



Department of Energy
Washington, DC 20585

WEATHERIZATION PROGRAM NOTICE 08-6
EFFECTIVE DATE: September 22, 2008

SUBJECT: INTERIM LEAD-SAFE WEATHERIZATION (LSW) GUIDANCE

PURPOSE: To provide additional guidance for an LSW component of a Health and Safety Plan. This guidance builds on the foundation provided in Weatherization Program Notice (WPN) 02-6, Weatherization Activities and Federal Lead Based Paint Regulations.

SCOPE: The provisions of this guidance apply to all grantees applying for financial assistance under the Department of Energy's (DOE) Weatherization Assistance Program.

LEGAL AUTHORITY: Title IV, Energy Conservation and Production Act, as amended, authorizes the Department of Energy to administer the Low-Income Weatherization Assistance Program. All grant awards made under this Program shall comply with applicable law including regulations contained in 10 CFR Part 440 and other procedures applicable to this regulation as DOE may, from time-to-time, prescribe for the administration of financial assistance.

BACKGROUND: On July 12, 2002, DOE issued WPN 02-6, Weatherization Activities and Federal Lead Based Paint Regulations. WPN 02-6 provides background information on the various regulations impacting the treatment of pre-1978 homes that may have lead paint hazards when Weatherization work is being performed. This guidance remains in place.

To assist grantees with implementation of the WPN 02-6, DOE, in partnership with Montana State University (MSU), developed Lead Safe Weatherization (LSW) procedures and curriculum for agencies to follow when doing work in pre-1978 homes. DOE has not required grantees to use these tools, but has accepted the procedures and curriculum as the benchmark for LSW and has set the expectation that all Weatherization work performed in pre-1978 housing be done in a lead safe manner as prescribed by these materials. Over the ensuing few years the network continued to train and build experience in addressing lead issues.

In 2007, DOE commissioned a study conducted by the National Center for Healthy Housing (NCHH) performed a study, "*Analysis of Lead-Safe Weatherization Practices and the Presence of Lead in Weatherized Homes.*" The results of the study indicated that levels of lead paint were sometimes higher than acceptable Environmental Protection Agency (EPA) standards following the completion of certain Weatherization measures, specifically, when work was done on doors and windows. In response, the DOE Weatherization Health and Safety Committee drafted recommendations to address the concerns raised by the study.

DOE was poised to implement these recommendations when the EPA published a new Final Rule in April 2008: the "Lead; Renovation, Repair, and Painting Program" Final Rule (LRRPP Final Rule),

to be fully implemented by April, 2010. This rule specifically cites Weatherization in several places as an activity that falls under the rule, and thus, the rule has a direct impact on how the Program proceeds, especially in implementing Lead Safe Weatherization. (For a full version of the EPA Rule see www.EPA.gov/fedrgstr/epa-tox/2008/April/Day-22/t8141.pdf.)

While the EPA Rule is not scheduled to be fully implemented until 2010, DOE is providing guidance and recommendations for WAP Grantees to undertake during the remainder of 2008 and during 2009. Guidance is also provided for 2010, and that guidance is indicated in boxes in this WPN. Additional Guidance will be provided by DOE regarding the implementation of the LRRPP Rule as more becomes available from EPA.

In 2008, DOE, again in partnership with MSU and in coordination with the DOE Health and Safety Committee, revised the LSW procedures and curriculum to strengthen the current practices, **establishing minimum standards for LSW**. These changes position the Program to address the concerns from the 2007 NCHH study and also ensure the Program is poised to implement EPA requirements that go into effect April 2010. The revised procedures and curriculum that meets DOE's 2009 minimum requirements will be available October 2008 from Montana State University.

For 2010, to comply with EPA's LRRPP Rule requirements, DOE will release a revised benchmark curriculum (*anticipated delivery Fall 2009*) which will fully address all the new requirements effective April 2010. This curriculum will meet the EPA requirements and can be used by the grantees to develop their own EPA submissions.

Grantees are advised, any state mandates and state requirements are the responsibility of the grantee to research and incorporate into the procedures and curriculum.

LSW COST ASSIGNMENT: The cost of LSW is a health and safety cost. While DOE does not require grantees to include LSW costs in the Health and Safety budget category, it encourages grantees to do so because all labor, material, and related costs are not subject to the average cost per home limitation when included in this category. Grantees are reminded "clearance testing" to meet Housing and Urban Development (HUD) or EPA lead dust standards is NOT an allowable cost. Also, purchasing XRF devices is NOT an allowable expense with the DOE Weatherization Assistance Program funds.

REQUIREMENTS FOR PY 2009:

The following requirements are for implementation in PY 2009 only. The 2009 requirements do **NOT** address compliance dealing with training, work practice, and cleaning verification of the EPA LRRPP Final Rule which will commence on April 22, 2010. During PY2009, DOE will provide additional guidance to assist grantees in complying with EPA's training and certification requirements for PY 2010.

DOE is confident that **by following Minimum Standards for LSW (Attachment 1 of this guidance)**, we can ensure protection of Weatherization clients and workers, while continuing to focus on the Weatherization Program's primary mission: energy efficiency, and making energy more affordable for low-income households.

1. State Health and Safety Plans for 2009

As part of each grantee's Health and Safety Plan, beginning in PY 2009, grantees will be required to submit a more comprehensive Health and Safety Plan which must include an LSW component detailing how the grantee will:

- Conduct LSW training using either the DOE benchmark LSW Curriculum or an equivalent curriculum (*Available beginning October 2008 from Montana State University*)
- Verify compliance with the Minimum Standards for LSW (Attachment 1); and,
- Handle agencies that are found not to be in compliance with WPN 08-6 and the Minimum Standards for LSW (Attachment 1).

For 2010, to comply with EPA's LRRPP Rule requirements, grantees must submit their curriculum to EPA or the EPA designated authority within their state for accreditation. Grantees are also reminded that compliance with any other state/local requirements is the grantees' responsibility to research and to include in their curriculum.

When the EPA LRRPP is in full effect, DOE will require as part of its LSW Minimum Standards all additional requirements as outlined in the EPA LLRRP April 22, 2008, published rule.

2. Weatherization Worker Protection

DOE requires grantees to follow the specified EPA requirements. By adopting basic safety precautions and LSW, Weatherization Programs can protect workers and the occupants of the homes they weatherize from lead exposure. DOE requires grantees to follow the specified EPA and Occupational Safety and Health Administration (OSHA) standards for Worker Safety as well as any state or local requirements.

By ensuring all Weatherization workers are knowledgeable of LSW Minimum Standards (as revised in the 2008 benchmark procedures and curriculum), grantees increase the assurance LSW is being followed properly and risks to the workers and/or occupants are minimized.

3. Client Notification Requirements

DOE requires all states to follow the EPA requirements related to notification. **For homes weatherized before December 22, 2008**, owners and occupants of a dwelling built before 1978 must receive the pamphlet “*Protect Your Family from Lead in Your Home.*” **For homes weatherized after December 22, 2008**, EPA’s new publication “*Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools*” must then be used.

Please ensure the subgrantees and contractors are meeting the timelines and retaining copies of the notification, as specified above, and in the DOE LSW Minimum Standards.

4. Client Health and Safety

LSW requires residents and pets NOT having access to the work area while work is underway. Agency staff is required to make every effort to contain the work area and eliminate tracking any dust or materials throughout the house (or exposing residents and pets to any contaminants).

If containment can not be achieved and there is risk of traffic through the work area (e.g., work will take several days involving kitchens, bathrooms, or bedrooms) agencies are advised to defer the work until other resources can be secured to offset relocation expense for the residents and pets.

5. Documentation of LSW

States must document in their files LSW was properly implemented (e.g., photos of the site, containment set up, etc.). **Note: Grantees are reminded that all completed units must receive a final inspection to insure that compliance with all regulations have been met, which includes LSW procedures.**

For 2010, to comply with EPA’s LRRPP Rule requirements, Renovations must be performed by Certified Renovation firms. To become Certified Renovation firms must submit an application to EPA and pay a fee (yet to be determined).

Certified Renovators will be a required position for pre-1978 job sites. The Certified Renovators must be trained and receive their credential at an EPA-accredited training facility and be onsite at all LSW sites to perform the mandated functions of the Certified Renovator.

The Certified Renovator will verify the job site was “secure.” Verification documents must be placed in the client files, attesting that all LSW standards were properly followed and the containment area was set up properly and was not compromised during work. The results of the Cleaning Verification that is required beginning April 2010 must also be documented in the customer file.

In 2010, subgrantees will be required to provide documentation of the Certified Renovator credentials, ensuring they are qualified to perform the specific functions of the Certified Renovator.

CONCLUSION: DOE would like to thank the DOE Health and Safety Committee and the Weatherization network for their contributions in providing input on the issues surrounding the lead-based paint hazard. Additional recommendations for strengthening the LSW approach are provided (Attachment 2).

Because of the complexity of these issues, as well as unknown requirements for years beyond 2009, there may be elements that will require still further clarification. DOE will continue to provide additional updates to grantees and has provided a glossary of terms (Attachment 3) to assist in clarifying terms.

A handwritten signature in black ink, appearing to read 'G.P. Sperling', with a long, sweeping flourish extending to the right.

Gilbert P. Sperling
Program Manager
Office of Weatherization & Intergovernmental Program
Energy Efficiency and Renewable Energy

Attachment 1: Minimum Standards for LSW

Attachment 2: Recommendations for Strengthening LSW for PY 2008 and 2009

Attachment 3: LSW Glossary of Terms



Attachment 1

**U.S. Department of Energy
Minimum Standards for LSW**

Safe Work Practices must be implemented to minimize exposure to hazards for residents and the workers, while allowing Weatherization to occur in a cost-effective manner and to not hinder production. The effort required will be based on the hazard, the work specifications, and customer health issues.

CHECK: Federal, state, and local regulations.

- OSHA has rules for worker safety.
- States and local communities may have rules for waste disposal.

To meet the LSW minimum standards, crews and contractors MUST follow the general principles of working in a lead-safe manner. Best practices for working in a lead-safe manner are available in the benchmark LSW procedures and curriculum and should be reviewed and consistently enforced on LSW jobs.

A. Requirements

Client Protection and Notification

For occupied homes, the Weatherization staff, crew, or contractor must have an adult tenant or homeowner sign an acknowledgement after receiving the pamphlet. The pamphlet can also be sent by certified mail with receipt to be placed in the customer file.

In multi-unit housing, the agency must:

- Provide written notice to each affected unit (notice must describe: general nature and locations of the planned renovation activities; the expected starting and ending dates; statement of how occupant can get pamphlet at no charge); or
- Post informational signs (signs must describe general nature and locations of the renovation and the anticipated completion date) and post the EPA pamphlet. (If pamphlet is not posted then agencies are required to provide information on how interested occupants can review a copy of the pamphlet or obtain a copy at no cost from the Weatherization Program).
- Delivery to owner/occupant. Owner's and/or occupant's signature with acknowledgment or certificate of mailing. The owner/occupant must acknowledge receipt of the EPA pamphlet prior to start of renovation that contains the address of unit undergoing renovation, name and signature of owner or occupant, and the date of signature. It must be in same language as "contract for renovation" for an owner-occupied (or the same language as the lease for occupant of non-owner occupied) target housing.

If the Weatherization Program cannot get a signed acknowledgment (either the occupant is not home or refuses to sign the form), then the self-certification section of the form must be signed to prove delivery.

The acknowledgement form must be filed and remain with the client file for three years from date of signature. In addition to providing a copy of the pamphlet to owners and occupants, designated local



agency staff (e.g., intake specialist, auditor, crew chief) must discuss the hazards associated with lead-based paint and lead dust, and describe how they will conduct LSW in the home.

Weatherization Worker Protection

LSW includes these procedures and safety precautions:

- Wear personal protective gear specifically suited for the particular LSW measure. Use the National Institute for Occupational Safety and Health (NIOSH) approved respirators (at least ½ face) with HEPA filters.
- Use disposable overalls (with hood or a disposable painter’s cap), gloves (cloth, plastic, or rubber as appropriate), goggles, and disposable shoe/boot covers.
- Keep dust to a minimum and properly contain dust and paint chips to the work area.
- Clean up area during and after work.

For 2010, to comply with EPA’s LRRPP Rule requirements, specific clean up procedures will be required as outlined in the April 22, 2008, rule.

- During Weatherization, wash your hands and face frequently, particularly when leaving the work area and especially before leaving the area for the purpose of eating, drinking, or smoking.
- Before leaving a confined work area, remove your protective clothing and protective shoe/boot covers to avoid exposing others.
- Before leaving a confined work area, and before returning tools and equipment to vehicles, clean all tools to avoid exposing others and creating a lead-hazard to the next Weatherization job.
- Get annual medical exams to check blood lead levels. Do non-lead-related work if your blood lead level gets too high.
- Inform your employer if you develop signs of lead poisoning.

B. General LSW Work Practice Standards

- Crews and contractors must take steps to protect occupants from lead-based paint hazards while the work is in-progress using appropriate containment strategies.
- Occupants, especially young children or pregnant women, may not enter the work site. Occupants are allowed to return only after the work is done and the home has passed a visual inspection.

For 2010, to comply with EPA’s LRRPP Rule requirements, specific verification inspection procedures will be required as outlined in the April 22, 2008, rule.

- Occupants’ belongings must be protected from lead contamination. This can be done by removing them from the work area or covering them in protective bags and sealing it to prevent dust from getting on the items.
- The work site must be set up to prevent the spread of leaded dust and debris.



- Warning signs must be posted at entrances to the worksite when occupants are present; at the main and secondary entrances to the building; and at exterior work sites. The signs must be readable from 20 feet from the edge of the worksite. Signs should be in the occupants' primary language, when practical.
- The work area must be contained. If containment can not be achieved with occupants in the unit (e.g., work will take several days and involves the kitchen, bathrooms, or bedrooms that can not be sealed off from use), occupants must move out of the unit or the work must be deferred until containment can be achieved.
- Ensure containment does not interfere with occupant and worker egress in an emergency.

Prohibited Work Activities

The following are frequent questions related to prohibitions when working in pre-1978 homes:

- NEVER - use reusable cloth or fabric, such as a painter's drop cloth, as protective containment sheeting. Polyethylene and in some cases when working on the exterior garden fabric are the only acceptable protective containment sheeting and must never be reused.
- NEVER - use brooms and shop vacuums for cleanup. Wet cleaning and HEPA vacuums are the only acceptable methods for cleanup.
- NEVER – use a conventional shop vacuum with HEPA filters – only HEPA-designed vacuums are acceptable for LSW.
- NEVER - turn leaded paint into leaded dust by dry scraping or sanding (unless needed around electrical outlets) or grinding, abrasive blasting or planing.
- NEVER - use an open-flame torch or heat gun (above 1100°F) to remove paint or window glazing. Open flame/high heat methods to remove paint create fumes that are dangerous for workers to breathe. Small lead particles created by burning and heating also settle on surrounding surfaces and are very hard to clean up.

C. Containment

Containment is anything that stops any dust or debris from spreading beyond the work area to non-work areas. The level of containment must be determined by the auditor/inspector or supervisor before work is assigned to a crew or contractor.

For 2010, to comply with EPA's LRRPP Rule requirements, a Certified Renovator will be required at the jobsite to assess and set up the containment site.

- NEVER - allow residents and pets access to the work area while work is underway.
- NEVER - open windows and doors allowing lead dust to float into other parts of the building or outside.
- NEVER - allow furniture and other objects to remain in the Weatherization work area while Weatherization work is being performed unless they are covered and sealed in polyethylene sheeting or bags.



Every home and every specific Weatherization measure is unique, therefore the level of containment required will be based on the hazards present, the age of the home, the scope of work activities, and any customer health issues. Although Weatherization jobs require individual assessments, LSW work generally falls into two levels of containment and the related standards are outlined below.

Level 1 Containment

Level 1 containment is required in pre-1978 homes when *less than* 6 ft² of interior painted surface per room or 20 ft² of exterior painted surface will be disturbed.

Level 1 containment consists of methods that prevent dust generation and contains all debris generated during the work process. The containment establishes the work area which must be kept secure.

Measures that *may* fall within this guideline include:

- Installing or replacing a thermostat
- Drilling and patching test holes
- Replacing HEPA filters and cleaning HEPA vacuums
- Changing Furnace Filter
- Removing caulk or window putty (interior)
- Removing caulk or window putty (exterior)
- Removing weather-stripping

Level 2 Containment

Level 2 containment is required when Weatherization activities will disturb *more than* 6 ft² of interior surface per room or 20 ft² of exterior surfaces in homes built prior to 1978. Level 2 containment consists of methods that define a work area that will not allow any dust or debris from work area to spread. Level 2 containment requires the covering of all horizontal surfaces, constructing barrier walls, sealing doorways, covering HVAC registers with approved materials, and closing windows to prevent the spread of dust and debris.

Measures requiring level 2 containment *may* include:

- Drilling holes in interior walls
- Drilling holes in exterior walls, removing painted siding
- Cutting attic access into ceiling or knee walls
- Planing a door in place
- Replacing door jambs and thresholds
- Replacing windows or doors
- Furnace replacements

Additionally, Level 2 containment must **ALWAYS** be used where any of the following is conducted (even if the activities will disturb less than the hazard de minimis levels within the Level 1 category):

- Window replacement
- Demolition of painted surface areas



- Using any of the following:
 - Open-flame burning or torching;
 - Machines to remove paint through high-speed operation without HEPA exhaust control; or
 - Operating a heat gun at temperatures at or above 1100 degrees Fahrenheit.

D. Proper LSW Clean-Up and Debris Disposal

Following the containment standards in the previous section will minimize the level of effort required to properly clean up the job site. All dust, dirt, material scraps, containers, wrappers, and work related debris must be removed from the customer's home. A HEPA vacuum should be used to clean up the work areas. Further cleaning may be necessary based on the hazard.

At the conclusion of the job, once all workers have "cleaned" the work areas thoroughly, Weatherization workers must adhere to the following:

Safe and Secure Disposal

- Bag and gooseneck-seal all waste in 6-mil plastic bags
- Safely dispose of all waste in accordance with federal, state, and local regulations

Visual Inspection Verification

Checking the quality of worksite cleanliness is a two-phase process:

- Phase 1: Worker visual inspection during the cleaning process; look for any visible paint chips, dust, or debris as you clean, using proper techniques.
- Phase 2: Supervisor visual inspection after cleanup. There should be no evidence of settled dust following a cleanup effort. If dust is observed, the Weatherization crew must be required to repeat the cleaning.

If work is done outside the house, the grounds around the dwelling and all exterior horizontal surfaces should also be examined visually to make certain that all waste and debris have been removed and that paint chips were not left behind.

For 2010, to comply with EPA's LRRPP Rule, cleaning verification using EPA-developed cards will be required. EPA expects to have them widely available in late 2008/early 2009; however, using verification cards is not a requirement until 2010.

Specific steps are required of the Certified Renovator during the cleaning verification and are addressed in the EPA LRRPP Rule.



Attachment 2

**U.S. Department of Energy
Recommendations for Strengthening LSW
for PY 2008 and PY 2009**

The steps listed below are recommended actions compiled by DOE and members of the DOE Health and Safety Committee as encouraged actions grantees should undertake during these Program Years.

- Assess current state of LSW activities at the crew/contractor level as compared to DOE's LSW Minimum Standards.
 - Review LSW field procedures for compliance.
 - Add applicable LSW components to monitoring check list ASAP.
 - Review purchase orders and invoices to ensure expenditures reflect the purchase of LSW equipment, tool, materials, etc. that would be necessary to effectively implement LSW.
 - Check inventories for critical materials and necessary crew protective gear.
 - Check trucks for materials and equipment (HEPA vacuum, rolls of polyethylene, Personal Protective Equipment) on-site.
 - Assess whether trucks have been contaminated with lead dust and, if needed, guide agencies to take appropriate actions to remedy.
 - Assess the level of LSW training crews and contractors have received. Determine where there is need for additional training based on the initial assessment of the materials being used, protective gear available, condition of the trucks, etc. Grantees should identify where training should be increased or improved for greater comprehension and implementation.
 - Consider how T&TA needs to be allocated to ensure technicians are getting appropriate training.
 - Review the work in progress by visiting job sites (announced or unannounced) to ensure crews/contractors understand and are following the LSW procedures.
- Revise internal Weatherization grantee policies and standards to meet the requirements of the DOE LSW.
 - Look into how the grantee will "strengthen" LSW to meet DOE's minimum standards.
 - Look at processes for evaluating LSW, via monitoring or on-site visits, and how the grantee can assure DOE that in PY 2009 LSW will be performed as the minimum standards say it should be done.



For 2010: Grantees are expected to submit a state-specific curriculum to EPA. In preparation, grantees should:

- Review all DOE's *LSW Guidance and Minimum Standards*.
- Review the EPA's LRRPP Rule requirements (published in the Federal Register April 22, 2008).
- Contact the state health authorities to determine if there are any additional requirements in your state for any of the procedures listed in LSW.
- Research who the EPA authority is in your state (whether it is EPA or actually a state organization/department). This entity is likely to be the EPA-approved entity for the implementation of the new EPA rule and will be the office that will approve the grantee's LSW curriculum.

- Begin preparation of local agency network through dialogue and transmittals for the changes that will occur with the implementation of the new EPA requirements scheduled for implementation in PY 2010.
- Beginning October 7, 2009: Agencies may apply to EPA for "firm" status which is required in April 2010. *Firm* means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a Federal, State, Tribal, or local government agency; or a nonprofit organization. In the case of Weatherization and conducting Lead-Safe Weatherization work, a certified firm can be the grantee or a local Weatherization agency or subgrantee.

**Attachment 3****LSW Glossary of Terms**

In anticipation of 2010 full implementation of the EPA requirements, this glossary was prepared using the EPA; Renovation, Repair, and Painting Program Final Rule (§ 745.82), issued April 2008. More information on work practice standards and post-renovation cleaning verification procedures (which must be applied to Lead Safe Weatherization Programs on or after April 7, 2010) can be found in DOE/MSU benchmark procedures and curriculum (*available beginning October 2008*).

Certified Firm

Certified Firm means a firm that has received EPA certification to perform renovations as covered by the Final Rule (745.82). Firms that perform renovations for compensation must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed “Application for Firms,” signed by an authorized agent of the firm, and pay a fee. To maintain its certification, a firm must be recertified by EPA every 5 years.

Certified Renovator

Renovator means an individual who either performs or directs workers who perform renovations. A certified renovator is a renovator who has successfully completed a renovator course accredited by EPA or an EPA-authorized State or Tribal program.

Child-Occupied Facility

Child-Occupied Facility means a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day’s visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours.

Cleaning Verification Card

Cleaning verification card means a card developed and distributed, or otherwise approved, by EPA for the purpose of determining, through comparison of wet and dry disposable cleaning cloths with the card, whether post-renovation cleaning has been properly completed. (*Anticipated to be distributed by EPA, Fall 2008.*)

Firm

Firm means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a Federal, State, Tribal, or local government agency; or a nonprofit organization. In the case of Lead Safe Weatherization work, a firm can be the grantee, subgrantee, or contractor.

The Firm is the entity that takes responsibility for “renovations for compensation” (this includes Weatherization Programs) and must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed “Application for Firms,” signed by an authorized agent of the firm, and pay a fee, if required. EPA will act on the application within 90 days of the date the application is received. To maintain its certification, a firm must be recertified by EPA every 5 years.

**HEPA Vacuum**

HEPA vacuum means a vacuum cleaner which has been designed with a high-efficiency particulate air (HEPA) filter as the last filtration stage. A HEPA filter is a filter that is capable of capturing particles of 0.3 microns with 99.97% efficiency. The vacuum cleaner must be designed so that all the air drawn into the machine is expelled through the HEPA filter with none of the air leaking past it

Lead; Renovation, Repair, and Painting Program (LRRPP) Rule

Lead; Renovation, Repair, and Painting Program (LRRPP) Rule means rules (40 CFR 745), which include Weatherization (see Renovation), established by the U.S. Environmental Protection Agency (April 2008) to address lead-based paint hazards created by renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities. (see definitions for target and child-occupied facilities)

Lead Safe Weatherization (LSW)

Lead Safe Weatherization (LSW) means a set of protocols, established by the U.S. Department of Energy (WPN 02-6 issued July 23, 2002) to be used when disturbing surfaces that may have lead-based paint, that will reduce and control the amount of lead dust and paint chips that are generated. The protocols address compliance with applicable regulations, and are intended to reduce the risk of liability and health issues associated with the work.

Minor Repair and Maintenance (De minimis)

Minor repair and maintenance means activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by § 745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.

Recognized Lead Test Kits

Recognized test kit means a commercially available kit recognized by EPA under the EPA LRRPP Rule as being capable of allowing a user to determine the presence of lead at levels equal to or in excess of 1.0 milligrams per square centimeter, or more than 0.5% lead by weight, in a paint chip, paint powder, or painted surface

Renovation

Renovation means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part (40 CFR 745.223). The term renovation includes (but is not limited to): The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); Weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planning thresholds to install weather-stripping), and interim controls that disturb painted surfaces. A renovation performed for the purpose



of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart. **The term renovation does not include minor repair and maintenance activities.** EPA added “Weatherization,” to the definition to make it clear that all of these activities are covered by this definition if they disturb painted surfaces.

Target Housing

Target housing means housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any one or more children age 6 years or under resides or is expected to reside in such housing for the elderly or persons with disabilities); or any 0-bedroom dwelling. (Any residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.)

Work Area

Work area means the area, of the work site, that the certified renovator establishes to contain the dust and debris generated by a renovation.

Work Site

Work site means physical property address/location where Lead Safe Weatherization work will be conducted.