

Lead-Based Paint & Residential Brownfield Sites

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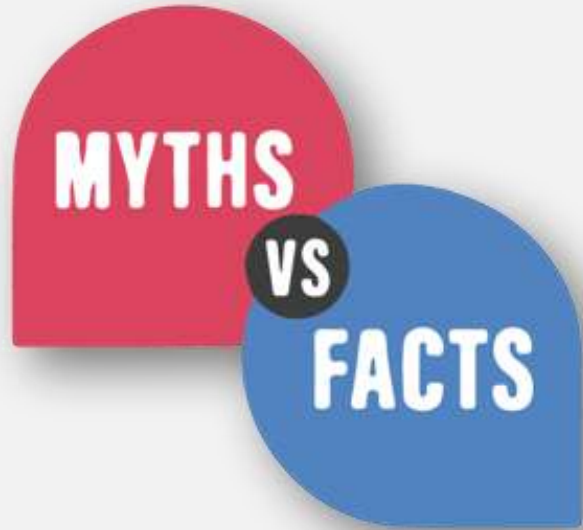


INTRODUCTION TO LEAD

- Lead is a naturally occurring element.
- Lead paint was used in the United States until it was banned for consumer use in 1978.
- There is no safe level of lead; small amounts of lead exposure can cause life-long harm.
- Young children and pregnant women are most at risk.
- Lead is assumed to be present in all pre-1978 Facilities.



**This is how much lead it
takes to poison a child**



Sources of Childhood Lead Exposure in the United States

The most common source of exposure for young children in the US is lead paint in older homes.¹

70%

Lead paint in housing



15%

Lead in consumer products²



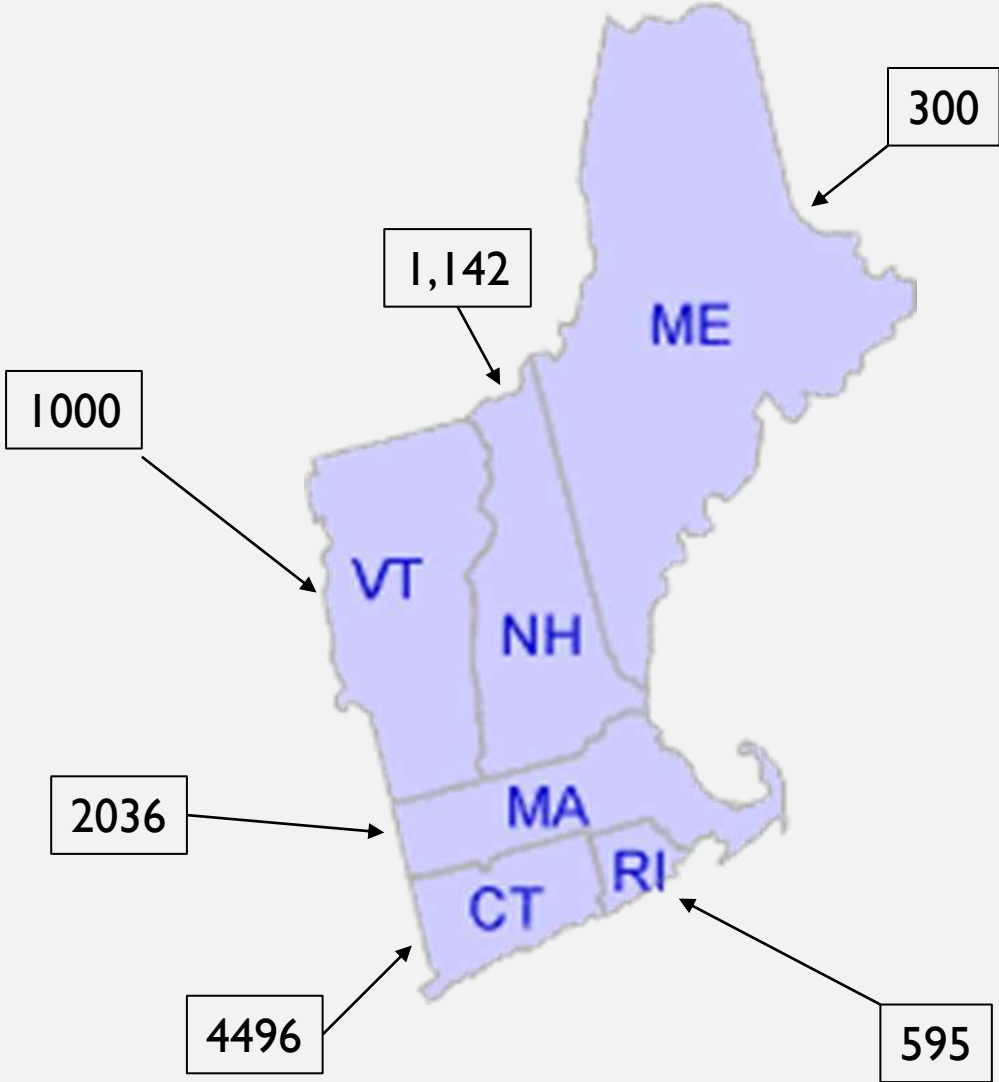
15%

Lead in drinking water



Children with elevated blood lead levels in 2023 **> 9,500**

CHILDHOOD
LEAD POISONING
IN NEW
ENGLAND



LEAD & BROWNFIELDS

EPA's Brownfields Program funds abatement projects.

Voluntary Cleanup Programs: Performing risk-based cleanups

- Methods focus cleanup based on risk of exposure and standards for reuse.
- Result of a risk-based cleanup is that some contamination is left on site.

Brownfield Conversions to Residential Use

- Brownfields properties can be converted into residential use through proper remediation and lead-safe work practices.
- Construction and renovation activities in pre-1978 properties are assumed to disturb lead paint.



HOW DO LEAD PAINT RULES APPLY TO BROWNFIELDS?

- Lead abatement makes a property lead-safe, ***not always*** lead-free.
- States Departments of Health administer lead abatement programs.
- EPA administers the RRP and Lead Disclosure rules:
 - RRP Lead safe work practices must be followed by everyone disturbing painted surface.
- Contractors and firms redeveloping brownfield sites must consider lead regulations **before, during** and **after** conversion.



LEAD ABATEMENT

Goal: to eliminate lead-based paint using removal, encapsulation, enclosure, or replacement

- All six New England states administer abatement programs.
- Lead abatement workers, lead risk assessors, and lead inspectors must be trained and certified.
- Lead records are created & live with the property forever.



ABATEMENT: LEAD-SAFE VS. LEAD-FREE

Encapsulation & Enclosure

Lead is present,

temporarily lead-safe

- Lead-based paint remains at the property.
- If encapsulated areas are disturbed lead hazards are created.
- Consider requiring a lead management plan.

Removal & Replacement

Lead is absent,

permanently lead-free

- All Lead-based paint, including intact surfaces, is removed and/or replaced.
- No areas abated with encapsulation or enclosure at the property.
- Requires testing to claim lead-free status.

Remember: Lead-Safe is Not Lead-Free



LEAD DISCLOSURE RULE

Goal: Landlords and sellers of pre-1978 housing must provide all lead records to buyers/renters before sale/lease

- Lead disclosure is required in pre-1978 properties.
- Enforced by EPA and HUD; some state have similar, but separate requirements for lead disclosure
- Lead records live with the property forever.



**Protect
Your
Family
From
Lead in
Your
Home**



DISCLOSURE & RESIDENTIAL REDEVELOPMENT

During Redevelopment lead records are created.

Prior to occupancy disclosure of all lead records is required:

- Lead Testing Results
- Lead Risk Assessments
- Lead Inspection Reports
- Lead Clearance.

And other documents pertaining to the presence or absence of lead-based paint (intact or deteriorating) and/or lead based paint hazards (soil/dust).



RENOVATION, REPAIR, & PAINTING (RRP) RULE

Goal: to perform renovation activities, without the intent to abate lead

- RRP assumes lead is present in pre-1978 properties.
- Regulates businesses offering and performing renovations in pre-1978 properties
- Firms and Renovators must be certified and trained in lead-safe work practices

In New England

- EPA RRP program: ME, NH, & CT
- State RRP program: MA, VT, & RI



RRP & RESIDENTIAL REDEVELOPMENT

Redevelopment of pre-1978 buildings can be covered by the Renovation Repair and Painting (RRP) rule...

- If cumulative disturbance of painted surface is greater than 6 sq ft interior, and/or 20 sq ft exterior.
- If window replacement or partial demolition occurs.

During conversion from commercial to residential...

- If RRP is followed, lead-safe work practices protect workers and future residents from potential lead exposure.
- If RRP is not followed, non-complaint work practices expose workers and future residents to potential lead hazards.



CASE STUDY

Historic Cargill Falls Mill, LLC
Putnam, CT

- On March 21, 2024, U.S. EPA Region I issued an Administrative Order on Consent under the Resource Conservation and Recovery Act Section 7003 to Historic Cargill Falls Mill, LLC for their property, the Lofts at Cargill Falls Mill
- Order required:
 - Abatement of lead-based paint and/or dust hazards in all residential units that previously had not been abated
 - Relocation of tenants during abatement
 - Additional lead testing at the property for the next five years
 - Future abatement if lead hazards are found
- Resulted in abatement of **50 units**



CASE STUDY

Brady Sullivan Mill West
Manchester, NH

- In May 2015, EPA conducted inspections at a property owned by Brady Sullivan Millworks, LLC. for violations of the Lead Disclosure Rule and RRP
- Inspections found dust and chipping paint throughout the interior common areas
- Alleged Brady Sullivan failed to provide tenants in 14 apartments proper lead-paint disclosure
- In June 2015, EPA ordered Brady Sullivan to clean up lead dust and chipping paint
- Resulted in penalty of **\$90,461**



WHO DO WE WORK WITH?
STATE LEAD PARTNERS

- Connecticut Department of Public Health
- Maine Department of Environmental Protection
- Massachusetts Department of Labor Standards
Massachusetts Department of Public Health
- New Hampshire Department of Health and
Human Services
- Rhode Island Department of Health
- Vermont Department of Health

STATE LEAD WEBSITES

Connecticut:

<https://portal.ct.gov/dph/environmental-health/lead-poisoning-prevention-and-control/lead-poisoning-prevention-and-control-program>

Maine:

<https://www.maine.gov/dep/waste/lead/index.html>

Massachusetts:

<https://www.mass.gov/orgs/childhood-lead-poisoning-prevention-program>

<https://www.mass.gov/orgs/department-of-labor-standards>

New Hampshire:

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/lead-poisoning-prevention-program>

Rhode Island:

<https://health.ri.gov/lead-poisoning/environmental-lead-program>

Vermont:

<https://www.healthvermont.gov/environment/healthy-homes/lead-hazards-and-lead-poisoning>

QUESTIONS?

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EPA New England Region I Tip Line

(617)918-1111, Select Option #3, & then #2

<https://www.epa.gov/lead/reporting-violation-lead-paint-rules-new-england>

EPA National Lead Hotline

(888)372-7341

