamphlet *Protect Your Family from Lead in Your Home*.
- ! Include certain warning language in the contract as well as signed statements from all parties verifying that all requirements were completed.
- ! Retain signed acknowledgments for 3 years, as proof of compliance.
- ! Give buyers a 10-day opportunity to test the housing for lead.

### **What if I'm renting target housing?**

Property owners who rent out target housing must:

- ! Disclose all known lead-based paint and lead-based paint hazards in the home and any available

reports on lead in the housing.

- ! Give renters the EPA pamphlet *Protect Your Family From Lead in Your Home*.
- ! Include certain warning language in the lease as well as signed statements from all parties verifying that all requirements were completed.
- ! Retain signed acknowledgments for 3 years, as proof of compliance.

**Am I required to give the EPA pamphlet *Protect Your Family From Lead in Your Home* to existing tenants?**

No, but when tenants renew their leases, you must give them the pamphlet and any available reports. In other words, you must give them the same information that you are required to provide new tenants.

**What if the buyers/renters don't speak English?**

In cases where the buyer or renter signed a purchase or lease agreement in a language other than English, the rule requires that the disclosure language be provided in the alternate language. The EPA pamphlet *Protect Your Family From Lead in Your Home* is printed in English and Spanish and will be made available to the public. EPA and HUD are considering publishing the pamphlet in other languages as well.

**Must I check my house for lead prior to sale?**

No. The rule does not require that a seller conduct or finance an inspection or risk assessment. The seller, however, is required to provide the buyer a 10-day period to test for lead-based paint or lead-based paint hazards.

**Is the seller required to remove any lead-based paint that is discovered during an inspection?**

No. Nothing in the rule requires a building owner to remove lead-based paint or lead-based paint hazards discovered during an inspection or risk assessment. In addition, the rule does not prevent the two parties from negotiating hazard reduction activities as a contingency of the purchase and sale of the housing.

**What if I know there is lead-based paint in my home?**

If you know there is lead-based paint in your home, you are required to disclose this information to the buyer or renter along with any other available reports on lead.

**What if the lessor knows that there is no lead-based paint in my rental**



## **housing?**

If your rental housing has been found to be free of lead-based paint by a certified inspector, this rule does not apply. However, landlords seeking an exclusion to this rule must use state certified inspectors. If your state does not have a certification program, you may use a certified inspector from another state. In addition, EPA is developing certification requirements for individuals and firms conducting lead-based paint inspections, risk assessments, and abatements.

## **Agent Responsibilities**

### **What are my responsibilities as an agent?**

Agents must ensure that:

- ! Sellers and landlords are made aware of their obligations under this rule.
- ! Sellers and landlords disclose the proper information to lessors, buyers, and tenants.
- ! Sellers give purchasers the opportunity to conduct an inspection.
- ! Lease and sales contracts contain the appropriate notification and disclosure language and proper signatures.

### **What is the responsibility of an agent if the seller or landlord fails to comply with this rule?**

The agent is responsible for informing the seller or lessor of his or her obligations under this rule. In addition, the agent is responsible if the seller or lessor fails to comply. However, an agent is not responsible for information withheld by the seller or lessor.

## **Purchaser & Renter Rights**

### **As a purchaser, am I required to conduct and finance an inspection?**

No. The rule simply ensures that you have the opportunity to test for lead before purchase.

### **Can the inspection/risk assessment period be waived?**

Yes. The inspection or risk assessment period can be lengthened, shortened, or waived by mutual written consent between the purchaser and the seller.

### **If I am renting, do I have the same opportunity to test for lead?**

Under the law, the 10-day inspection period is limited to sales transactions, but nothing prevents

the renter from negotiating with the lessor to allow time for an inspection before rental.

### **Where can I find a qualified professional to conduct an inspection?**

State agencies can provide helpful information for locating qualified professionals in your area. The EPA pamphlet *Protect Your Family From Lead in Your Home* provides the phone numbers of these state agencies. It is important to verify the qualifications of individuals and firms before hiring them.

### **Must inspectors be certified?**

Some cities and states have their own rules concerning inspector certification. These requirements, which may be administered at the state or federal level, may not be in place for several years. Once these requirements are in place, professionals who offer to perform lead-based paint inspections must be certified. The certification requirements that EPA is developing will ensure that inspectors engaged in lead-based paint activities have completed an EPA-certified training program or an EPA-approved state program. Meanwhile, EPA and HUD recommend that people inspect the qualifications and training of individuals and firms before hiring them to conduct risk assessments, inspections, or abatements.

## **Liability**

### **Does this rule increase my liability for future lead poisoning on my property?**

In some cases, disclosure may actually reduce the owner's liability since occupants may be able to prevent exposure from the beginning. Under this rule, however, sellers, landlords, or agents who fail to provide the required notices and information are liable for triple the amount of damages.

### **Are mortgage lenders liable under these rules if the seller or lessor fails to disclose?**

Under the disclosure regulation, the rule does not identify mortgage lenders as liable parties. This rule does not affect other state and federal provisions regarding the obligations and responsibilities of lenders.

### **What if a seller or lessor fails to comply with these regulations?**

A seller, lessor, or agent who fails to give the proper information can be sued for triple the amount of damages. In addition, they may be subject to civil and criminal penalties. Ensuring that disclosure information is given to home buyers and tenants helps all parties avoid misunderstandings before, during, and after sales and leasing agreements.



# Fight **Lead Poisoning** with a Healthy Diet

Lead Poisoning Prevention Tips  
for Families



## Lead and a Healthy Diet

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What You Can Do to Protect Your Child

### Lead's Effects on the Body

Lead is a poisonous metal that our bodies cannot use. Lead poisoning can cause learning, hearing, and behavioral problems, and can harm your child's brain, kidneys, and other organs. Lead in the body stops good minerals such as iron and calcium from working right. Some of these effects may be permanent.



### Lead Awareness and Your Child

Children with lead poisoning usually do not look or act sick. The only way to know if your child has lead poisoning is by getting a blood test.

Ask your doctor or health care provider to test your child under six years of age at least once a year.

## Lead Hazards

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Where is Lead Found?

### Main Sources of Lead

**Lead-based paint** is a hazard if it is peeling, chipping, chalking, or cracking. Even lead-based paint that appears to be undisturbed can be a problem if it is on surfaces that children chew or that get a lot of wear and tear. The older your home is, the more likely it is to contain lead-based paint.

**Contaminated dust** forms when lead paint is dry-scraped or sanded. Dust can also become contaminated when painted surfaces bump or rub together. Lead chips and dust can gather on surfaces and objects that people touch or that children put into their mouths.

Lead poisoning occurs

**without** any

**obvious symptoms**

and

# harms

your child's body.



**Contaminated soil** occurs when exterior lead-based paint from houses, buildings, or other structures flakes or peels and gets into the soil. Soil near roadways may also be contaminated from past use of leaded gasoline in cars. Avoid these areas when planting vegetable gardens.

### Other Sources of Lead

Contaminated drinking water from older plumbing fixtures

Lead-based painted toys and household furniture

Imported lead-glazed pottery and leaded crystal

Lead smelters

Hobbies

Folk remedies like azarcon and pay-loo-ah

Cosmetics like kohl and kajal

Do not store **food**  
in **glazed pottery**  
from foreign countries.



## Meal and Snack Ideas

Tips to help you and your children plan meals and snacks



### Breakfast

Oatmeal swirlers  
Sliced banana  
Orange juice

-or-

Cheese omelet  
Applesauce  
Low-fat milk

-or-

French toast  
Orange sections  
Low-fat milk

### Lunch

Grilled cheese & tomato  
Coleslaw  
Low-fat milk

-or-

Tuna salad sandwich  
Cranberry juice  
Pear slices

-or-

Pizza bagel  
100% fruit juice  
Fresh or canned peaches  
Low-fat milk

### Dinner

Sloppy joes  
Watermelon  
Low-fat milk

-or-

Macaroni and cheese  
Stewed tomatoes  
Melon slice

-or-

Chicken stew  
Rice  
Strawberries

### Between meals offer small snacks such as:

Cereal with low-fat milk, whole wheat crackers with cheese, apple or pear slices, oranges or bananas, raisins, yogurt, frozen fruit juice pops, and fruit smoothies.

Many of the foods listed in this brochure can be bought with food vouchers from the WIC program. To find out more about WIC, call your child's pediatrician or visit [www.fns.usda.gov/wic](http://www.fns.usda.gov/wic)



## Oatmeal Swirlers • Makes 4-6 servings

1 1/2 cups of quick cooking oats  
1/3 cup of peanut butter  
1/3 cup of fruit jelly or jam

### Steps:

- Follow the package directions to cook oats.
- Spoon peanut butter and jelly on top of cooked oatmeal.
- Stir and spoon into bowls.
- Serve with low-fat milk.



## French Toast • Makes 4-6 servings

3 eggs, beaten  
1/2 cup of low-fat milk  
Vegetable oil  
6 slices of bread  
Cinnamon  
2 bananas, sliced

### Steps:

- Mix eggs and milk.
- Lightly coat pan with vegetable oil. Use medium heat.
- Dip bread into egg mixture, so that bread is covered.
- Brown one side of bread in pan.
- Sprinkle top with cinnamon.
- Turn over bread and brown the other side. Top with sliced banana.
- Serve with low-fat milk.

## Cheese Omelet • Makes 2-3 servings

3 eggs  
1 tablespoon of low-fat milk  
Vegetable oil  
3 tablespoons of cheese

### Steps:

- Mix eggs and milk in a bowl.
- Lightly coat pan with vegetable oil. Use medium heat.
- Add egg mixture and cook.
- When omelet is cooked on the bottom, add cheese.
- When cheese is melted, fold omelet in half.
- Top with salsa if you like.
- Serve with toast, fruit, and low-fat milk.

## Grilled Cheese & Tomato Sandwich • Makes 1 serving

2 slices of bread  
2 slices of American cheese  
1 slice of tomato  
Vegetable oil

### Steps:

- Make sandwich using bread, cheese, and tomato.
- Lightly coat pan with vegetable oil.
- Brown sandwich on both sides over low heat to melt the cheese.
- Serve with low-fat milk or fruit juice.



## Tuna Salad Sandwich • Makes 2 servings

4 slices of bread  
1 can of water packed tuna  
4 teaspoons of low-fat mayonnaise  
Onion and celery, chopped

### Steps:

- Mix tuna with low-fat mayonnaise, onion, and celery.
- Try your sandwich with cheese and tomato.
- Serve with low-fat milk.



## Pizza Bagels • Makes 2–3 servings

1 bagel  
2 tablespoons of tomato sauce  
Garlic, basil, or oregano  
2 tablespoons of cheddar cheese or part-skim mozzarella

### Steps:

- Preheat oven to 400 degrees.
- Slice open a bagel and place on a flat pan.
- Add tomato sauce, seasonings, and cheese.
- Bake for 3 minutes or until cheese melts.
- Serve with fruit juice.

## Sloppy Joes • Makes 4–6 servings

1 pound of lean ground beef, turkey, or chicken  
1 small onion, chopped  
1/2 green pepper, chopped  
1 cup of tomato sauce  
Your choice of seasonings  
5 hamburger buns or pita pocket breads

### Steps:

- In a pan, cook lean ground meat, onion, and green pepper until meat is well done.
- Drain fat.
- Stir in tomato sauce and seasonings.
- Cook for 5 to 10 minutes.
- Spoon into hamburger bun or pita.
- Serve with fruit juice.



## Baked Macaroni and Cheese • Makes 3–5 servings

4 cups of cooked macaroni  
3 cups of grated cheddar cheese  
2 tablespoons of margarine  
2 tablespoons of flour

Vegetable oil  
2 cups of low-fat milk  
Salt and pepper

### Steps:

- Preheat oven to 375 degrees. Lightly coat casserole dish with vegetable oil.
- Mix cooked macaroni with grated cheese and pour into casserole.
- Melt margarine in a pan. Remove from heat, stir in flour. Return to heat.
- Add low-fat milk slowly, stirring until smooth.
- Season with salt and pepper to taste.
- Pour over macaroni. Stir.
- Cover. Bake for 30 minutes.
- Uncover and bake for another 15 minutes.

## Chicken Stew • Makes 6-8 servings

Case 2:89-cv-00039-SEH Document 1180-1 Filed 06/08/20 Page 1305 of 1422

3 pounds of frying chicken, cut up into small pieces  
Vegetable oil  
1 medium onion, chopped  
1 stalk of celery, chopped  
28 ounce can of stewed tomatoes  
Poultry seasoning

### Steps:

- Lightly coat pot with vegetable oil. Use medium heat.
- Cook chicken until it is well done.
- Add can of stewed tomatoes.
- Add vegetables and seasoning.
  - Cover and cook over low heat for 30 minutes.
  - Serve with rice or noodles.



## Banana Strawberry Smoothie • Makes 2-3 servings

1 cup of low-fat milk  
1 cup of fresh or frozen strawberries, mashed  
1 ripe banana, mashed

### Steps:

- Mix all together in a blender or use a wire whisk.
- Eat as a snack or for dessert.



trim  
this  
area  
off



trim  
this  
area  
off





## Regularly Eat Healthy Foods

Children with empty stomachs absorb more lead than children with full stomachs. Provide your child with four to six small meals during the day. The following nutrients can help protect your child from lead poisoning:



### **Iron-Rich Foods**

Normal levels of iron work to protect the body from the harmful effects of lead. Good sources of dietary iron include:

*Lean red meats, fish, and chicken*  
*Iron-fortified cereals*  
*Dried fruits (raisins, prunes)*

### **Calcium-Rich Foods**

Calcium reduces lead absorption and also helps make teeth and bones strong. Good sources of dietary calcium include:

*Milk*  
*Yogurt*  
*Cheese*  
*Green leafy vegetables (spinach, kale, collard greens)*



### **Vitamin C-Rich Foods**

Vitamin C and iron-rich foods work together to reduce lead absorption. Good sources of vitamin C include:

*Oranges, orange juice*  
*Grapefruits, grapefruit juice*  
*Tomatoes, tomato juice*  
*Green peppers*

A healthy diet can help

**protect**  
your **child**  
**from the harmful effects**  
**of lead.**



## Simple Steps You Can Take

to Protect Your Family from Lead Hazards

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### If you think your home has high levels of lead:

- Make sure your children eat healthy, low-fat foods high in iron, calcium, and vitamin C.
- Get your children tested for lead, even if they seem healthy.
- Get your home tested for lead if it was built before 1978. Call **1-800-424-LEAD** for more information.
- Always wash your hands before eating.
- Wash children's hands, bottles, pacifiers, and toys.
- Do not use imported pottery to store or serve food.
- Let tap water run for one minute before using.
- Use only cold water for making your baby's formula, drinking, and cooking.
- Regularly clean floors, windowsills, and other surfaces using wet methods that control dust.
- Wipe or remove shoes before entering your house.
- If you rent, it is your landlord's job to keep paint in good shape. Report peeling or chipping paint to your landlord and call your health department if the paint is not repaired safely.
- Take precautions to avoid exposure to lead dust when remodeling or renovating.
- Don't try to remove paint yourself!



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### For more information on childhood lead poisoning prevention:

#### Call

- Your child's pediatrician
- The National Lead Information Center  
**1-800-424-LEAD (424-5323)**
- U.S. Environmental Protection Agency's (EPA) Safe Drinking Water Hotline  
**1-800-426-4791**



#### Visit

- EPA Lead Program Web site  
**[www.epa.gov/lead](http://www.epa.gov/lead)**
- U.S. Centers for Disease Control and Prevention (CDC) Web site  
**[www.cdc.gov/nceh/lead](http://www.cdc.gov/nceh/lead)**
- U.S. Department of Housing and Urban Development (HUD) Web site  
**[www.hud.gov/offices/lead](http://www.hud.gov/offices/lead)**





# THE LEAD-SAFE CERTIFIED GUIDE TO RENOVATE RIGHT



CAUTION CAUTION CAUTION CAUTION CAUTION CAUTION



1-800-424-LEAD (5323)

[epa.gov/getleadsafe](http://epa.gov/getleadsafe)

EPA-740-K-10-001

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This document may be purchased through the U.S. Government Printing Office online at [bookstore.gpo.gov](http://bookstore.gpo.gov) or by phone (toll-free): 1-866-512-1800.

Important lead hazard information for  
families, child care providers and schools.



## IT'S THE LAW!

Federal law requires contractors that disturb painted surfaces in homes, child care facilities and schools built before 1978 to be certified and follow specific work practices to prevent lead contamination. Always ask to see your contractor's certification.

Federal law requires that individuals receive certain information before renovating more than six square feet of painted surfaces in a room for interior projects or more than twenty square feet of painted surfaces for exterior projects or window replacement or demolition in housing, child care facilities and schools built before 1978.

- Homeowners and tenants: renovators must give you this pamphlet before starting work.
- Child care facilities, including preschools and kindergarten classrooms, and the families of children under six years of age that attend those facilities: renovators must provide a copy of this pamphlet to child care facilities and general renovation information to families whose children attend those facilities.

## WHO SHOULD READ THIS PAMPHLET?

### This pamphlet is for you if you:

- Reside in a home built before 1978.
- Own or operate a child care facility, including preschools and kindergarten classrooms, built before 1978, or
- Have a child under six years of age who attends a child care facility built before 1978.

### You will learn:

- Basic facts about lead and your health.
- How to choose a contractor, if you are a property owner.
- What tenants, and parents/guardians of a child in a child care facility or school should consider.
- How to prepare for the renovation or repair job.
- What to look for during the job and after the job is done.
- Where to get more information about lead.

### This pamphlet is not for:

- **Abatement projects.** Abatement is a set of activities aimed specifically at eliminating lead or lead hazards. EPA has regulations for certification and training of abatement professionals. If your goal is to eliminate lead or lead hazards, contact the National Lead Information Center at **1-800-424-LEAD (5323)** for more information.
- **“Do-it-yourself” projects.** If you plan to do renovation work yourself, this document is a good start, but you will need more information to complete the work safely. Call the National Lead Information Center at **1-800-424-LEAD (5323)** and ask for more information on how to work safely in a home with lead-based paint.
- **Contractor education.** Contractors who want information about working safely with lead should contact the National Lead Information Center at **1-800-424-LEAD (5323)** for information about courses and resources on lead-safe work practices.



## RENOVATING, REPAIRING, OR PAINTING?



- Is your home, your building, or the child care facility or school your children attend being renovated, repaired, or painted?
- Was your home, your building, or the child care facility or school where your children under six years of age attend built before 1978?

If the answer to these questions is YES, there are a few important things you need to know about lead-based paint.

This pamphlet provides basic facts about lead and information about lead safety when work is being done in your home, your building or the child care facility or school your children attend.

### The Facts About Lead

- Lead can affect children's brains and developing nervous systems, causing reduced IQ, learning disabilities, and behavioral problems. Lead is also harmful to adults.
- Lead in dust is the most common way people are exposed to lead. People can also get lead in their bodies from lead in soil or paint chips. Lead dust is often invisible.
- Lead-based paint was used in more than 38 million homes until it was banned for residential use in 1978.
- Projects that disturb painted surfaces can create dust and endanger you and your family. Don't let this happen to you. Follow the practices described in this pamphlet to protect you and your family.

## LEAD AND YOUR HEALTH

### Lead is especially dangerous to children under six years of age.

Lead can affect children's brains and developing nervous systems, causing:

- Reduced IQ and learning disabilities.
- Behavior problems.

### Even children who appear healthy can have dangerous levels of lead in their bodies.

Lead is also harmful to adults. In adults, low levels of lead can pose many dangers, including:

- High blood pressure and hypertension.
- Pregnant women exposed to lead can transfer lead to their fetuses. Lead gets into the body when it is swallowed or inhaled.
- People, especially children, can swallow lead dust as they eat, play, and do other normal hand-to-mouth activities.
- People may also breathe in lead dust or fumes if they disturb lead-based paint. People who sand, scrape, burn, brush, blast or otherwise disturb lead-based paint risk unsafe exposure to lead.



### What should I do if I am concerned about my family's exposure to lead?

- A blood test is the only way to find out if you or a family member already has lead poisoning. Call your doctor or local health department to arrange for a blood test.
- Call your local health department for advice on reducing and eliminating exposures to lead inside and outside your home, child care facility or school.
- Always use lead-safe work practices when renovation or repair will disturb painted surfaces.

For more information about the health effects of exposure to lead, visit the EPA lead website at [epa.gov/lead/pubs/leadinfo](https://www.epa.gov/lead/pubs/leadinfo) or call 1-800-424-LEAD (5323).

### There are other things you can do to protect your family every day.

- Regularly clean floors, window sills, and other surfaces.
- Wash children's hands, bottles, pacifiers, and toys often.
- Make sure children eat a healthy, nutritious diet consistent with the USDA's dietary guidelines, that helps protect children from the effects of lead.
- Wipe off shoes before entering the house.



## WHERE DOES THE LEAD COME FROM?

### Dust is the main problem.

The most common way to get lead in the body is from dust. Lead dust comes from deteriorating lead-based paint and lead-contaminated soil that gets tracked into your home. This dust may accumulate to unsafe levels. Then, normal hand-to-mouth activities, like playing and eating (especially in young children), move that dust from surfaces like floors and window sills into the body.

### Home renovation creates dust.

Common renovation activities like sanding, cutting, and demolition can create hazardous lead dust and chips.

### Proper work practices protect you from the dust.

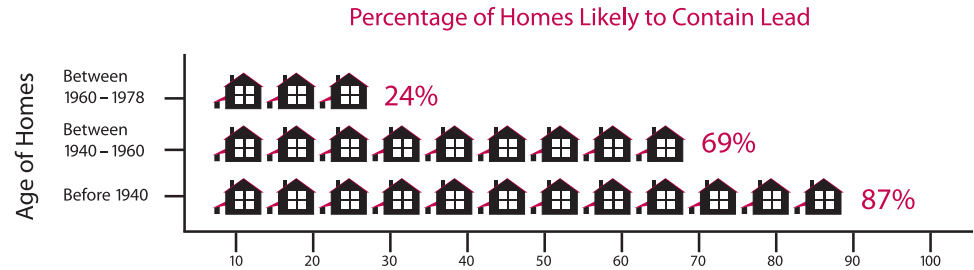
The key to protecting yourself and your family during a renovation, repair or painting job is to use lead-safe work practices such as containing dust inside the work area, using dust-minimizing work methods, and conducting a careful cleanup, as described in this pamphlet.

### Other sources of lead.

Remember, lead can also come from outside soil, your water, or household items (such as lead-glazed pottery and lead crystal). Contact the National Lead Information Center at 1-800-424-LEAD (5323) for more information on these sources.



## CHECKING YOUR HOME FOR LEAD-BASED PAINT



### Older homes, child care facilities, and schools are more likely to contain lead-based paint.

Homes may be single-family homes or apartments. They may be private, government-assisted, or public housing. Schools are preschools and kindergarten classrooms. They may be urban, suburban, or rural.

### You have the following options:

#### You may decide to assume your home, child care facility, or school contains lead.

Especially in older homes and buildings, you may simply want to assume lead-based paint is present and follow the lead-safe work practices described in this brochure during the renovation, repair, or painting job.

#### You can hire a certified professional to check for lead-based paint.

These professionals are certified risk assessors or inspectors, and can determine if your home has lead or lead hazards.

- A certified inspector or risk assessor can conduct an inspection telling you whether your home, or a portion of your home, has lead-based paint and where it is located. This will tell you the areas in your home where lead-safe work practices are needed.
- A certified risk assessor can conduct a risk assessment telling you if your home currently has any lead hazards from lead in paint, dust, or soil. The risk assessor can also tell you what actions to take to address any hazards.
- For help finding a certified risk assessor or inspector, call the National Lead Information Center at 1-800-424-LEAD (5323).

You may also have a certified renovator test the surfaces or components being disturbed for lead by using a lead test kit or by taking paint chip samples and sending them to an EPA-recognized testing laboratory. Test kits must be EPA-recognized and are available at hardware stores. They include detailed instructions for their use.

## FOR PROPERTY OWNERS

### **You have the ultimate responsibility for the safety of your family, tenants, or children in your care.**

This means properly preparing for the renovation and keeping persons out of the work area (see p. 8). It also means ensuring the contractor uses lead-safe work practices.

Federal law requires that contractors performing renovation, repair and painting projects that disturb painted surfaces in homes, child care facilities, and schools built before 1978 be certified and follow specific work practices to prevent lead contamination.

### **Make sure your contractor is certified, and can explain clearly the details of the job and how the contractor will minimize lead hazards during the work.**

- You can verify that a contractor is certified by checking EPA's website at [epa.gov/getleadSAFE](http://epa.gov/getleadSAFE) or by calling the National Lead Information Center at 1-800-424-LEAD (5323). You can also ask to see a copy of the contractor's firm certification.
- Ask if the contractor is trained to perform lead-safe work practices and to see a copy of their training certificate.
- Ask them what lead-safe methods they will use to set up and perform the job in your home, child care facility or school.
- Ask for references from at least three recent jobs involving homes built before 1978, and speak to each personally.

### **Always make sure the contract is clear about how the work will be set up, performed, and cleaned.**

- Share the results of any previous lead tests with the contractor.
- You should specify in the contract that they follow the work practices described on pages 9 and 10 of this brochure.
- The contract should specify which parts of your home are part of the work area and specify which lead-safe work practices will be used in those areas. Remember, your contractor should confine dust and debris to the work area and should minimize spreading that dust to other areas of the home.
- The contract should also specify that the contractor will clean the work area, verify that it was cleaned adequately, and re-clean it if necessary.

### **If you think a worker is not doing what he is supposed to do or is doing something that is unsafe, you should:**

- Direct the contractor to comply with regulatory and contract requirements.
- Call your local health or building department, or
- Call EPA's hotline 1-800-424-LEAD (5323).

If your property receives housing assistance from HUD (or a state or local agency that uses HUD funds), you must follow the requirements of HUD's Lead-Safe Housing Rule and the ones described in this pamphlet.

## FOR TENANTS AND FAMILIES OF CHILDREN UNDER SIX YEARS OF AGE IN CHILD CARE FACILITIES AND SCHOOLS

### **You play an important role ensuring the ultimate safety of your family.**

This means properly preparing for the renovation and staying out of the work area (see p. 8).

Federal law requires that contractors performing renovation, repair and painting projects that disturb painted surfaces in homes built before 1978 and in child care facilities and schools built before 1978, that a child under six years of age visits regularly, to be certified and follow specific work practices to prevent lead contamination.

The law requires anyone hired to renovate, repair, or do painting preparation work on a property built before 1978 to follow the steps described on pages 9 and 10 unless the area where the work will be done contains no lead-based paint.

### **If you think a worker is not doing what he is supposed to do or is doing something that is unsafe, you should:**

- Contact your landlord.
- Call your local health or building department, or
- Call EPA's hotline 1-800-424-LEAD (5323).

If you are concerned about lead hazards left behind after the job is over, you can check the work yourself (see page 10).



## PREPARING FOR A RENOVATION

### The work areas should not be accessible to occupants while the work occurs.

The rooms or areas where work is being done may need to be blocked off or sealed with plastic sheeting to contain any dust that is generated. Therefore, the contained area may not be available to you until the work in that room or area is complete, cleaned thoroughly, and the containment has been removed. Because you may not have access to some areas during the renovation, you should plan accordingly.

### You may need:

- Alternative bedroom, bathroom, and kitchen arrangements if work is occurring in those areas of your home.
- A safe place for pets because they too can be poisoned by lead and can track lead dust into other areas of the home.
- A separate pathway for the contractor from the work area to the outside in order to bring materials in and out of the home. Ideally, it should not be through the same entrance that your family uses.
- A place to store your furniture. All furniture and belongings may have to be moved from the work area while the work is being done. Items that can't be moved, such as cabinets, should be wrapped in plastic.
- To turn off forced-air heating and air conditioning systems while the work is being done. This prevents dust from spreading through vents from the work area to the rest of your home. Consider how this may affect your living arrangements.

You may even want to move out of your home temporarily while all or part of the work is being done.

Child care facilities and schools may want to consider alternative accommodations for children and access to necessary facilities.



## DURING THE WORK

Federal law requires contractors that are hired to perform renovation, repair and painting projects in homes, child care facilities, and schools built before 1978 that disturb painted surfaces to be certified and follow specific work practices to prevent lead contamination.

The work practices the contractor must follow include these three simple procedures, described below:

**1. Contain the work area.** The area must be contained so that dust and debris do not escape from that area. Warning signs must be put up and plastic or other impermeable material and tape must be used as appropriate to:

- Cover the floors and any furniture that cannot be moved.
- Seal off doors and heating and cooling system vents.
- For exterior renovations, cover the ground and, in some instances, erect vertical containment or equivalent extra precautions in containing the work area.

These work practices will help prevent dust or debris from getting outside the work area.

**2. Avoid renovation methods that generate large amounts of lead-contaminated dust.**

Some methods generate so much lead-contaminated dust that their use is prohibited.

They are:

- Open flame burning or torching.
- Sanding, grinding, planing, needle gunning, or blasting with power tools and equipment not equipped with a shroud and HEPA vacuum attachment.
- Using a heat gun at temperatures greater than 1100°F.



There is no way to eliminate dust, but some renovation methods make less dust than others. Contractors may choose to use various methods to minimize dust generation, including using water to mist areas before sanding or scraping; scoring paint before separating components; and prying and pulling apart components instead of breaking them.

**3. Clean up thoroughly.** The work area should be cleaned up daily to keep it as clean as possible. When all the work is done, the area must be cleaned up using special cleaning methods before taking down any plastic that isolates the work area from the rest of the home. The special cleaning methods should include:

- Using a HEPA vacuum to clean up dust and debris on all surfaces, followed by
- Wet wiping and wet mopping with plenty of rinse water.

When the final cleaning is done, look around. There should be no dust, paint chips, or debris in the work area. If you see any dust, paint chips, or debris, the area must be re-cleaned.

## FOR PROPERTY OWNERS: AFTER THE WORK IS DONE

When all the work is finished, you will want to know if your home, child care facility, or school where children under six attend has been cleaned up properly.

### EPA Requires Cleaning Verification.

In addition to using allowable work practices and working in a lead-safe manner, EPA's RRP rule requires contractors to follow a specific cleaning protocol. The protocol requires the contractor to use disposable cleaning cloths to wipe the floor and other surfaces of the work area and compare these cloths to an EPA-provided cleaning verification card to determine if the work area was adequately cleaned. EPA research has shown that following the use of lead-safe work practices with the cleaning verification protocol will effectively reduce lead-dust hazards.

### Lead-Dust Testing.

EPA believes that if you use a certified and trained renovation contractor who follows the LRRP rule by using lead-safe work practices and the cleaning protocol after the job is finished, lead-dust hazards will be effectively reduced. If, however, you are interested in having lead-dust testing done at the completion of your job, outlined below is some helpful information.

#### What is a lead-dust test?

- Lead-dust tests are wipe samples sent to a laboratory for analysis. You will get a report specifying the levels of lead found after your specific job.

#### How and when should I ask my contractor about lead-dust testing?

- Contractors are not required by EPA to conduct lead-dust testing. However, if you want testing, EPA recommends testing be conducted by a lead professional. To locate a lead professional who will perform an evaluation near you, visit EPA's website at [epa.gov/lead/pubs/locate](http://epa.gov/lead/pubs/locate) or contact the National Lead Information Center at **1-800-424-LEAD (5323)**.
- If you decide that you want lead-dust testing, it is a good idea to specify in your contract, before the start of the job, that a lead-dust test is to be done for your job and who will do the testing, as well as whether re-cleaning will be required based on the results of the test.
- You may do the testing yourself. If you choose to do the testing, some EPA-recognized lead laboratories will send you a kit that allows you to collect samples and send them back to the laboratory for analysis. Contact the National Lead Information Center for lists of EPA-recognized testing laboratories.



## FOR ADDITIONAL INFORMATION

You may need additional information on how to protect yourself and your children while a job is going on in your home, your building, or child care facility.

The National Lead Information Center at **1-800-424-LEAD (5323)** or [epa.gov/lead/nlic](http://epa.gov/lead/nlic) can tell you how to contact your state, local, and/or tribal programs or get general information about lead poisoning prevention.

- State and tribal lead poisoning prevention or environmental protection programs can provide information about lead regulations and potential sources of financial aid for reducing lead hazards. If your state or local government has requirements more stringent than those described in this pamphlet, you must follow those requirements.
- Local building code officials can tell you the regulations that apply to the renovation work that you are planning.
- State, county, and local health departments can provide information about local programs, including assistance for lead-poisoned children and advice on ways to get your home checked for lead.



The National Lead Information Center can also provide a variety of resource materials, including the following guides to lead-safe work practices. Many of these materials are also available at [epa.gov/lead/pubs/brochure](http://epa.gov/lead/pubs/brochure)

- Steps to Lead Safe Renovation, Repair and Painting.
- Protect Your Family from Lead in Your Home
- Lead in Your Home: A Parent's Reference Guide



For the hearing impaired, call the Federal Information Relay Service at 1-800-877-8339 to access any of the phone numbers in this brochure.



## EPA CONTACTS

### EPA Regional Offices

EPA addresses residential lead hazards through several different regulations. EPA requires training and certification for conducting abatement and renovations, education about hazards associated with renovations, disclosure about known lead paint and lead hazards in housing, and sets lead-paint hazard standards.

Your Regional EPA Office can provide further information regarding lead safety and lead protection programs at [epa.gov/lead](https://epa.gov/lead).

#### Region 1

(Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)  
Regional Lead Contact  
U.S. EPA Region 1  
Suite 1100  
One Congress Street  
Boston, MA 02114-2023  
(888) 372-7341

#### Region 2

(New Jersey, New York, Puerto Rico, Virgin Islands)  
Regional Lead Contact  
U.S. EPA Region 2  
2890 Woodbridge Avenue  
Building 205, Mail Stop 225  
Edison, NJ 08837-3679  
(732) 321-6671

#### Region 3

(Delaware, Maryland, Pennsylvania, Virginia, Washington, DC, West Virginia)  
Regional Lead Contact  
U.S. EPA Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029  
(215) 814-5000

#### Region 4

(Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)  
Regional Lead Contact  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960  
(404) 562-9900

#### Region 5

(Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)  
Regional Lead Contact  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
(312) 886-6003

#### Region 6

(Arkansas, Louisiana, New Mexico, Oklahoma, Texas)  
Regional Lead Contact  
U.S. EPA Region 6  
1445 Ross Avenue,  
12th Floor  
Dallas, TX 75202-2733  
(214) 665-7577

#### Region 7

(Iowa, Kansas, Missouri, Nebraska)  
Regional Lead Contact  
U.S. EPA Region 7  
901 N. 5th Street  
Kansas City, KS 66101  
(913) 551-7003

#### Region 8

(Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)  
Regional Lead Contact  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6312

#### Region 9

(Arizona, California, Hawaii, Nevada)  
Regional Lead Contact  
U.S. Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 947-8021

#### Region 10

(Alaska, Idaho, Oregon, Washington)  
Regional Lead Contact  
U.S. EPA Region 10  
1200 Sixth Avenue  
Seattle, WA 98101-1128  
(206) 553-1200

## OTHER FEDERAL AGENCIES

### CPSC

The Consumer Product Safety Commission (CPSC) protects the public from the unreasonable risk of injury or death from 15,000 types of consumer products under the agency's jurisdiction. CPSC warns the public and private sectors to reduce exposure to lead and increase consumer awareness. Contact CPSC for further information regarding regulations and consumer product safety.

### CPSC

4330 East West Highway  
Bethesda, MD 20814  
Hotline 1-(800) 638-2772  
[cpsc.gov](https://cpsc.gov)

### CDC Childhood Lead Poisoning Prevention Branch

The Centers for Disease Control and Prevention (CDC) assists state and local childhood lead poisoning prevention programs to provide a scientific basis for policy decisions, and to ensure that health issues are addressed in decisions about housing and the environment. Contact CDC Childhood Lead Poisoning Prevention Program for additional materials and links on the topic of lead.

### CDC Childhood Lead Poisoning Prevention Branch

4770 Buford Highway, MS F-40  
Atlanta, GA 30341  
(770) 488-3300  
[cdc.gov/nceh/lead](https://cdc.gov/nceh/lead)

### HUD Office of Healthy Homes and Lead Hazard Control

The Department of Housing and Urban Development (HUD) provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards in America's privately-owned low-income housing. In addition, the office enforces the rule on disclosure of known lead paint and lead hazards in housing, and HUD's lead safety regulations in HUD-assisted housing, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home. Contact the HUD Office of Healthy Homes and Lead Hazard Control for information on lead regulations, outreach efforts, and lead hazard control research and outreach grant programs.

### U.S. Department of Housing and Urban Development

Office of Healthy Homes and Lead Hazard Control  
451 Seventh Street, SW, Room 8236  
Washington, DC 20410-3000  
HUD's Lead Regulations Hotline  
(202) 402-7698  
[hud.gov/offices/lead/](https://hud.gov/offices/lead/)



## SAMPLE PRE-RENOVATION FORM

This sample form may be used by renovation firms to document compliance with the Federal pre-renovation education and renovation, repair, and painting regulations.

### Occupant Confirmation

Pamphlet Receipt

- ☐ I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

Printed Name of Owner-occupant

Signature of Owner-occupant

Signature Date

### Renovator's Self Certification Option (for tenant-occupied dwellings only)

Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

- ☐ **Declined** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.
- ☐ **Unavailable for signature** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how pamphlet was left).

Printed Name of Person Certifying Delivery

Attempted Delivery Date

Signature of Person Certifying Lead Pamphlet Delivery

Unit Address

**Note Regarding Mailing Option** — As an alternative to delivery in person, you may mail the lead hazard information pamphlet to the owner and/or tenant. Pamphlet must be mailed at least seven days before renovation. Mailing must be documented by a certificate of mailing from the post office.

## Butte-Silver Bow Residential Metals Program

*The Butte-Silver Bow Residential Metals Program is designed to mitigate potentially harmful exposure of residents living within the Butte Priority Soils Operable Unit (BPSOU) and the adjacent areas to sources of lead, arsenic, and mercury.*



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## Butte-Silver Bow Health Department

25 W. Front St.  
Butte, MT 59701

**Phone: 406-497-5040**

**Fax: 406-723-7245**

## Residential Metals Program

### Butte-Silver Bow Health Department



**Tel: 406-497-5040**



# Butte-Silver Bow Residential Metals Program (406) 497-5040

Butte– Silver Bow Health Dept.  
25 W. Front St.  
Butte, MT 59701  
Fax: 406-723-7245

## **FREE Sampling for Property Owners**



**Samples are analyzed for potential Lead, Arsenic, and Mercury  
contamination due to past mining activity in the area**

- ◆ Property owner completes the sample request form
- ◆ Schedule a time for samples to be collected
- ◆ Attic dust, indoor dust, and soil samples (weather pending) are collected and analyzed by a certified lab
- ◆ Confidential results will be mailed to the property owner
- ◆ Results with elevated lead, arsenic, or mercury qualify for remediation
- ◆ Access agreement to be completed by property owner and notarized
- ◆ Contamination is cleaned-up free of charge

Eric Hassler  
406-497-5042  
ehassler@bsb.mt.gov

Michele Bay  
406-497-5045  
mbay@bsb.mt.gov





# **Butte-Silver Bow**

## **Residential Metals Abatement Program**

345 Anaconda Road  
Butte, MT 59701

**FREE Sampling for Property Owners**



**Please Call Us at 497-5040 to Schedule an Environmental Assessment**

**Samples are analyzed for potential Lead, Arsenic, and Mercury contamination due to past mining activity in the area**

- ◆ Property owner completes the sample request form
- ◆ Schedule a time for samples to be collected
- ◆ Attic dust, indoor dust, and soil samples (weather pending) are collected and analyzed by a certified lab
- ◆ Confidential results will be mailed to the property owner
- ◆ Results with elevated lead, arsenic, or mercury qualify for remediation
- ◆ Access agreement to be completed by property owner and notarized
- ◆ Contamination is cleaned-up free of charge

**Please contact us with any questions or to schedule an Environmental Assessment**

Chad Anderson

406-497-5040

[canderson@bsb.mt.gov](mailto:canderson@bsb.mt.gov)

Brandon Warner

406-497-5040

[bwarnar@bsb.mt.gov](mailto:bwarnar@bsb.mt.gov)

# Lead Paint:

Is it in your child-care center, home, school or anywhere children may be present?

Many contractors and maintenance workers who have been on the job for years believe they know all about the dangers of and the precautions necessary for working with lead paint. Others think lead paint poisoning simply went away years ago. It didn't.

That's why you need to know the facts about lead paint, and how disturbing it poses serious health risks to the people in your building, especially children.

There are requirements in place to protect children from these dangers. If your pre-1978 in-home daycare, child-care center, school or hospital is being

renovated, repaired or painted, this pamphlet is for you. In it, you'll learn about the dangers of lead paint, how to hire a Lead-Safe Certified contractor, and how to make sure your own maintenance staff is doing the right thing.



# The Truth About Lead Paint Poisoning

Lead paint is an invisible danger. Here are some facts about lead paint that everyone should know:

- Even small levels of exposure to lead paint can harm both children and adults.
- Hundreds of thousands of kids are affected by lead paint with some level of irreversible damage, such as lower intelligence, learning disabilities and behavioral issues.
- New cases of childhood lead paint poisoning are diagnosed every year. Many more go unreported.
- Recent research shows that new cases can be directly linked to renovations where the work environment was inadequately cleaned and contained.
- Adults exposed to lead paint can suffer from high blood pressure, headaches, dizziness, diminished motor skills, fatigue and memory loss.
- It's not just lead paint chips that poison. Contamination can be caused by only a little bit of lead dust that is easily inhaled or ingested.
- Once poisoned, effects may be for life.



To learn more,  
visit [epa.gov/getleadsafe](http://epa.gov/getleadsafe)  
or call 800-424-LEAD

To report a violation, visit  
[epa.gov/tips](http://epa.gov/tips)



# IF YOU DISTURB PAINT YOU MUST GET LEAD-SAFE CERTIFIED

Child Care Providers:  
Make sure you or  
your contractor is  
Lead-Safe Certified



# Was Your Child-Care Facility Built Before 1978? If Yes, Then:

## Where Does The Lead Danger Come From Today?

In earlier decades, the fear of children eating lead paint chips was the main concern when it came to poisoning. But since then, research has shown that the most common way to get lead in the body is from inhaling or ingesting microscopic dust.



Day-to-day wear, as well as common renovation and repair activities, like sanding, cutting and demolition, can create hazardous lead dust and chips. Proper work practices can help protect the people in your building, especially children, from this dust.

Even for small jobs, the key is to use lead-safe work practices such as containing dust inside the work area, using dust-minimizing work methods and conducting a careful cleanup. It also means keeping people out of the work area. Most importantly, it means making sure that anyone who does work in your building is Lead-Safe Certified.

## How Do I Choose The Right Contractor?

A responsible operator of a child-care facility will be sure to hire only contractors who are Lead-Safe Certified to work in a building built prior to 1978.

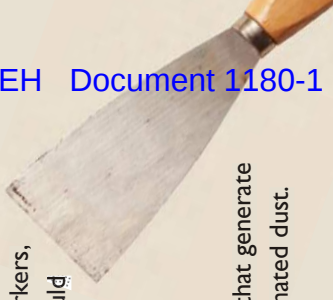
Here are a few helpful tips:

- Verify that a contractor is certified by checking the EPA website at [epa.gov/getleadsafe](http://epa.gov/getleadsafe) or by calling **1-800-424-LEAD**. You can also ask to see a copy of the contractor's Lead-Safe RRP firm certification.
- Ask if the contractor is trained to perform lead-safe work practices and ask to see a copy of their lead-safe training certificate.
- Make sure your contractor can explain clearly the details of the job and how the firm will minimize lead hazards during the work process.
- Ask what lead-safe methods will be used to set up and perform the job in your in-home daycare, child-care center, school or hospital.
- Always make sure the contract is clear about how the work will be set up, performed and cleaned.

## Does My Staff Have To Be Lead-Safe Certified?

Federal law requires that if you or someone on your staff is performing the work (including routine maintenance that disturbs paint), your organization must be Lead-Safe Certified as a firm and your staff must be trained in lead-safe work practices. If not, you could face tens of thousands of dollars in fines. Plus, you put the health of yourself, your workers, and your children at risk, which could result in lawsuits. These work practices include:

- Containing the work area.
- Avoiding renovation methods that generate large amounts of lead-contaminated dust.
- Cleaning up thoroughly.



## Becoming Lead-Safe Certified

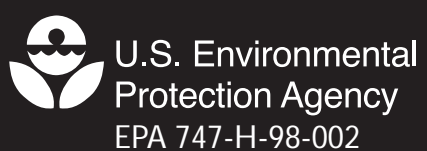
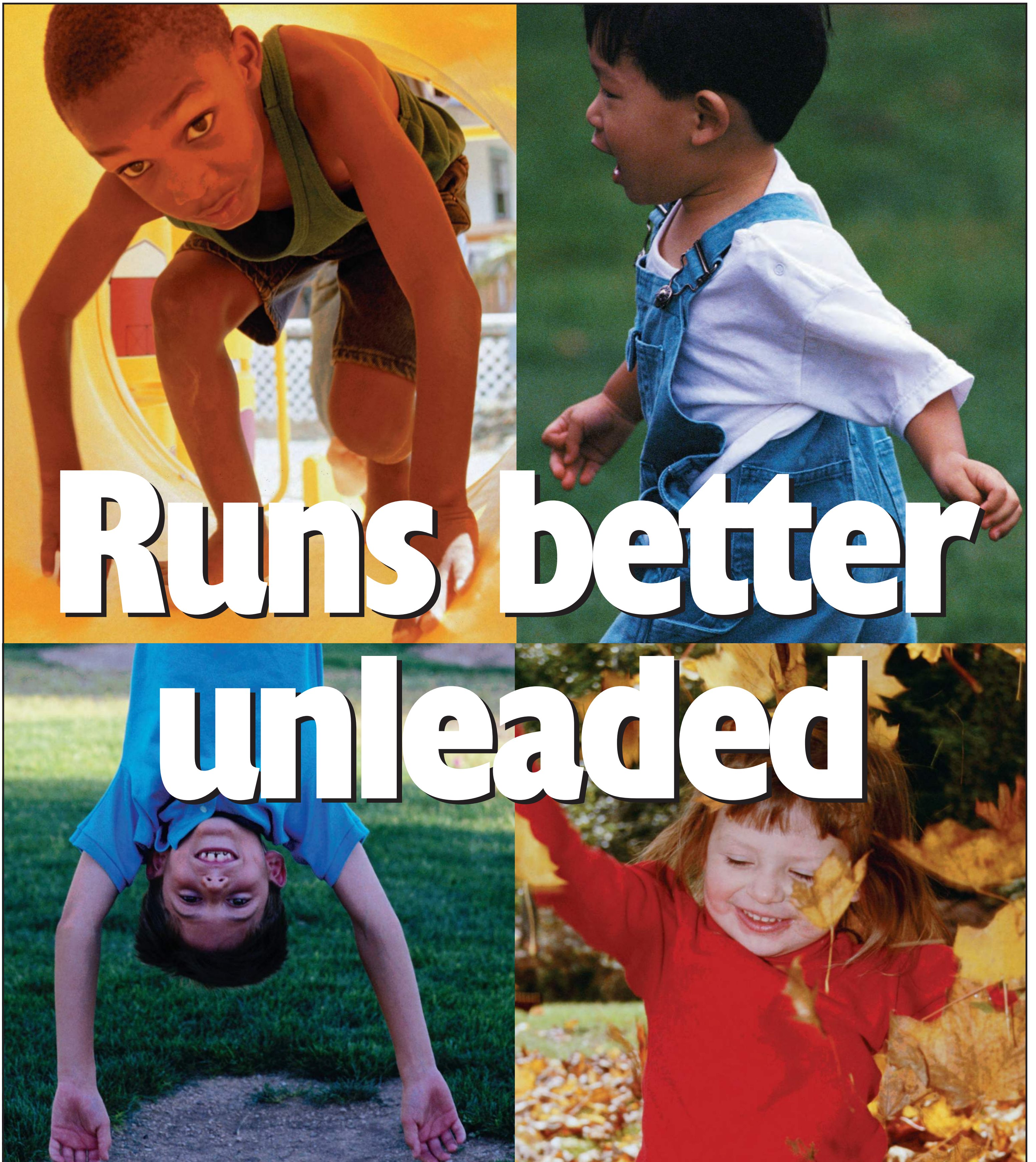
1. Individual renovators must be certified. Get certified by attending a one-day Renovation, Repair and Painting (RRP) Rule course. The price for this course is set by private trainers accredited by the EPA. To find an accredited trainer near you visit [epa.gov/getleadsafe](http://epa.gov/getleadsafe) or call **1-800-424-LEAD**.
2. Your firm also must be certified. Apply for certification by completing and submitting an application and fee.
3. Visit our website [epa.gov/getleadsafe](http://epa.gov/getleadsafe) to find a training course, download the application and get more information.



EPA regulations now mandate that any contractor or maintenance staff, from plumbers to electricians to painters, who disturbs more than six square feet of paint or replaces windows while working in a pre-1978 home or child-care facility, must now be Lead-Safe Certified and trained in lead-safe work practices. If not, they could face tens of thousands of dollars in fines.

Look for the Logo





For more information on preventing lead poisoning  
call 1-800-424-LEAD or visit [www.epa.gov/lead](http://www.epa.gov/lead).





## **Program Services Provided**

### **Sample collection to determine if contaminants of concern are present:**

\* Prior to sample collection, the property owner must complete a sample request form provided by the program.

The samples collected are:

- Attic dust
- Indoor dust
- Soil (yards, earthen basements)
- Lead-based paint

### **Contaminants of Concern are:**

#### **Lead, Arsenic, and Mercury**

The attic dust and indoor dust samples are analyzed by a certified lab for lead, arsenic, and mercury

The soil samples are analyzed by a certified lab for lead and arsenic.

Lead-based paint will be analyzed using a XRF analyzer in accordance with HUD guidelines

Confidential sample results will be provided to the property owner approximately 10 days after samples are collected.

### **Local Action Levels for Dusts and Soils:**

The local action level for **lead** is **1200 mg/kg**.

The local action level for **arsenic** is **250 mg/kg**.

The local action level for **mercury** is **147 mg/kg**.

### **Sample Results That Exceed the Local Action Levels:**

Any sample results that exceed the local action levels for any or all of the three contaminants of concern will be prioritized for remediation of the contaminants.

An Access Agreement shall be completed by the property owner and notarized prior to the remediation process.

### **Remediation:**

\* The property owner is not liable for any costs or responsibilities associated with the remediation of the property.

**Contaminated attic dust** – dust and any potentially contaminated materials are removed from the attic with a HEPA -equipped industrial vacuum.

**Contaminated indoor dust** - dust is removed with a HEPA- equipped vacuum and all horizontal surfaces are wiped-down to ensure that the contaminants are removed.

**Contaminated soils** - soils are removed and replaced with clean fill, sod, and/or other specified materials. Trees, shrubs, fences, sidewalks, etc. are left in place upon the owners request.

**Lead-based Paint** - lead-based paint will be addressed in conjunction with soil remediation projects as necessary. Lead-based paint will be addressed when a resident is identified with an elevated blood-lead level determined by blood-lead testing.

### **Blood-Lead Testing:**

Free blood-lead testing is offered and encouraged through the Women Infants & Children (WIC) office located at the Butte-Silver Bow Health Department. All elevated results are reported to the Residential Metals Program for further evaluation.

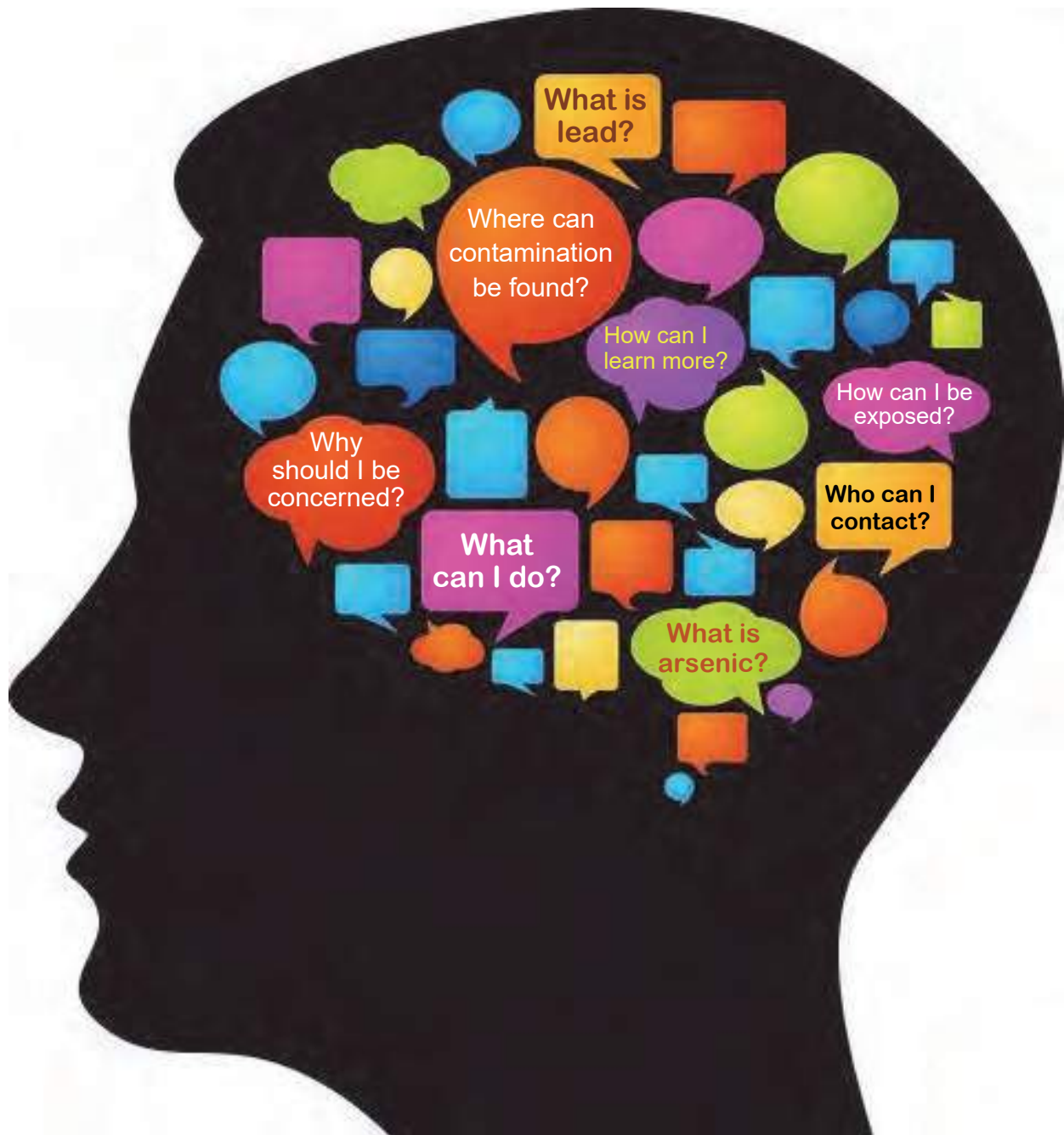
## **Residential Metals Program**

**Butte-Silver Bow  
Health Department**

**25 W. Front St.  
Butte, MT 59701**

**Phone: 406-497-5040  
Fax: 406-723-7245**

# Be Contaminant Smart



Help protect yourself, your family, and your community from mining-related contamination in Butte, Montana

## Be Safe and Avoid Mining Impacts

Land in and around Butte has been impacted by over a century of mining, leaving potentially harmful contamination. Cleanup measures are in place to ensure that people are protected from mining contamination and to promote comprehensive public health and wellness. **You can help!** There are steps you can take to protect yourself and your family.

### Lead

Lead is the primary contaminant of concern in Butte. It is a naturally occurring element in the earth's crust and is found in higher soil concentrations in Butte because of historic mining activity. There are also many possible sources of lead in the home.



### Arsenic and Other Metals

Arsenic and, to a lesser extent, copper, aluminum, cadmium, iron, mercury, and zinc are also contaminants found in Butte. Like lead, they are naturally occurring elements in the earth's crust and found in higher concentrations in Butte because of historic mining activity.

## Exposure Pathways

Exposure pathway is the term used to describe how people come in contact with a contaminant. In Butte, the exposure pathways for lead, arsenic, and the other contaminants of concern are similar. They include breathing, touching, and eating. For lead, exposures can also occur to the fetus during pregnancy causing reduced growth and premature birth.



Sampling and testing are the only way to know if your soil is contaminated.

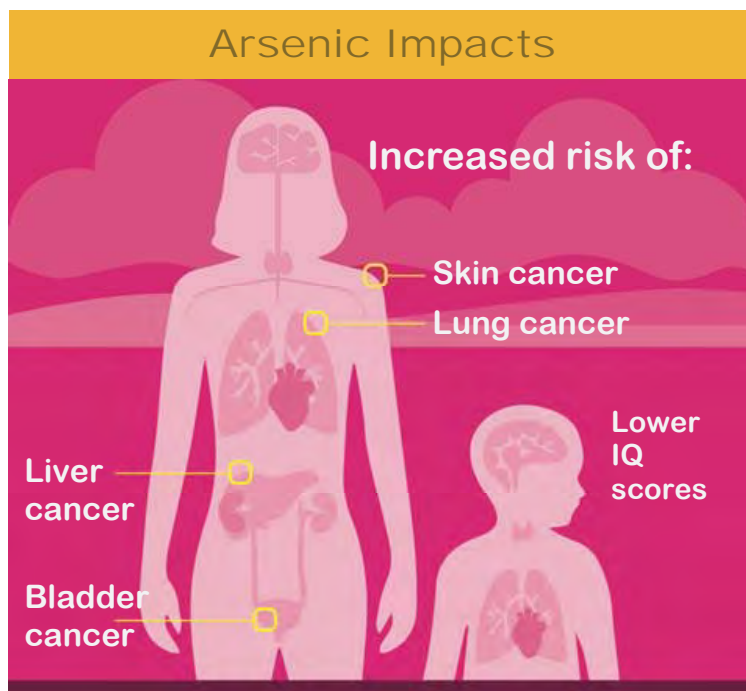


## Understanding Health Impacts

Lead is a poisonous metal that can cause learning, hearing, and behavioral problems. While it has beneficial uses, it can be toxic to humans and animals and can cause adverse health effects.

Lead can accumulate in our bodies over time. It is stored in bones along with calcium. **Children are more at risk from lead!** Exposure to lead can harm a child's brain, kidneys, and other organs. Children 6 years and younger are most susceptible since their nervous systems are still developing.

Even low levels of lead in the blood of children can result in serious problems. Children with elevated



blood-lead levels usually do not look or act sick. The only way to know if your child has lead poisoning is by getting a blood test.

Like lead, exposure to arsenic can be bad for your health. Arsenic is a known carcinogen and can impact the skin, bladder, liver and lungs. Some studies have also shown that arsenic exposure in children can result in lower IQ scores.

## Working Together

People are working together in Butte to ensure residents are protected from lead and arsenic and other potentially harmful contamination. Community groups, the City and County of Butte-Silver Bow, the Montana Department of Environmental Quality, and the U.S. Environmental Protection Agency Superfund Program are cooperating to address the contamination and promote education and blood-lead testing to protect human health and the environment.

## The Plan For Protection: Water

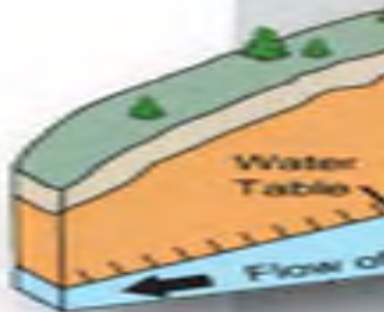
### Drinking Water

Water from Butte faucets is not contaminated and comes from sources outside of Butte, including the upgraded Basin Creek Reservoir. It is safe to drink and routinely tested.



### Groundwater

In certain areas of Butte, groundwater is contaminated. Use of this groundwater is restricted to prevent exposure and it is not allowed to be used for drinking. The contaminated groundwater is captured and treated before it is discharged into streams.



### Storm Water

Water that flows through Butte in creeks after rain and snow melt can transport surface contamination that is potentially harmful to aquatic life. The plan is to manage this water to reduce spreading contamination around Butte.

