

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Lead Poisoning Prevention Code
- 2) Code Citation: 77 Ill. Adm. Code 845
- 3) Section Numbers: Proposed Action:
- | | |
|--------------------------------|--------|
| 845.10 | Repeal |
| 845.12 | Repeal |
| 845.15 | Repeal |
| 845.20 | Repeal |
| 845.21 | Repeal |
| 845.23 | Repeal |
| 845.25 | Repeal |
| 845.26 | Repeal |
| 845.27 | Repeal |
| 845.28 | Repeal |
| 845.29 | Repeal |
| 845.30 | Repeal |
| 845.31 | Repeal |
| 845.32 | Repeal |
| 845.33 | Repeal |
| 845.40 | Repeal |
| 845.50 | Repeal |
| 845.APPENDIX A, EXHIBIT A | Repeal |
| 845.APPENDIX A, EXHIBIT B | Repeal |
| 845.APPENDIX A, EXHIBIT C | Repeal |
| 845.APPENDIX C | Repeal |
| 845.APPENDIX D | Repeal |
| 845.APPENDIX D, ILLUSTRATION A | Repeal |
| 845.APPENDIX E | Repeal |
| 845.APPENDIX F | Repeal |
| 845.APPENDIX G | Repeal |
| 845.APPENDIX H | Repeal |

- 4) Statutory Authority:

Implementing and authorized by the Lead Poisoning Prevention Act [410 ILCS 45].

- 5) A Complete Description of the Subjects and Issues Involved:

These rules are being repealed and replaced with new proposed rules. The content of the original rule will be included in the proposed Lead Poisoning Prevention Code (77 Ill.

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Adm. Code 845).

6) Will this proposed repealer replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed repealer contain incorporations by reference? NA

9) Are there any other proposed amendments pending on this Part? NA

10) Statement of Statewide Policy Objectives:

This rulemaking will not create or expand expenditures by units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written or e-mail comments may be submitted within 45 days after this issue of the Illinois Register to:

Susan Meister
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217-782-2043

(E-mail: rules@idph.state.il.us)

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected:

This repealer will not have an impact on small businesses.

B) Reporting, bookkeeping or other procedures required for compliance:

This repealer will not create any new requirements.

C) Types of Professional skills necessary for compliance:

No professional skills are required for compliance.

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13) Regulatory Agenda on which this rulemaking was summarized: January 2006

The text of the proposed repealer begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCES
PART 845
LEAD POISONING PREVENTION CODE (REPEALED)

Section	
845.10	Definitions
845.12	Incorporated Materials
845.15	Lead Screening
845.20	Reporting
845.21	Provision of Data
845.23	Laboratory Fees for Blood Lead Screening
845.25	Case Follow-Up
845.26	Inspection of Dwellings, Residential Buildings or Child Care Facilities
845.27	Requirements for Lead Inspector, Risk Assessor, Worker, Supervisor, and Contractor Licensing
845.28	Approval of Training Program Providers
845.29	Safety Guidelines for Workers Removing or Covering Leaded Soil
845.30	Mitigation or Abatement of Lead Hazards
845.31	Lead Abatement Contractor Responsibilities
845.32	Lead Contractor/Supervisor Responsibilities
845.33	Dwellings Not Requiring Abatement or Mitigation
845.40	Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act
845.50	Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities
845.60	Placarding of Dwellings (Repealed)
845.APPENDIX A	Instructions for Childhood Blood Lead Poisoning Reporting System
EXHIBIT A	Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning
EXHIBIT B	Instructions for Submitting Follow-Up Data for Children With Blood Lead Levels 15 mcg/dL
EXHIBIT C	Instructions for Reporting Information by Delegate Agencies on Environmental Inspection for Cases of 20 mcg/dl and Above (Repealed)
845.APPENDIX B	Testing for Lead in Paint by Portable X-Ray Fluorescence Lead in Paint Analyzer (XRF) (Repealed)
845.APPENDIX C	Diagrams of Building Components

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ILLUSTRATION A Inspection Forms and Diagram of Building Components
(Repealed)

845.APPENDIX D Recommended Setup and Use of a Negative Pressure System
ILLUSTRATION A Examples of Negative Pressure Systems

845.APPENDIX E Soil Sampling

845.APPENDIX F Childhood Lead Risk Assessment Questionnaire

845.APPENDIX G Information Agreement

845.APPENDIX H Childhood Lead Poisoning Assessment and Screening Algorithm

AUTHORITY: Authorized by and implementing the Lead Poisoning Prevention Act [410 ILCS 45].

SOURCE: Adopted July 15, 1976; amended at 2 Ill. Reg. 43, effective October 23, 1978; rules repealed; new rules adopted and codified at 6 Ill. Reg. 14849, effective November 24, 1982; amended at 7 Ill. Reg. 7652, effective June 14, 1983; amended at 8 Ill. Reg. 8242, effective May 25, 1984; amended at 10 Ill. Reg. 5138, effective April 1, 1986; amended at 17 Ill. Reg. 1884, effective February 1, 1993; amended at 19 Ill. Reg. 238, effective December 31, 1994; amended at 21 Ill. Reg. 7444, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 14680, effective October 31, 1997, for a maximum of 150 days; emergency amendment modified in response to JCAR objection at 22 Ill. Reg. 6252; amended at 22 Ill. Reg. 16000, effective August 20, 1998; Amended at 24 Ill. Reg. 11974, Effective July 26, 2000; Part repealed at 30 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parenthesis; subscript are denoted by brackets.

Section 845.10 Definitions

"Act" means the Lead Poisoning Prevention Act [410 ILCS 45].

"Assessment" means administration of the risk assessment questionnaire to the parent.

"Chemical Spot Test" means the use of sodium rhodizonate to obtain a qualitative determination of lead.

"Child" means a person under the age of 16.

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"Child Care Facility" means any structure used by a child care provider licensed by the Department of Children and Family Services or public school structure frequented by children under 6 years of age. (Section 2 of the Act)

"Compliance Sampling" means the activity of taking dust wipe samples after completion of mitigation or abatement activities, for the purpose of determining compliance with the Department's standard for lead dust levels or horizontal surfaces of less than 200 micrograms per square foot.

"Confirmed blood lead level" means that an elevated blood lead level is confirmed by a venous blood lead test.

"Defective Surface" means peeling, flaking, chalking, scaling or chipping paint; paint over crumbling, cracking or falling plaster or plaster with holes in it; paint over a defective or deteriorating substrate; or paint that is damaged or worn down in any manner such that a child can get paint from the damaged area.

"Delegate Agency" means a unit of local government or health department approved by the Department to carry out the provisions of the Lead Poisoning Prevention Act. (Section 2 of the Act)

"Department" means the Department of Public Health of the State of Illinois. (Section 2 of the Act)

"Director" means the Director of the Department of Public Health of the State of Illinois.

"Dwelling" means any structure all or part of which is designed or used for human habitation. (Section 2 of the Act)

"Dwelling Risk Assessment" means an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards and the provision of a report, by the individual or the firm conducting the risk assessment, explaining the results of the investigation and options for reducing lead-based paint hazards.

"Elevated results" means a blood lead test result of 10 micrograms/deciliter or higher.

"Encapsulant" means any liquid applied product which covers, seals, or encapsulates a lead-based painted surface in a manner which is designed to reduce human exposure to lead.

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"Exposed Surface" means any interior or exterior surface of a dwelling or residential building. (Section 2 of the Act)

"Health Care Provider" means any person providing health care services to children, who is authorized pursuant to the Clinical Laboratory Act to request the testing of specimens, but does not include dentists. "Health Care Provider" includes podiatrists and physicians other than those licensed to practice medicine in all its branches.

"HEPA Vacuum Equipment" means vacuuming equipment with a high efficiency particulate air filter capable of trapping and retaining 99.97 percent of particles greater than 0.3 micrometers in mass median aerodynamic equivalent diameter.

"Inspection" means a surface-by-surface investigation to determine the presence of lead-based paint and the provision of a report explaining the results of the investigations.

"Intact surface" means a surface with no loose, peeling, chipping or flaking paint. Intact surfaces that are painted must be free from crumbling, cracking or falling plaster and should not have any holes. Intact surfaces must not be damaged or worn down in any way that would make paint from the damaged area accessible to children.

"Lead Abatement" means any activity that will result in the removal of windows, walls, floors, ceilings or exterior surfaces which may result in the creation of a hazardous level of chips, flakes, dust or any other form of leaded substance that can be ingested or inhaled during such activity.

"Lead Abatement Supervisor" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and mitigation, and supervise lead abatement workers who perform lead abatement and mitigation. ("Lead Abatement Supervisor" was formerly called "Lead Abatement Contractor/Supervisor".)

"Lead Bearing Substance" means any dust on surfaces or in furniture or other nonpermanent elements of the dwelling and any paint or other surface coating material containing more than five-tenths of one percent (0.5%) lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paint. The term "lead bearing substance" also includes lead bearing substances containing greater than one milligram per square centimeter or any lower standard for lead content in residential paint as may be established by federal law or regulation; or more than 1 milligram per square centimeter in the dried film of paint or previously applied substance; or object containing lead in excess of the amount specified in this Part or a lower standard for lead as may be established by federal regulation. (Section 2 of the Act)

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"Lead Hazard" means a lead bearing substance that poses an immediate health hazard to humans. (Section 2 of the Act)

"Lead Inspector" means an individual who has been trained by a Department approved training program to conduct inspections, sample for the presence of lead in dust and soil, and abatement clearance testing.

"Lead Management Plan" means a written statement that describes how an intact surface with lead-based paint will be monitored to assure that, if the intact surface becomes defective, the defective surface will be abated or mitigated.

"Lead Mitigation" means the remediation of a lead hazard so that the lead bearing substance does not pose an immediate health hazard to humans. A lead hazard is deemed to have been mitigated if the surface that is the source of the lead hazard is no longer in a condition that produces a hazardous level of leaded chips, flakes, dust or any other form of leaded substances, that can be ingested or inhaled by humans; or if the leaded surface is accessible to children, the surface coating is covered or the access to the leaded surface by children is otherwise prevented.

"Lead Poisoning" means the conditions of having blood lead levels in excess of those considered safe under this Part (see "permissible limits") and federal rules and regulations. (Section 2 of the Act)

"Lead Risk Assessor" means an individual who has been trained by a Department approved training program to conduct risk assessments, sample for the presence of lead in dust and soil and conduct abatement clearance testing.

"Local Health Department" means the health department or board of health as recognized by the Department which has jurisdiction over the particular geographical area in which the person lives.

"Major Lead Abatement or Mitigation" means any abatement or mitigation activity that will result in the removal of windows, walls, floors, ceilings or exterior surfaces which may result in the creation of a hazardous level of leaded chips, flakes, dust or any other form of leaded substance that can be ingested or inhaled.

"Negative Blood Lead Test Result" means a blood lead test with a blood lead level (PbB) of 9 micrograms/deciliter (mcg/dL) or less of whole blood in a child under age 16 years.

"Notice" means any written notification, as specified in this Part, to be issued by the Department or a delegate agency.

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"Occupant" means any person who lives in a dwelling as defined in this Part.

"Owner" means any person, who alone, jointly or severally with others: Has legal title to any dwelling or residential building, with or without accompanying actual possession of the dwelling or residential building, or has charge, care or control of the dwelling or residential building as owner or agent of the owner, or as executor, administrator, trustee, or guardian of the estate of the owner. (Section 2 of the Act)

"Permissible limits" for reporting purposes means a confirmed blood lead level (PbB) of less than 10 micrograms/deciliter (mcg/dL) of whole blood in a child under age 16 years, less than 10 mcg/dL for a pregnant or breast-feeding woman and less than 25 mcg/dL for all other persons.

"Person" means any one or more natural persons, legal entities, governmental bodies, or any combination.

"Positive Blood Lead Test Result" means a blood lead test with a blood lead level (PbB) of 10 micrograms/deciliter (mcg/dL) or higher of whole blood in a child under age 16 years.

"Residential Building" means any room, group of rooms, or other interior areas of a structure designed or used for human habitation; common areas accessible by inhabitants; and the surrounding property or structures. (Section 2 of the Act)

"Screening" means a blood lead testing by venous or capillary methodology.

"STELLAR" means the Systematic Tracking of Elevated Lead Levels and Remediation software developed and provided by the Centers for Disease Control and Prevention for local agencies to use in tracking lead poisoning cases.

"Third Party Exam" means that, in addition to training requirements and education and experience requirements, individuals seeking to become licensed as inspectors, Risk Assessors and Supervisors are required to pass a third party exam, administered by the Department or its designee, in addition to the training course examination.

"Training Hour" means at least 50 minutes of actual teaching, including time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and/or hands-on experience.

"Work Area" means exterior areas where lead abatement activities are conducted.

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"Work Site" means the room or rooms undergoing lead abatement activities in a single family dwelling or the room or rooms and common area of a residential building.

Section 845.12 Incorporated Materials

- a) The following materials are incorporated by reference in this Part:
 - 1) Occupational Safety and Health Administration (OSHA) Lead Standard 1910.1025 and 29 CFR 1926.62 (1993);
 - 2) Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, except Chapter Seven (June 1995); Chapter Seven of the Guidelines, Lead-Based Paint Inspection (revised 1997);
 - 3) Occupational Safety and Health Administration (OSHA) regulations at 29 CFR 1910.1001 and 29 CFR 1926.62 (1993);
 - 4) OSHA Interim Final Rule for Lead in Construction - 29 CFR 1926.62.
- b) All incorporations by reference of federal regulations or standards and the standards of nationally recognized organizations refer to the regulation or standard on the date specified and do not include any additions or deletions subsequent to the date specified.

Section 845.15 Lead Screening

- a) Every physician licensed to practice medicine in all its branches or health care provider shall screen children 6 months through 6 years of age for lead poisoning (Section 6.2 of the Act), using a blood lead measurement for children residing in high risk areas. Children residing in low risk areas shall be assessed for their risk for lead exposure by providing the information contained in the Childhood Lead Risk Assessment Questionnaire (845.Appendix F).
 - 1) Children determined to be at high risk based upon an assessment shall have a blood lead measurement.
 - 2) Children who reside in a high risk area shall have a blood lead measurement.
 - 3) Children who have elevated screening results shall have follow-up testing consistent with the algorithm attached (845.Appendix H).

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- 4) Elevated capillary results 10 mcg/dL and above shall be confirmed by a venous sample.
- b) Each licensed, registered, or approved health care facility serving children from 6 months through 6 years of age, including but not limited to, health departments, hospitals, clinics, and health maintenance organizations approved, registered or licensed by the Department shall take the appropriate steps (referral of children with identified risk factors as defined in 845.Appendix F to a physician or health care provider) to ensure that patients receive lead poisoning screening, where medically indicated or appropriate, consistent with the risks factors in the Childhood Lead Risk Assessment Questionnaire (see 845.Appendix F). (Section 6.2 of the Act) Patients are those children receiving complete health care provided by the approved health care facility.
- c) Physicians and health care providers may assess children 7 years of age and older in accordance with the Risk Assessment Questionnaire (see 845.Appendix F).
- d) By January 1, 1993, each day care center, day care home, preschool, nursery school, kindergarten, or other child-care facility, licensed or approved by the State, including such programs operated by a public school district, shall include a requirement that each parent or legal guardian of a child between the ages of 6 months through 6 years provide a statement from a physician or health care provider that the child has been screened or assessed for lead poisoning. This statement shall be provided prior to admission and subsequently in conjunction with physical examinations required by Section 665.140 of the Department's rules entitled Child Health Examination Code (77 Ill. Adm. Code 665). (Section 7.1 of the Act)
- e) Nothing in this Part shall be construed to require any child to undergo a lead blood level screening or test whose parent or guardian objects to such screening on the grounds that the screening or test conflicts with his or her religious beliefs. (Section 7.1 of the Act)

Section 845.20 Reporting

- a) The Department requires the following persons and facilities to report to the Department all blood lead levels (PbB):
 - 1) Every physician who diagnoses, or health care provider, nurse, hospital administrator, or public health officer who has verified information of any person who has a level of lead in the blood in excess of the permissible limits, as defined in Section 845.10, is required to report pursuant to this Section, starting with a

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confirmed lead level of 10 micrograms/per deciliter (mcg/dL). (Section 7 of the Act) If the analysis has been performed at the State laboratory, or the provider has ascertained that the clinical laboratory where specimens are processed electronically reports all blood lead level results to the Department, then duplicate reporting of elevated levels is not required.

- 2) Directors of clinical laboratories who have verified information of any positive blood lead test results, as defined in Section 845.10, are required to report the results to the Department within 48 hours after receipt of verification. Negative blood lead test results, as defined in Section 845.10, shall be reported to the Department no later than 30 days following the last day of the month in which the test results are obtained by the laboratory. The information included in the clinical laboratory report on positive and negative blood lead test results shall include the blood lead level; the child's name, address, date of birth, sex and race; date of test; test type; date of report; physician and/or clinic with address; and the reporting agency. Verification and test information on positive blood lead test results must be submitted as a distinct report separate from the cumulated negative blood lead test information. All reports submitted must identify the report content as being either negative or positive blood lead test results.
- b) Reports required pursuant to this Section shall be made to the Department and all reported information, including the source of such information, received by the Department shall be considered confidential in nature. Any information submitted to a laboratory at the request of the Department and in accordance with this Part shall be treated as confidential by the laboratory which receives the information on behalf of and as required by the Department. The reported information under this Part shall be confidential and subject to good faith immunity in accordance with Part 21 of Article VIII the Code of Civil Procedure [735 ILCS 5/Art. VIII, Part 21] and the Communicable Disease Report Act [745 ILCS 45]. It is the right, however, of any patient to obtain their own data.
- c) Reports required pursuant to this Section shall be submitted within 48 hours of receipt of verification thereof. Methods of submission can include written or electronic reporting as detailed in Section 845.Appendix A. Reports so submitted shall be considered received by the Department upon entry into the Data Processing system of the Department.
- d) Reports of blood lead levels shall be on a form or in a format provided by the Illinois Department of Public Health (See 845.Appendix A).

Section 845.21 Provision of Data

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- a) All reports issued by the Department, which are aggregated to make it impossible to identify any patient, reporting entity, or primary care giver shall be made available to the public pursuant to the Freedom of Information Act.
- b) All requests by medical or epidemiologic researchers for confidential data must be submitted in writing to the Department. The request must include a study protocol which contains: objectives of the research; rationale for the research including scientific literature justifying current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians or study subjects; including methods for documenting compliance with 42 CFR 2a.4(a) through (j), 2a.6(a) and (b), 2a.7(a) and (b)(1); methods for the processing of data; storage and security measures taken to insure confidentiality of patient identifying information; time frame of the study; a description of the funding source of the study (e.g., federal contract); the curriculum vitae of the principal investigator and list of collaborators. In addition, the research request must specify what patient identifying information is needed and how the information will be used. Identifying information concerning the reporting entity will not be made available by the Department. Identifying information is defined as any information, collection, or groups of data from which the identity of the patient or reporting entity to which it relates may be discerned, e.g., name, address or ID number.
- c) All requests to conduct research and modifications to approved research proposals involving the use of data which includes patient identifying information shall be subject to a review to determine compliance with the following conditions:
 - 1) The request for patient identifying information contains stated goals or objectives.
 - 2) The request documents the feasibility of the study design in achieving the stated goals and objectives.
 - 3) The request documents the need for the requested data to achieve the stated goals and objectives.
 - 4) The requested data can be provided within the time frame set forth in the request.
 - 5) The request documents that the researcher has qualifications relevant to the type of research being conducted.
 - 6) The research will not duplicate other research already underway using the same data when both require the contact of a patient involved in the previously

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approved concurrent research; and

- 7) Other such conditions relevant to the need for the patient identifying information and the patient's confidentiality rights because the Department will only release the patient identifying information that is necessary for research.
- d) The Director or his designee will review the request and approve or deny the request. The Information Agreement (Section 845.Appendix G) must contain the signatures of the Director and the applicant before data can be provided. Reasons for denial may include the following:
- 1) if security measures are unsatisfactory in the opinion of the Department;
 - 2) if data requested is unavailable or unreliable in the opinion of the Department,
 - 3) if the stated purpose does not meet the Department's mission statement;
 - 4) if the Department is unable to provide the data in the requested format;
 - 5) if the applicant is not an accredited or licensed research institution, a government agency, legislative commission, or other organization with the ability to conduct research such as a university research center or private research firm; or
 - 6) if the information cannot be provided by the requested date.
- e) Denied requests may be revised and resubmitted.
- f) Information Agreements
- 1) The Department will enter into information agreements for all approved research requests. These agreements shall specify the information that is being released and how it can be used in accordance with the standards in subsection (c) of this Section. In addition, the researcher shall include an assurance that:
 - A) Use of data is restricted to the specifications of the protocol;
 - B) Any and all data which may lead to the identity of any patient, research subject, physician, other person, or hospital is strictly privileged and confidential and the researcher agrees to keep all such data strictly confidential at all times;

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- C) All officers, agents and employees will keep all such data strictly confidential. The researcher will communicate the requirements of this Section to all officers, agents and employees, will discipline all persons who may violate the requirements of this Section, and will notify the Department in writing within 48 hours after any violation of this Section, including full details of the violation and corrective Sections to be taken;
 - D) All data provided by the Department pursuant to the agreement may only be used for the purposes named in the agreement and that any other or additional use of the data may result in immediate termination of the agreement by the Department; and
 - E) All data provided by the Department pursuant to the agreement is the sole property of the Department and may not be copied or reproduced in any form or manner, except for research use by the researcher, and that all data, copies and reproduction of the data made for the researcher's internal use shall be returned to the Department upon termination of the agreement.
- 2) Any departures from the approved protocol must be submitted in writing and approved by the Director or his designee in accordance with subsections (c) and (d) of this Section prior to initiation. No identifying information may be released by a researcher to a third party.
- g) Upon request, the Department shall disclose individual patient or reporting entity information to the reporting entity, which originally supplied that information to the Department.
 - h) The Department, by signed and reciprocating agreement, may disclose individual patient information concerning residents of another state to the Childhood Lead Poisoning Prevention Program in the individual's state of residence only if the recipient of such information is legally required to hold such information in confidence and provides protection from disclosure of patient identifying information equivalent to the protection afforded by the Illinois law.
 - i) The identity of any person (or any group of facts that tends to lead to the identity of any person) whose blood test result is submitted to the Illinois Childhood Lead Poisoning Prevention Program is confidential and shall not be open to public inspection or dissemination. Such information shall not be available for disclosure, inspection or

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copying under the Freedom of Information Act or the State Records Act. All information for specific research purposes may be released in accordance with procedures established by the Department in this Section.

AGENCY NOTE: The patient identifying information submitted to the Department by those entities required to submit information under the Act and this Part is to be used in the course of medical study under Part 21 of Article VIII of the Code of Civil Procedure. Therefore, this information is privileged from disclosure by the Part 21 of Article VIII of the Code of Civil Procedure.

Section 845.23 Laboratory Fees for Blood Lead Screening

- a) The fee schedule for a sample of blood submitted to the Department for blood lead analysis and necessary follow-up shall be \$25.75. The fee shall be assessed to the provider who submits the sample. Statements of fee assessment shall be mailed to the submitter of the specimens on a monthly basis. Payment and/or appropriate information as required in subsection (b) and (c) of this Section shall be submitted to the Department upon receipt of the monthly statement.
- b) The Medicaid Recipient Identification Number may be provided for those Medicaid eligible recipients in lieu of payment.
- c) Medically indigent recipients shall be those recipients with family incomes under 185% of the federal poverty guidelines, not eligible for Medicaid, and screened by local health departments, Rural Health Clinics, Federally Qualified Health Centers and facilities designated by the Department of Health and Human Services as look-alike Federally Qualified Health Centers. No fee shall be charged for these recipients.
- d) Fees collected from the Department's testing service shall be placed in a special fund in the State Treasury known as the Lead Poisoning Screening, Prevention and Abatement Fund.

Section 845.25 Case Follow-Up

- a) The delegate agency shall conduct interviews with the parent or guardian of cases or attending physicians as needed to assure the accuracy and completeness of reports and to perform the activities of case follow-up for confirmed elevated blood lead levels above 15 mcg/dL.
- b) The delegate agency shall perform the following activities concerning patient or case

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follow-up:

- 1) trace the case;
 - 2) counsel the parent or guardian of the case;
 - 3) educate the parent or guardian of the case;
 - 4) interview the parent or guardian of the case for purposes of collecting, verifying or completing the information identified in 845.Appendix A, Exhibit A and Exhibit B of this Part;
 - 5) refer the parent or guardian of the case for medical treatment when appropriate; and
 - 6) submit completed reports to the Department as specified in the agreement between the delegate agency and the Department.
- c) Any delegate agency may establish fees, according to a reasonable fee structure, to be determined by the delegate agency, to cover the costs of drawing blood for blood lead screening and any necessary follow-up. (Section 7.2 of the Act) Necessary follow-up includes individual case management and environmental management. Fees may not be charged to Medicaid recipients in accordance with Federal regulations.

Section 845.26 Inspection of Dwellings, Residential Buildings or Child Care Facilities

- a) Upon notification that a child who is an occupant or frequent inhabitant of a dwelling, child care facility, or residential building is reported to have a confirmed blood lead level that would necessitate an environmental inspection pursuant to subsections (a)(1) through (3) of this Section, a representative of the Department or a delegate agency is authorized to inspect a dwelling, residential building, or child care facility for the purpose of determining the source of lead poisoning. In the following cases, an environmental inspection and follow-up shall be conducted by the Department or delegate agency:
- 1) a child with a confirmed blood lead level at or above 25 micrograms per deciliter. An environmental inspection is also recommended for each case in which a child has confirmed lead poisoning at or above 20 mcg/dL.
 - 2) a child with a rising level, defined as a first confirmed level of 15 mcg/dL or higher and the next result of at least 5 mcg/dL or higher than the preceding level,

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with no time requirement between tests;

- 3) a child with three successive confirmed blood lead levels of 15- 24 mcg/dL;
 - 4) a child with a single confirmed blood lead level at or above 20 mcg/dL whose physician requests an inspection to determine if the child should be removed from the dwelling or residential building due to the lead hazard.
 - 5) Children under three years of age meeting any of the above criteria should receive higher priority for home inspection than older children.
- b) An inspection of dwellings, residential buildings or child care facilities to determine the source of lead poisoning as required by this Section shall consist of, at a minimum, the following:
- 1) An interview with the owner or occupant about dwelling or facility use patterns and potential lead hazards including inquiries regarding:
 - A) improperly glazed pottery;
 - B) ethnic or folk medicines;
 - C) hobbies and occupations;
 - D) other dwellings;
 - E) international travel;
 - 2) A visual assessment of the condition of the building, appurtenant structures and painted surfaces; and
 - 3) Environmental sampling of deteriorated paint and dust based upon subsections (b)(1) and (2) of this Section.
- c) Sampling shall be conducted by at least one of the following methods or a combination thereof:
- 1) X-Ray fluorescence device readings taken according to manufacturers' instructions;

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- 2) Dust wipe samples taken for laboratory analysis;
 - 3) Paint samples taken for laboratory analysis;
 - 4) Soil samples taken for laboratory analysis (Samples may be taken at the discretion of the licensed lead inspector.);
 - 5) Water samples taken for laboratory analysis (Samples may be taken at the discretion of the licensed lead inspector.).
- d) Following an inspection, the Department or its delegate agency shall:
- 1) Prepare an inspection report which shall:
 - A) State the address of the dwelling unit;
 - B) Describe the scope of the inspection, the inspection procedures used, and the method of ascertaining the existence of a lead bearing substance in the dwelling unit;
 - C) State whether any lead bearing substances were found in the dwelling unit;
 - D) Describe the nature, extent, and location of any lead bearing substance that is found;
 - E) State either that a lead hazard does exist or that a lead hazard does not exist. If a determination is made that a lead hazard does exist, the report shall describe the source, nature and location of the lead hazard. The existence of intact lead paint does not alone constitute a lead hazard for the purposes of this Section;
 - F) Give the name of the person who conducted the inspection and the person to contact for further information regarding the inspection and the requirements of this Part and the Act.
 - 2) Mail or otherwise provide a copy of the inspection report to the property owner and to the occupants of the dwelling unit. If a lead bearing substance is found, the Department or its delegate agency shall attach a brochure containing information on lead abatement and mitigation to the copy of the inspection report provided to

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the property owner and the occupants of the dwelling unit. (Section 8 of the Act)

Section 845.27 Requirements for Lead Inspector, Risk Assessor, Worker, Supervisor, and Contractor Licensing

- a) To qualify for a license as a Lead Inspector, Risk Assessor, Worker, or Supervisor, an applicant shall meet the following requirements:
 - b)
 - 1) be at least 18 years of age;
 - 2) complete the Department-approved initial training course for the discipline for which licensure is sought, and pass the examination administered at the conclusion of the course, and submit the training course completion certificate with the application for licensure. The initial training course must have been taken within three years before date the Department received the application. If the initial training course certificate is older than three years, the applicant shall submit the Department-approved initial training course completion certificate and each subsequent Department-approved refresher training course completion certificate indicating no lapse in accredited training.
 - 3) submit a recent 1" x 1" photograph of the applicant for proper identification of the licensee. The license shall not be issued without an identification photograph;
 - 4) submit the appropriate completed application form provided by the Department;
 - 5) submit the required license application fee. Employees of the Illinois Department of Public Health, a delegate agency, or a local health department shall be exempt from licensure and third party examination fees when such employees' licenses are used only for purposes related to employment at the above-mentioned agencies.
 - 6) In addition to the requirements specified in subsections (a)(1) through (5) above, an applicant for Lead Inspector, Risk Assessor or Supervisor shall pass the Department-approved third party certification examination, as specified in subsection (i) of this Section, within six months after the date the Department accepted the application for licensure, to be eligible for licensure in the disciplines of Lead Inspector, Risk Assessor or Supervisor.
- c) Reciprocity. Each applicant for licensure who is licensed or certified in any of the disciplines specified in this Section in another state may request reciprocal licensure. The

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Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are as protective of health and the environment as the requirements for licensure in Illinois. To be considered for reciprocal license, each applicant for licensure pursuant to this Section shall submit the appropriate application and supporting documentation from the state in which currently licensed, accompanied by the non-refundable fee for each discipline as specified in subsection (e), (f), (g), (h) or (i) of this Section.

- 1) Reciprocal licenses shall expire in accordance with subsection (c) of this Section.
 - 2) Renewal of reciprocal licensure shall be in accordance with subsection (d) of this Section, except that the required refresher course must have been completed within one year before the date the Department receives the reciprocal licensure renewal application.
- d) Expiration Date. Lead Inspector and Risk Assessor licenses expire January 31 each year, except that a first-time license issued after October 31 and before February 1 shall expire the following January 31. Lead Worker and Lead Supervisor licenses expire March 31 of each year, except that a first-time license issued after December 31 and before April 1 shall expire the following March 31. Contractor licenses expire May 31 of each year.
- e) Renewal of License. Any license issued pursuant to this Part may be renewed if the licensee submits the completed application, nonrefundable fee, 1" x 1" photo and a certificate of completion from a Department-approved one day (8 hour) refresher course. The course must have been taken within three years before the date the Department received the renewal application. If a renewal application is received after January 1 for a Lead Inspector or Risk Assessor license or after March 1 for a Lead Worker or a Supervisor license, the applicant shall pay a non-refundable late fee of \$15 in addition to the renewal fee. An applicant whose license has been expired for a period less than three years may apply to the Department for reinstatement of his license. The Department shall issue such reinstated license provided the applicant pays to the Department all lapsed license fees and a reinstatement fee of \$15. A license which has been expired for more than three years may be restored only by submitting a new application with a current certificate of completion from a Department-approved initial training course that has been completed within the last three years.
- f) Risk Assessor License Requirements. To qualify for licensure as a Risk Assessor, a person shall:

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- 1) Submit a \$100 non-refundable application fee and a \$50 non-refundable fee for the third party examination specified in subsection (i) of this Section, and
 - 2) comply with subsections (a)(1) through (6) and (e)(1) of this Section, and
 - 3) submit an initial Lead Inspector certificate and initial Risk Assessor certificate or submit an initial Risk Assessor certificate and be a currently Illinois licensed Lead Inspector, and possess, at a minimum, one of the following combinations of education and experience:
 - A) A bachelor's degree in science, engineering, or environmental health; or
 - B) A bachelor's degree in any discipline and one year of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - C) An associate's degree in any discipline and two years of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - D) Be licensed as an industrial hygienist, professional engineer, architect or environmental health practitioner; or
 - E) A high school diploma (or equivalent), and at least three years of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction).
- g) Lead Inspector License Requirements. To qualify for licensure as a Lead Inspector, a person shall complete and submit the application as required by this Section, and:
- 1) submit a \$100 non-refundable application fee and a \$50 non-refundable fee for the third party examination specified in subsection (i) of this Section.
 - 2) comply with subsections (a)(1) through (6) of this Section.
- h) Lead Worker License Requirements. To qualify for a license as a Lead Worker, a person shall complete and submit the application as required by this Section, and:
- 1) submit a \$25 non-refundable application fee.

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- 2) comply with subsections (a)(1) through (5) of this Section.
- i) Supervisor License Requirements. To qualify for licensure as a Supervisor, a person shall complete and submit the application as required by this Section, and;
 - 1) submit a \$50 non-refundable application fee and a \$50 non-refundable fee for the third party examination specified in subsection (i) of this Section.
 - 2) comply with subsections (a)(1) through (6) of this Section.
 - 3) meet the experience requirements as follows:
 - A) One year of experience as a certified lead-based paint abatement worker;
or
 - B) Two years of experience in a related field (e.g., lead, asbestos, or environmental remediation work) or in the building trades.
 - j) Applicants for Lead Inspector, Risk Assessor and Supervisor licenses are required to take a third party examination.
 - 1) To qualify to take the third party examination an applicant shall:
 - A) Comply with the requirements of subsections (a)(1) through (6), of this Section for the appropriate discipline,
 - B) Submit a completed third party examination application form provided by the Department,
 - C) submit a \$50 non-refundable third party examination application fee for each separate discipline examination, each time the examination is taken.
 - 2) The Department shall provide, by mail, the following to applicants who qualify to take the third party examination:
 - A) date, time, and location for the applicant to take the third party examination; and
 - B) a detailed information packet, instructions for registration at the examination site, and directions to the facility where the examination is

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being administered.

- C) date the Department accepted the application.
 - 3) When an applicant receives a passing score on the third party examination, the Department shall issue the license to the applicant in the discipline for which the applicant qualifies.
 - 4) If the applicant does not pass the third party examination, the Department will notify the applicant, who may reapply to the Department to take the third party examination again. An applicant may take the third party examination no more than three times within six months after the Department accepts the application for licensure. If an applicant does not pass the third party examination within six months after the Department accepts the application for licensure, the applicant must retake the initial training course from a Department-approved training course provider before reapplying for licensure and approval to take the third party examination.
- k) Lead Abatement Contractor License Requirements.
- 1) To qualify for licensure as a Lead Abatement Contractor, a person shall:
 - A) submit a completed application on a form provided by the Department;
 - B) submit a \$500 non-refundable licensure fee or, for applications received on or after December 1, a \$250 non-refundable licensure fee for a six month license;
 - C) submit a certificate of financial responsibility documenting that the contractor carries liability insurance for work performed pursuant to the Lead Poisoning Prevention Act and this Part. The contractor shall notify the Department of any changes in the status of the certificate of financial responsibility, including expiration, renewal or alteration of the terms of the certificate. The certificate of financial responsibility shall be an original and shall expressly provide coverage for lead abatement. A photocopy or facsimile copy is not acceptable. The certificate shall be issued by an insurance company that is authorized to transact business in Illinois. A current certificate of insurance shall be on file with the Department at all times;

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- D) submit the name of the person with a valid Illinois Contractor/Supervisor's license. Such license must be held by either the Contractor or an employee of the Contractor;
 - E) submit a written statement signed by the Contractor specifying that only Lead Workers licensed by the Department will be employed for lead abatement;
 - F) submit a copy of the Contractor's written standard operating procedures and employee protection plan, which shall include specific references to medical monitoring and respirator training programs required in OSHA regulations at 29 CFR 1910.1001 and 29 CFR 1926.62 (1993);
 - G) submit a description of all legal proceedings, lawsuits or claims which have been filed or levied against the Contractor or any of his/her past or present employees or companies in regard to construction-related activities. If there are no claims as specified in this subsection (j)(1)(G) against the Contractor then a signed statement to that effect shall be submitted to the Department.
- 2) Reciprocity. An applicant for a Contractor's license who is licensed or certified for lead contracting in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license, if the Department determines that the requirements for licensure in such other state are equal to the requirements for licensure in Illinois. Each applicant for licensure pursuant to this subsection (j)(2) shall submit a one time non-refundable application fee of \$250 and an additional \$500 non-refundable license fee if qualified for licensure.
- 3) Renewal of License. All Contractor licenses shall be renewed annually. All licenses shall expire on May 31 of each year. If a renewal application is received after April 30, the applicant shall pay a non-refundable late fee of \$100, in addition to the \$500 non-refundable renewal fee. An applicant whose license has expired for a period of three years or less may apply to the Department for reinstatement of the license. The license shall be reinstated if the applicant submits to the Department all the lapsed license fees and a reinstatement fee of \$100. A license which has expired for more than three years is not eligible for renewal. In such instances, the formerly licensed individual desiring to be licensed shall follow the application procedures specified in subsection (j)(1)(A) through (G) of this Section.

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- 1) Denial of Application, and Suspension or Revocation of License.
 - 1) The Director of Public Health, after notice and opportunity for hearing, may deny the application for, or suspend or revoke the license of, a Lead Abatement Contractor, Supervisor, Worker, Lead Risk Assessor, or Inspector in any case in which the Director of Public Health finds substantial or continued failure to comply with the requirements of this Part, including fraud, misrepresentation, working without a license, or not adhering to work practice standards.
 - 2) Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the proposed action and provide the applicant or licensee with an opportunity to request a hearing. If a written hearing request is not received within 15 days after receipt of the notice by the applicant or licensee, the right to a hearing is waived.

Section 845.28 Approval of Training Program Providers

- a) Requirements for Approval of All Training Programs.
 - 1) To be approved as a training provider, a person shall submit to the Department information to confirm that the program provides:
 - A) Adequate facilities for classroom and field hands-on training;
 - B) final examination for initial and refresher courses with criteria for pass/fail (at least 70% correct to pass);
 - C) An example of the certificate of course completion with name/address/phone number of the training course provider and student information (name, dates of course, and identification of pass/fail) which is submitted to the Department for each student after course completion;
 - D) Student and instructor manuals and a course agenda;
 - E) A class schedule, which shall be submitted to the Department prior to the start of each course.
 - 2) The training program shall employ a training manager who:

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- A) Has:
 - i) At least two years of experience, education, or training in teaching workers or adults; or
 - ii) A bachelor's degree or higher degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration or program management or a related field; or
- B) Has two years of experience in managing a training program specializing in environmental hazards; and has demonstrated experience, education, or training in the construction industry including lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.
- 3) The training manager shall designate, for each course, a qualified principal instructor who has:
 - A) Demonstrated experience, education, or training in teaching workers or adults;
 - B) Successfully completed at least 16 hours of any Department-approved lead-specific training; and
 - C) Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.
- 4) The principal instructor shall be responsible for the organization of the course and oversight of the teaching of all course material. The training manager may designate guest instructors as needed to provide instruction specific to the lecture, hands-on activities, or work practice components of a course.
- 5) The training manager is responsible for maintaining training program records and making such records available to the Department as specified in this subsection (a)(5):
 - A) Training program records shall be made available to the Department for review as follows:

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- i) The training program shall retain records at the address specified on the training program approval application (or as modified) for a minimum of 3 years.
 - ii) The training program shall notify the Department in writing within 30 days after changing the address specified on its training program approval application or transferring records from that address to a new address.
 - iii) The Department shall have the authority to enter, inspect and audit training facilities to determine compliance with the Act and this Part.
- B) Training records that shall be maintained by the training course provider include, but are not limited to, the following:
- i) All documents that demonstrate the qualifications of the training manager and principal instructors, as specified in subsection (a)(2) of this Section.
 - ii) Current curriculum/course materials and documents reflecting any changes made to these materials.
 - iii) The course examination blueprint.
 - iv) Information regarding the conduct of the hands-on skill assessment, including, but not limited to, the name of the instructor who conducts the assessment, how the skills are graded, what facilities are used for the hands-on assessment, the pass/fail rate, and the quality control plan.
 - v) Results of the students' hands-on skills assessments and course examinations, and a record of each student's course completion certificate.
 - vi) Any other materials specified in this Section that have been submitted to the Department as part of the Program's application approval.

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- b) Requirements for Approval of Lead Inspector Training Programs. To obtain approval for a Lead Inspector training program, a person shall submit information to confirm that the program provides:
- 1) at least a three day course (equivalent to 24 hours of instruction), two days of which are dedicated to the topics specified in this subsection (b)(1), and 8 hours of hands-on instruction. Requirements ending in an asterisk (*) indicate areas that require hands-on activities:
 - A) Role and responsibilities of a Lead Inspector;
 - B) Background information on lead and the adverse health effects of lead exposure;
 - C) Background information on federal, State, and local regulations and guidance pertaining to lead-based paint and lead-based paint activities;
 - D) Lead-based paint inspection methods, including selection of rooms and components for sampling or testing;*
 - E) Paint, dust and soil sampling methodologies;*
 - F) Clearance standards and testing, including random sampling;*
 - G) Preparation of the final inspection report;* and
 - H) Record keeping.
 - 2) The one day (8 hour) Lead Inspector refresher course content shall be the same as the course content specified in subsections (b)(1)(A) through (G) of this Section, and any current safety practices, new laws and regulations, and current technologies relating to lead-based paint activities.
- c) Requirements for Approval of Risk Assessor Training Programs. To obtain approval for a Risk Assessor training program, a person shall submit information to confirm that the program provides:
- 1) At least a two day course (equivalent to 16 hours of instruction), with a minimum of 4 hours of hands-on instruction provided. Requirements ending in an asterisk (*) indicate areas that require hands-on activities:

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- A) Assurance to the Department that a Lead Inspector training course certificate of completion is required of each applicant as a prerequisite for Risk Assessor training course attendance;
 - B) Role and responsibilities of the Risk Assessor;
 - C) Collection of background information to perform a dwelling risk assessment;
 - D) Sources of environmental lead contamination (paint, surface dust and soil, water, air, packaging, and food);
 - E) Visual inspection procedures for the purpose of identifying potential sources of lead-based paint hazards*;
 - F) Lead hazard screening protocol;
 - G) Sampling for sources of lead exposure*;
 - H) Interpretation of lead-based paint and other lead sampling results, including all applicable State and federal guidance pertaining to lead-based paint hazards (i.e., federal statutes and regulations)*;
 - I) Development of hazard control options, the role of interim controls, and operations and maintenance activities to reduce lead-based paint hazards; and
 - J) Preparation of a final risk assessment report.
- 2) The one day (8 hour) lead Risk Assessor refresher course content shall be the same as the course content specified in subsections (c)(1)(B) through (J) of this Section, and any current safety practices, new laws and regulations, and current technologies relating to lead-based paint activities.
- d) Requirements for Approval of Lead Worker Training Programs. In order to obtain approval for a Lead Worker training program, a person shall submit information to confirm that the program provides:
- 1) At least a three-day course (equivalent to 24 hours) of instruction with a minimum

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of one day (8 hours) of hands-on training. Requirements ending in an asterisk (*) indicate hands-on activities:

- A) Role and responsibilities of a lead abatement worker;
 - B) Background information on lead and the adverse health effects of lead exposure;
 - C) Background information on federal, State and local regulations;
 - D) Lead-based paint hazard recognition and control*;
 - E) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices*;
 - F) Interior dust abatement methods/cleanup or lead-based paint hazard reduction*; and
 - G) Soil and exterior dust abatement methods or lead-based paint hazard reduction*.
- 2) The one day (8 hour) Lead Worker refresher course content shall be the same as the course content specified in subsections (d)(1)(A) through (K) of this Section, and any current safety practices, new laws and regulations, and current technologies relating to lead-based paint activities.
- e) Requirements for Approval of Supervisor Training Programs. To obtain approval for a Supervisor training program, a person shall submit information to confirm that the program provides:
- 1) A minimum of 32 training hours, with a minimum of 8 hours devoted to hands-on activities, and an examination administered at the end of the course. (Requirements ending in an asterisk (*) indicate areas that require hands-on activities as an integral part of the course):
 - A) Role and responsibilities of a supervisor;
 - B) Background information on lead and its adverse health effects;
 - C) Background information on federal, State, and local regulations and

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guidance that pertain to lead-based abatement;

- D) Liability and insurance issues relating to lead-based abatement;
 - E) Risk assessment and inspection report interpretation*;
 - F) Development and implementation of an occupant protection plan and abatement report;
 - G) Lead-Based paint hazard recognition and control*;
 - H) Lead-Based paint abatement and lead-based paint hazard reduction methods, including restricted practices*;
 - I) Interior dust abatement/cleanup or lead-based paint hazard control and reduction methods*;
 - J) Soil and exterior dust abatement or lead-based paint hazard, control and reduction methods, including large scale abatement projects*;
 - K) Clearance standards and testing;
 - L) Cleanup and waste disposal;
 - M) Recordkeeping; and
 - N) Integration of lead-based paint abatement methods with modernization and rehabilitation projects for large scale abatement projects.
- 2) The one day (8 hour) lead Supervisor refresher course content shall be the same as the course content specified in subsections (e)(2)(A) through (M) of this Section, and any current safety practices, new laws and regulations, and current technologies relating to lead-based paint activities and rehabilitation projects for large-scale abatement projects.
- f) Application Fees for Approval and Renewal of Lead Training Courses.
- 1) All lead training course approvals expire on October 15.
 - 2) All initial lead training course approval application fees shall be \$200 per

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discipline and all lead refresher training course approval application fees shall be \$100 per discipline.

- 3) Applications for renewal of all lead training course approvals must be received by September 15 of each year. If the renewal application is received after September 15, a \$50 late fee shall be charged per course.
- 4) Application fees for all lead training courses, effective October 15, 1998, will be as follows, except that fees will be waived for all State, local, and not-for-profit training providers.
 - A) Initial training course for all disciplines, \$500 per course;
 - B) Refresher training course for all disciplines, \$250 per course; and
 - C) Late fees for all disciplines, \$50 per course.
- g) Suspension, Revocation, or Denial of Training Courses. The Department may suspend, revoke or deny approval of any lead training course for any of the following reasons:
 - 1) Misrepresentation of the contents of a training course to the Department and/or the student population;
 - 2) Failure to submit required information or notifications;
 - 3) Failure to maintain required records;
 - 4) Falsified records, instructor qualifications, or other related information or documentation;
 - 5) Failure to comply with the training standards and requirements in this Section; or
 - 6) Failure to comply with federal, State, or local lead-based paint statutes or regulations.

Section 845.29 Safety Guidelines for Workers Removing or Covering Leaded Soil

- a) Workers shall be licensed in accordance with Section 845.28 and should be provided with a pre-employment physical to determine blood lead level and ability to wear appropriate respiratory protection. Workers should not be permitted to perform lead

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removal work if they have blood lead levels greater than the permissible limits set forth in Section 845.10.

- b) All workers removing or covering leaded soil should receive appropriate safety training designed to reduce their exposure to lead and the risk of job-related injuries.
- c) Workers should be provided with a changing area equipped with a facility for washing or showering. Workers should be required to change into personal protective clothing before entering the work area, and to remove personal protective clothing and shower or wash before leaving the work area, as provided in Section 845.30(d)(2) and (l).
- d) Equipment decontamination procedures shall be employed to prevent the spread of lead contamination. Disposable items are not to be reused and shall be discarded as provided in Section 845.30(q)(2)(C).
- e) Protection for workers removing or covering leaded soil should meet the requirements of Section 845.30(d) and (l). Personal air monitoring for lead and/or respirable dust exposure shall be done at appropriate intervals.
- f) Safety Guidelines During Soil Remediation or Removal
 - 1) Prior to beginning soil remediation or removal, the source of the lead contamination of the soil shall be identified if possible and eliminated to prevent re-contamination of the remediated soil.
 - 2) Removal or remediation of the soil shall be accompanied by dust suppression methods, and the generation of dust shall be held to a minimum. Monitoring of airborne dust shall be performed by the owner or its agent and, if acceptable levels are exceeded, additional dust suppression steps shall be taken or work stopped until dust is controlled. Airborne lead analysis may be performed in conjunction with dust measurements.
 - 3) Soil which is stockpiled prior to disposal shall be:
 - A) placed on a layer of impermeable plastic;
 - B) kept moist to avoid dust generation; and
 - C) covered with impermeable plastic which is secured to the ground.

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- 4) Contaminated soil shall be transported to disposal areas in sealed containers or in a covered vehicle. Off-site vehicular or foot tracking of contaminated soil shall be avoided.

Section 845.30 Mitigation or Abatement of Lead Hazards

- a) The following procedures shall be followed upon determination by the Department or delegate agency that a lead hazard is present in or upon any dwelling or residential building or child care facility. The Department or delegate agency will provide the occupant of the dwelling with a copy of any mitigation notice, amended notice, mitigation plan, amended plan, or follow-up inspection report issued pursuant to this subsection (a).
 - 1) If the inspection report identifies a lead hazard, the Department or delegate agency shall serve a mitigation notice on the property owner that the owner is required to mitigate the lead hazard. The mitigation notice shall indicate the time period in which the owner must complete the mitigation as required by subsection (a)(3) of this Section, and shall include information describing mitigation activities which meet the requirements of this Part and the Act. (Section 9(1) of the Act)
 - 2) If the inspection report prepared in accordance with Section 845.26, identifies a lead hazard, the owner shall mitigate the lead hazard in accordance with the requirements of this Section and within the time limits set forth in subsection (a)(3) of this Section. If the source of the lead hazard identified in the inspection report is lead paint or any other leaded surface coating, the lead hazard shall be deemed to have been mitigated if:
 - A) The surface identified as the source of the hazard is no longer in a condition that produces a hazardous level of leaded chips, flakes, dust or any other form of leaded substance that can be ingested or inhaled by humans; or
 - B) If the surface identified as the source of the hazard is accessible to children and could reasonably be chewed on by children, the surface coating is either removed or covered, or the access to the leaded surface by children is otherwise prevented as prescribed by the Department. (Section 9(2) of the Act)
 - 3) When a mitigation notice is issued for a dwelling unit inspected as a result of an

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elevated blood lead level in a pregnant woman or a child, or if the dwelling unit is occupied by a child under 6 years of age or a pregnant woman, the owner shall mitigate the hazard within 30 days after receiving the notice; otherwise, the owner shall complete the mitigation within 90 days. (Section 9(5) of the Act)

- 4) An owner may apply to the Department or its delegate agency for an extension of the deadline for mitigation. If the Department or its delegate agency determines that the owner is making substantial progress toward mitigation during the prescribed time period, or that the failure to meet the deadline is the result of a shortage of licensed abatement contractors or workers, or that the failure to meet the deadline is because the owner is awaiting the review and approval of a mitigation plan, the Department or delegate agency may grant an extension of the deadline. (Section 9(6) of the Act)
 - 5) The Department or its delegate agency may, after the deadline set for completion of mitigation, conduct a follow-up inspection of any dwelling for which a mitigation notice was issued for the purpose of determining whether the mitigation actions required have been completed and whether the activities have sufficiently mitigated the lead hazard. The Department or its delegate agency may conduct a follow-up inspection upon the request of an owner or resident. If, upon completing the follow-up inspection, the Department or its delegate agency finds that the lead hazard for which the mitigation notice was issued is not mitigated, the Department or its delegate agency shall serve the owner with notice of the deficiency and a mitigation order. The order shall indicate the specific actions the owner must take to comply with the mitigation requirements of this Act, which may include abatement if abatement is the sole means by which the lead hazard can be mitigated. The order shall also include the date by which the mitigation shall be completed. If, upon completing the follow-up inspection, the Department or delegate agency finds that the mitigation requirements of this Act have been satisfied, the Department or delegate agency shall provide the owner with a certificate of compliance stating that the required mitigation has been accomplished. (Section 9(7) of the Act)
- b) In order to ensure that lead mitigation or abatement activities do not result in lead contamination of areas outside of the abatement worksite or work area, the removal of lead-bearing substances from the dwelling, residential building, or child care facilities shall be conducted in a manner that will not endanger the health or well-being of occupants and will result in the safe removal from the worksite or work area and the safe disposal of flakes, chips, debris, dust, and other lead-bearing substances. Notwithstanding any provisions to the contrary, performance of mitigation and abatement activities which

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do not conform to procedures and criteria provided in this Section, whether or not those procedures and criteria are expressly made mandatory in this Section, shall create a rebuttable presumption of creation of a health hazard by the person performing such activities.

- c) Mitigation. Mitigation is an interim method of eliminating the lead hazard risk to a child and may consist of any number of the Department-prescribed lead hazard repair activities specified in subsections (c)(1) through (4) of this Section. Such activities may not be considered final actions if it is determined, through a follow-up inspection conducted pursuant to subsection (a)(5) of this Section, that the lead hazard repair measures taken have not sufficiently mitigated the lead hazard. Lead hazard repairs shall be completed within the time specified after receipt of written notification. When conducting any lead hazard repair that does not create lead dust or fumes as specified in subsections (c)(1) through (4), the requirements of Section 845.28 pertaining to the licensure of lead workers, lead contractor/supervisors, or lead abatement contractors and the requirements of subsections (d)(1)(B) through (E) and (d)(2) of this Section are optional.
- 1) All loose paint shall be moistened and carefully scraped from defective surfaces. These areas shall then be covered with contact paper, cloth, canvas, or other material which will create an intact surface for the purpose of preventing the paint chips from falling on the floor and preventing a child's access to the lead hazard. All debris shall be collected and sealed in plastic bags for proper disposal in accordance with subsection (q) of this Section.
 - 2) Areas which may be chewed upon by a child shall be covered with heavy paper, cardboard, cloth, canvas, or other material that will prevent access to the lead hazard by a child.
 - 3) All plaster and paint chips shall be collected, and any surfaces that have collected paint dust shall be cleaned by damp mopping with a phosphate-containing detergent or trisodium phosphate (TSP), or a phosphate-free lead-dissolving detergent.
 - 4) A mitigation plan shall be submitted by the owner or its agent to the Department or delegate agency specifying the method or methods by which surfaces which will be managed-in-place are to be maintained in an intact condition. The plan shall include an inspection schedule, which shall include inspection by the owner or its agent at least annually, and a maintenance schedule. Any surfaces that are not intact, as determined through an inspection, shall be repaired using the

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mitigation techniques specified in subsections (c)(1), (2), and (3) of this Section.

- d) Abatement. For cases in which a follow-up inspection conducted pursuant to subsection (a)(5) of this Section determines that lead hazard repair measures taken have not sufficiently mitigated the lead hazard, abatement may be deemed necessary. If the Department or delegate agency determines that abatement is the sole means by which a lead hazard can be mitigated, then abatement activities shall be conducted in accordance with this Section. Mitigation activities which involve the destruction or disturbance of any leaded surface shall be conducted by a licensed lead abatement contractor using licensed lead abatement workers (Section 9 of the Act). If the mitigation activities described in subsection (c) of this Section will not result in protection of a child, or are not practical, any child or children shall be removed to a lead-safe dwelling until abatement is completed.
- 1) Personnel Protection. An owner, its agent, or any person who is performing corrective action that is prescribed by the Department or a delegate agency for lead abatement in a dwelling, shall take the following precautions to protect his or her health and the health of occupants of the dwelling during any lead abatement that may produce lead dust or fumes. Monitoring of airborne dust shall be performed when work is in progress and respiratory protection shall be provided in accordance with this Section. The owner or its agent shall assure, through the monitoring of airborne dust in the work site and in areas that are outside but adjacent to the work site, that no person conducting lead abatement work directed by the Department or owner is exposed to lead at concentrations greater than the permissible exposure limit average (50 mcg/m³) over an eight-hour period.
- A) No children, pregnant women, unprotected workers, nonworkers, or pets shall be permitted to enter the work site.
- B) Respiratory protection shall be worn by all individuals in the work site or work area who may be exposed to lead dust or fumes at all times during lead abatement activities. Respiratory protection in accordance with OSHA Interim Final Rule for Lead in Construction - 29 CFR 1926.62, shall be worn until all areas have been thoroughly cleaned as described in subsection (o) of this Section. The following are the minimum respiratory protection requirements:
- i) Air lead levels of 500ug/m³ or less: Half-mask air purifying (protection 10X) respirator with high efficiency filters; or half-mask supplied air respirator operated in demand

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(negative-pressure) mode.

- ii) Air lead levels between 500ug/m(3) and 1,250ug/m(3): Loose fitting hood or helmet (protection 25X) powered air purifying respirator with high efficiency filters; or hood or helmet supplied air respirator operated in continuous-flow mode (e.g., type CE abrasive blasting respirators operated in a continuous flow mode).
 - iii) Air lead levels between 1250ug/m(3) and 2500ug/m(3): Full facepiece air purifying (protection 50X) respirator with high efficiency filters; tight fitting powered air purifying respirator with high efficiency filters; full facepiece supplied air respirator operated in demand mode; half-mask or full facepiece supplied air respirator operated in a continuous-flow mode; or full facepiece self-contained breathing apparatus (SCBA) operated in demand mode.
 - iv) Air lead levels between 2500ug/m(3) and 50,000ug/m(3): Half-mask supplied air (protection 1,000X) respirator operated in pressure-demand or other positive pressure mode.
 - v) Air lead levels between 50,000ug/m(3) and 100,000ug/m(3): Full facepiece supplied air (protection 2,000X) respirator operated in pressure demand or other positive pressure mode (e.g., type CE abrasive blasting respirators operated in a positive pressure mode).
 - vi) Greater than 100,000ug/m(3): Full facepiece SCBA operated unknown concentration, in pressure-demand or other or fire fighting positive pressure mode (protection over 2000X).
- C) Only approved Mine Safety and Health Administration (MSHA) or National Institute of Occupational Safety and Health (NIOSH) respirators shall be used. Respirators shall be properly fitted for all persons working at the site. If any person has a medical history of respiratory problems, a physician should be contacted for testing to determine if the person may wear such respirators.
- D) The manufacturers' instructions shall be followed for maintenance, proper fit, use of appropriate cartridges, cleaning, repair, replacement of defective parts, appropriate storage, and the frequency of cartridge replacement for

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the specific respirator in use. (NOTE: Respirators are not effective if facial hair (a beard, etc.) is present because a good seal cannot form between the respirator and skin.)

- E) Respirators shall not be removed while in the work site or work area.
 - F) Additional respiratory protection by supplemental filters, such as organic vapor cartridges, may be needed when handling some coating or stripping products. Consult the Material Safety Data Sheets (MSDS) or the manufacturer and obtain the proper filters as necessary.
- 2) Individuals at the work site shall wear full body suits with hoods and shoe covers. A TYVEK or similar type of disposable suit may be worn. Disposable suits shall be used once, then properly discarded. Protective clothing, as described above, and other personal protective equipment (PPE) shall be put on prior to entering the work site or work area. Protective clothing shall be worn in the work site or work area until it has been thoroughly cleaned as described in clean-up activities in subsection (o) below. Protective clothing shall be changed before leaving the work site or work area and nondisposable suits shall be laundered separately. An area other than the work site or work area shall be provided for persons to put on suits and other PPE and to store their street clothes.
- 3) Goggles with side shields shall be worn when working with a material that may splash or fragment, or if protective eye wear is specified on the Material Safety Data Sheet (MSDS) for that product.
- e) Notice to Occupants. The owner or its agent shall give notice to the occupants of a dwelling to be abated for lead, at least 7 days but not more than 30 days, before a contractor or the owner may commence a lead abatement project. Before beginning a lead abatement project, the owner of the building in which lead abatement is to take place shall remove all furniture and packed personal items from the work site and store them in a secure place. The owner of the building in which the lead abatement project is to take place shall notify all residents of:
- 1) the site or area which is to be abated;
 - 2) the date on which abatement is to commence; and
 - 3) the occupants' obligations under this Section to place all personal items in a box or other closed, easily handled container. Every occupant of a dwelling to be

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abated, who has received a notice of lead abatement, shall be responsible for placing all personal items in boxes or other closed, easily handled containers.

- f) Residential Buildings. At all times when a lead abatement project is being conducted in a common area of a residential building:
- 1) occupants and pets shall use alternative entrances and exits which do not require passage through the work site or work area, if such entrances and exits exist;
 - 2) the owner or its agent shall use all reasonable efforts to create an uncontaminated passage for entrance and egress of all building occupants; and
 - 3) if the entrance to and egress from a building can only be through the work site or work area, abatement in the work site or work area shall be conducted between the hours of 9 a.m. to 3 p.m. only, and the work site or work area shall be cleaned with a HEPA vacuum at the end of each working day until all surfaces are free of visible dust and debris.
- g) Abatement of lead-bearing substances shall not employ the following methods:
- 1) open flame burning;
 - 2) dry-sanding;
 - 3) open abrasive blasting;
 - 4) uncontained hydro-blasting;
 - 5) methylene chloride for interior use (except that methylene chloride may be used in work sites for localized touch-up); or
 - 6) dry-scraping.
- h) Abatement of lead-bearing substances shall employ only the following methods:
- 1) Replacement. Any component part of a building may be abated by replacement with a part free of lead-bearing substances.
 - 2) Removal. Unless replaced, encapsulated, or reversed, woodwork may be abated by using the following techniques:

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- A) offsite chemical stripping;
 - B) heat gun (The temperature of the heat gun shall not exceed 1,100 F.);
 - C) nonflammable chemical strippers which do not contain methylene chloride, except that chemical strippers containing methylene chloride may be used for localized touch-up;
 - D) sander equipped with HEPA vacuum;
 - E) vacuum-blasting in exterior work areas only;
 - F) contained hydro-blasting in exterior work areas only; or
 - G) mechanical paint removal systems equipped with a HEPA vacuum.
- 3) Unless replaced or encapsulated, walls or ceilings may be abated by using the following techniques:
- A) wet-scraping of loose material, if scraping is followed by encapsulation;
 - B) vacuum-blasting in exterior work areas only; or
 - C) contained hydro-blasting in exterior work areas only.
- 4) Enclosure. A wall or ceiling surface may be abated by covering the lead-bearing surface with any of the following materials, provided use of any material complies with local building ordinances or codes. (All seams and openings shall be caulked and sealed where applicable.):
- A) gypsum board;
 - B) fiberglass mats;
 - C) canvas-backed vinyl wall coverings;
 - D) high pressure, laminated plastic sheet, such as Formica (R);
 - E) tile;

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- F) paneling;
 - G) other durable material that does not readily tear or peel; or
 - H) solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions.
- 5) A floor surface may be abated by enclosure using the following materials:
- A) tile;
 - B) vinyl flooring;
 - C) wood; or
 - D) stone.
- 6) A woodwork surface may be abated by enclosure or encapsulation only with the following materials:
- A) plastic;
 - B) metal;
 - C) wood; or
 - D) solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions.
- 7) Reversal. A woodwork surface may be abated by reversing component parts, provided that no lead-bearing surface remains exposed at the completion of the process and all seams are caulked and sealed.
- 8) Windows, when abated, shall be completely treated, including inside, outside, and sides of sashes and mullions. Window frames shall be abated to the outside edge of the frame, including slides, sash guides, and window wells and sills.
- i) Alternative Procedures

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- 1) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.
 - 2) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (h)(1) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.
- j) Caution Signs. At each work site or work area in dwellings occupied by two or more families, the owner or its agent performing an abatement shall display a caution sign in the following manner wherever the abatement process is reasonably expected to break or disturb any lead-bearing substances.
- 1) At least 3 days before removing, enclosing, or encapsulating lead paint, the owner shall post caution signs immediately outside all entrances and exits to the work site. In emergency situations posting shall be done as soon as possible.
 - 2) The owner shall keep the caution signs posted until the lead abatement is completed.
 - 3) The owner shall ensure that caution signs meet the following specifications:
 - A) the sign shall be at least 20" by 14", and state the date and place of the lead abatement project;
 - B) except as provided in subsection (j)(3)(C) below, the sign shall include the phrase "Caution, Lead Hazard, Keep Out" or "Warning, Lead Work Area, Keep Out" in bold lettering, at least two inches high; and
 - C) in dwellings occupied by two or more households where common areas are to be abated, the sign shall include the phrase "Caution, Lead Hazard, Do Not Remain in Work Area Unless Authorized" in bold lettering at least

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two inches high.

k) Residential Buildings

- 1) In residential buildings where common areas are to be abated, the owner or its agent shall post a notice on the door of each apartment in the building at least three days before a lead abatement project commences.
- 2) The notice required in subsection (k)(1) above shall contain:
 - A) the date of commencement of abatement and identification of the area to be abated; and
 - B) a caution statement alerting residents not to enter the work site or work area.

l) Personal Hygiene Practices

- 1) Eating, drinking, smoking, and applying of cosmetics are not allowed in the work site or work area. Any person leaving the work site or work area shall rinse his or her mouth with potable water and wash hands and face thoroughly before eating, drinking or smoking.
- 2) All individuals shall wash or shower before leaving the work site or work area for the day.
- 3) A lavatory facility or potable water supply or a portable decontamination unit shall be provided and located at the work site or work area for the washing of hands and face and for clean up activities.

m) Negative air pressure shall be maintained in work sites undergoing lead abatement in multiple dwelling units occupied by two or more households having a common area and in residential buildings having a common area, in which any unit of the building is undergoing lead abatement. The maintenance of negative air pressure will ensure that contaminated air does not filter from the work site to uncontaminated areas. (See 845.Appendix D of this Part)

- 1) The negative pressure system shall use HEPA filters and shall operate continuously, 24 hours a day, at the start of the lead abatement work through clean-up as described in Section 845.30(o).

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- 2) The owner or its agent shall assure, through the monitoring of airborne dust, that no person conducting lead abatement work directed by the Department is exposed to lead at concentrations greater than 50 mcg/m³ average over an eight-hour period.
- n) Containment
- 1) Interior Containment. Before beginning to abate a lead-containing substance which will cause lead dust or fumes in excess of the requirements in subsection (c) above in the work site, the owner or its agent performing an abatement shall:
 - A) ensure that all movable objects have been removed from the work site;
 - B) turn off all forced air ventilation in the work site and seal exhaust and intake points in the work site;
 - C) if the work site is a room or group of rooms within a building, seal the work site from all other portions of the building with plastic sheeting at least 6 mils thick, secured by duct tape or spray adhesives;
 - D) seal the opening seams of all kitchen cabinets and refrigerators individually with tape;
 - E) cover all objects that cannot be moved, such as radiators, refrigerators, stoves, kitchen cabinets, built-in furniture, and bookcases, with plastic sheeting at least 6 mils thick taped securely in place;
 - F) cover floors in the work site with plastic sheeting at least 6 mils thick sealed with tape; and
 - G) remove all carpeting from the work site prior to abatement. Carpeting shall be professionally cleaned or replaced. Carpeting shall be misted with water prior to removal to prevent lead dust exposure.
 - 2) Exterior Containment. Before beginning to abate a lead-containing substance in an exterior work site, the owner or its agent performing the abatement shall use the following procedures:
 - A) When liquid waste is produced by any abatement technique used, plastic

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sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheeting placed on the ground or floor shall be raised at its edge and extended a sufficient distance to contain the liquid waste.

- B) When nonliquid waste is produced by any abatement technique used, plastic sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheeting placed on the ground or floor shall extend out from the foundation 3 feet per story being abated, with a minimum of 5 feet and a maximum of 20 feet.
 - C) Sheeting placed on an exterior floor shall cover the entire floor.
 - D) Sheeting shall be secured at the foundations and along all edges and seams.
 - E) If the wind speed causes visible dust during an exterior abatement project producing dry waste, abatement shall not be continued or performed unless vertical shrouds are erected.
 - F) When vacuum blasting or contained hydro-blasting, interior windows shall be sealed with plastic sheeting 6 mils thick and secured with water proof tape.
- 3) For all sealing and covering of interior and exterior abatement work the owner or its agent shall use the following:
- A) plastic sheeting, at least 6 mils thick or equivalent;
 - B) duct tape or equivalent waterproof tape;
 - C) spray adhesives; or
 - D) other additional appropriate work practices to contain particulate lead or lead-containing liquids.
- 4) Alternative Procedures
- A) The Department or delegate agency may allow an alternative procedure

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for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedures that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

- B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (n)(4)(A) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.
- o) Cleanup of Interior Work Site. Refer to 845.Appendix D of this Part if a negative pressure system is used. After completion of the removal, replacement, enclosure, encapsulation, or reversal involved in an abatement project, the owner or its agent shall:
 - 1) deposit all lead waste, including sealing tape and plastic sheeting, in double plastic bags at least 4 mils thick or single bags 6 mils thick or equivalent, and seal the bags;
 - 2) before washing, vacuum-clean all surfaces in the work site including woodwork, walls, windows, window wells, and floors with a HEPA vacuum;
 - 3) after vacuum-cleaning, wet wash all surfaces in the work site including woodwork, walls, windows, window wells, ceilings and floors with a solution containing trisodium phosphate mixed according to the manufacturer's directions, or a phosphate-free lead dissolving detergent; and
 - 4) if visible residue remains after washing and allowing all surfaces to dry, vacuum all surfaces with HEPA vacuum, as described in subsection (o)(2) above; and
 - 5) deposit all lead waste from clean-up, including mop heads, sponges, filters, and disposable clothing, in double plastic bags at least 4 mils thick or single bags 6 mils thick, and seal the bags.
- p) Cleanup of Exterior Work Area. After completion of the replacement, removal, encapsulation, enclosure, or reversal involved in an exterior abatement or mitigation

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project, the owner or its agent shall:

- 1) recover all visible debris from exterior areas;
 - 2) HEPA vacuum all porches that have been abated; and
 - 3) wet wash all surfaces in the work site, including woodwork, windows, window wells, and floors, with a solution containing trisodium phosphate mixed according to the manufacturer's directions, or a phosphate-free lead dissolving detergent.
- q) Waste Disposal
- 1) The owner or its agent of any dwelling who has conducted lead abatement that was prescribed by the Department or delegate agency shall contact the Illinois Environmental Protection Agency and local authorities to determine lead-based paint debris disposal requirements.
 - 2) In addition, the owner or its agent shall:
 - A) remove lead waste from the site of an abatement project not later than 48 hours after completing the final cleanup;
 - B) place lead-based paint chips, debris, and lead dust in double 4-mil or single 6-mil polyethylene bags; or equivalent, that are air-tight and puncture-resistant. Pieces of wood or other large items that do not fit into plastic bags shall be wrapped with double 4-mil or single 6-mil plastic sheeting and sealed;
 - C) place all disposable cleaning materials, such as sponges, mop heads, filters, disposable clothing, and brooms in double 4-mil or single 6-mil plastic bags, or equivalent, and seal;
 - D) remove plastic sheeting and tape from covered surfaces. Prior to removing the plastic sheeting, the sheeting shall be lightly misted in order to keep dust down and folded inward to form tight small bundles to bag for disposal. All plastic sheeting shall be placed in double 4-mil or single 6-mil thick plastic bags, or equivalent, and shall be sealed;
 - E) bag and seal vacuum cleaner bags and filters in double 4-mil or single 6-mil thick plastic bags or equivalent;

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- F) place all contaminated clothing or clothing covers used during abatement and cleanup in plastic bags for disposal prior to leaving equipment room, work site or work area;
 - G) place solvent residues and residues from strippers in drums made from materials that cannot be dissolved or corroded by chemicals contained in those solvents and strippers. Solvents shall be tested to determine if they are hazardous. Solvents and caustic and acid waste shall not be stored in the same containers;
 - H) contain and properly dispose of all liquid waste, including lead dust contaminated wash water;
 - I) HEPA vacuum the exterior of all waste containers prior to removing the waste containers from the work site or area and wet wipe the containers from the work site or area and wet wipe the containers to ensure that there is no residual contamination. Containers that have been cleaned shall be moved out of the work site or area into a designated storage area;
 - J) carefully place the containers into the truck or dumpster used for disposal; and
 - K) ensure that all waste is transported in covered vehicles to a landfill approved by the Illinois Environmental Protection Agency.
- r) Repainting, Coating and Sealing. After cleaning, the owner or its agent shall repaint all abated surfaces with a paint that is not a lead-bearing substance or coat all surfaces from which lead paint has been removed with a solvent-free coating, except for those enclosed surfaces that have smooth, easily cleanable surfaces.
- 1) After painting or coating, the owner or its agent shall repeat the cleaning process in all interior work areas, except those painted with latex paint or coated with liquid encapsulant.
 - 2) After completion of the cleaning, the owner or its agent shall seal all floors that have been abated in the work site with:
 - A) polyurethane;

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- B) gloss deck enamel;
 - C) a tight fitting vinyl floor covering; or
 - D) an equivalent impermeable material, if a smooth cleanable surface is not already present.
- 3) Alternative Procedures
- A) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.
 - B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (r)(3)(A) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.
- s) Procedures for Determining Compliance
- 1) The Department or delegate agency may inspect a work site or work area at any time during a lead abatement project to determine compliance with this Section.
 - A) The inspector shall notify the owner of the results of the inspection, and shall include the locations and characteristics of surfaces with inadequate treatment.
 - B) A lead abatement project shall be deemed to be in compliance with these regulations if:
 - i) Lead dust levels on horizontal interior surfaces are below 200 micrograms per square foot; except that lead dust levels on all interior and exterior floors shall be below 50 micrograms per

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square foot.

- ii) All abated surfaces and all floors have been treated to provide smooth and easily cleanable surfaces.
- 2) Noncompliance. If the results of a lead dust analysis conducted do not meet the requirements of subsections (s)(1)(B)(i) or (ii) above, the owner or its agent shall perform a further cleanup as described in subsection (o). If results of the lead dust analysis meet the requirements of subsection (s)(1)(B)(i) or (ii) above, the Department or delegate agency shall state that the lead abatement project has been completed and complies with the Department's requirements. A statement of completion and compliance may not preclude the Department or delegate agency from taking any future enforcement action against the owner of the dwelling
- t) Records. The Department or delegate agency shall retain for 6 years the following information for every lead abatement project prescribed by the Department or delegate agency:
- 1) name and address of the contractor who performed the project and the owner;
 - 2) the location of the project;
 - 3) a summary of abatement techniques used to comply with Department or delegate agency prescribed corrective action;
 - 4) the location of the disposal site of the discarded lead-based substances which were removed by a contractor from the work site; and
 - 5) the starting and completion dates of the lead abatement project.

Section 845.31 Lead Abatement Contractor Responsibilities

Licensed abatement contractors shall:

- a) Be fully knowledgeable of general renovation techniques, including lead-based paint (LBP) abatement;
- b) Train (or arrange for training of) workers and supervisors on engineering controls and good work practices relating to abatement and on the importance of adherence to these controls and practices;

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- c) Assure the safety of workers and prepare a worker protection plan;
- d) Assure that all work is conducted in accordance with the Act and this Part; and
- e) Notify the Department at least 10 working days or 14 calendar days prior to commencement of any lead abatement or mitigation projects. Notification shall be on a form provided by the Department or shall contain the same information required on the Department's form as follows:
 - 1) Contractor's name and license number;
 - 2) Date of project start time and end time;
 - 3) Location of project;
 - 4) Name, address, and phone number of owner of property being abated or mitigated.

Section 845.32 Lead Contractor/Supervisor Responsibilities

In addition to Section 845.31 of this Part, the Lead Contractor/Supervisor is responsible for properly implementing abatement and mitigation methods and for enforcing work practices that ensure safety, especially practices that control dust produced during abatement or mitigation of lead bearing surfaces or coatings, and shall:

- a) Assure that all workers are licensed in accordance with Section 845.28 of this Part;
- b) Be on-site whenever project activities are taking place; and
- c) Assure that all work is conducted in accordance with the Act and this Part.

Section 845.33 Dwellings Not Requiring Abatement or Mitigation

Notwithstanding any other provision of this Part, abatement and mitigation are not required in the following circumstances:

- a) When the lowest written estimate of the cost of abatement or mitigation by a contractor licensed under this Part exceeds 100% of the most recent real property assessment by local taxing authorities; and

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- b) When the property owner enters into a stipulation with the Department which, in the sole opinion of the Department, will protect children from exposure to lead bearing substances. The stipulation shall be by written agreement, and shall provide that any violation thereof shall cause the immediate issuance of a mitigation or abatement order. Examples of conditions that may be included in a stipulation entered into by the property owners and the Department are as follows:
- 1) the property shall be demolished; or
 - 2) the property shall be vacated.

Section 845.40 Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act

- a) The Department may approve units of local government or health departments as delegate agencies to administer and enforce the Act in accordance with individually negotiated delegate agency agreements. No unit of local government or health department shall be approved for this purpose except upon request. Such approval shall be rescinded in the event that the delegate agency agreement is subsequently violated. Such rescission shall become effective 30 days after the Department serves written notice on the unit of local government or local health department of its intention to rescind approval.
- b) The Department shall approve units of local government or local health departments as delegate agencies that enter into written cooperative agreements with the Department to conduct the follow-up activities specified in Section 845.25 of this Part or to conduct inspections of dwellings, child care facilities or residential buildings as specified in Section 845.26 of this Part. The delegate agency shall provide information to the Department on any environmental inspection completed for identified cases and information on remediation action taken. (See 845.Appendix A, Exhibit C of this Part.)

Section 845.50 Permissible Limits of Lead in and about Dwelling Residential Buildings or Child Care Facilities

- a) The permissible limit of lead in any lead bearing substance applied to an exterior surface of a dwelling, residential building or child care facility which is accessible to children shall be 0.5% lead by weight (calculated as lead metal) in the total non-volatile content of liquid paint, or lead bearing substance containing greater than one milligram per square

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centimeter in the dried film of paint.

- b) The permissible limit of lead in soil which is readily accessible to children shall be 1,000 micrograms of lead per gram of soil (mcg/g).
- c) The permissible limit of lead in house dust shall be the same as that in Section 845.30(s)(1)(B)(i) or (ii).
- d) The storage of any lead-containing or lead-contaminated article including automotive or marine batteries, battery casings or battery casing liners; scrap lead or lead solder; internal combustion engine parts; print or print faces; pottery glaze or pottery glaze containers; bullets or spent cartridges; or any other article containing or contaminated by lead in an area accessible to children shall be prohibited.

Section 845.APPENDIX A Instructions for Childhood Blood Lead Poisoning Reporting System

EXHIBIT A Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning

The Childhood Lead Poisoning Report form should be completed for all blood lead test results on all persons 15 years of age and younger. Each laboratory in Illinois certified by the Illinois Department of Public Health to conduct a blood lead analysis is required to complete the Childhood Lead Poisoning Report form, unless the laboratory is reporting to the Illinois Department of Public Health using the electronic reporting system.

CHILD DATA

- 1. Complete the following information on the child's complete name:
 - LAST NAME: Enter the child's complete last name.
 - FIRST NAME: Enter the child's complete first name.
 - MIDDLE INITIAL: Enter the child's middle initial.
- 2. Complete the following information on the child's parent or guardian, if available:
 - LAST NAME: Enter the parent/guardian's complete last name.
 - FIRST NAME: Enter the parent/guardian's complete first name.

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MAIDEN NAME: Enter the parent/guardian's complete last maiden name.

3. TELEPHONE NUMBER: If available, enter the child's telephone number (area code and seven-digit number).
4. DATE OF BIRTH: Enter the child's date of birth. Use two digits for the month, date and year.
5. ADDRESS OF CHILD: Complete the following elements on the form. All elements refer to the current address for the child.

NUMBER: Enter the number of child's current street address.

DIRECTION: Enter the direction which appears in the child's current street address, e.g., North, West.

STREET NAME: Enter the name of the child's current street address.

TYPE: Enter the applicable type of street address, e.g., avenue, street, boulevard.

APARTMENT NUMBER: If applicable, enter the apartment number of the child's address.

COUNTY: Enter the complete name of the county where the child currently is residing.

CITY: Enter the complete name of the city in which the child currently is residing.

STATE: Enter the state where the child currently is residing. Use the standard two-character abbreviation.

ZIP: Enter the five-digit zip-code where the child currently is residing.

6. SEX: Check the appropriate box to indicate the child's sex.
7. RACE: Check the appropriate box to indicate the child's race.
8. HISPANIC: Check the appropriate box to indicate whether the child is Hispanic.

TEST DATA

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9. DATE OF FIRST TEST: Enter the month, day, and year the first blood lead sample to be reported was collected. Use two digits for month, day, and year, e.g., 06/01/92.
10. TYPE: Check the appropriate box to indicate the specimen type (venous or fingerstick).
11. TEST RESULTS: Enter the blood lead level of the sample in micrograms per deciliter (mcg/dL).
12. DATE OF SECOND TEST: Enter the month, day, and year the second blood lead sample to be reported was collected. Use two digits for month, day, and year, e.g., 06/01/92.
13. TYPE: Check the appropriate box to indicate the specimen type.
14. TEST RESULTS: Enter the blood lead level of the sample in micrograms per deciliter (mcg/dL).
15. NAME OF LABORATORY: Enter the name of the laboratory analyzing the blood lead sample or the laboratory code number.
16. LABORATORY TELEPHONE NUMBER: Enter the telephone number of the laboratory which analyzed the blood lead sample.

SUBMITTING PARTY DATA

17. NAME: Enter the name of the physician, hospital staff member, laboratory technician, clinic employee, or other person submitting the report of the blood lead result.
18. TELEPHONE NUMBER: Enter the telephone number of the submitting party (area code and seven-digit number).
19. CLINIC/HOSPITAL: Enter name of clinic or hospital.
20. ADDRESS: Enter the address of the industry, physician, hospital, laboratory, clinic, or other entity/facility submitting the report of the blood lead test. The street number, direction, street name, suite, city, state, zip code, and county should be included.

COMPLETION DATA

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21. On the line provided on the form, the usual signature of the person (first and last name) completing the form should be affixed. Enter the title of the person completing the form.
22. DATE OF REPORT: Enter the month, day, and year the form is completed. Use two digits for month, day, and year, e.g., 06/01/92.

All elevated blood lead levels of 45 mcg/dL shall be reported by telephone within 24 hours to the Childhood Lead Poisoning Prevention Program at 217/785-9464 or 217/782-0403.

Mail completed report within 48 hours to:

Illinois Department of Public Health
Division of Family Health
Childhood Blood Lead Level Reporting System
535 West Jefferson Street
Springfield, IL 62761

Section 845.APPENDIX A Instructions for Childhood Blood Lead Poisoning Reporting System

EXHIBIT B Instructions for Submitting Follow-Up Data for Children With Blood Lead Levels >15 mcg/dL

Medical follow-up should be completed by delegate agencies for all persons 15 years of age and younger having had a blood lead test analyzed and confirmed at 15 mcg/dL or higher. All medical and environmental follow-up data must be entered into a STELLAR database maintained by the delegate agency. A STELLAR report and any additional reports requested by the Illinois Department of Public Health should be run regularly, at intervals determined by the Department. Detailed instructions on the STELLAR procedures are available from the Department upon request.

Section 845.APPENDIX C Diagram of Building Components

GRAPHIC MATERIAL
See printed copy of IAC for detail
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Section 845.APPENDIX D Recommended Setup and Use of a Negative Pressure System

- a) Determining the Ventilation Requirements for Work Site
 - 1) Experience with negative pressure systems on lead abatement projects indicates a recommended rate of one air change every 15 minutes. The volume (in ft³) of the work site is (in ft³/min) for the work site is determined by dividing this volume by the recommended air change rate (i.e., one air change every 15 minutes). Total ft³/min = Volume of work area (in ft³)/15 min The number of units needed for the application is determined by dividing the total ft³/min by the rated capacity of the exhaust unit. Number of units needed = [Total ft³/min]/[Capacity of unit (in ft³)]

- b) Location of Exhaust Units
 - 1) The exhaust unit(s) should be located so that makeup air enters the work site primarily through the decontamination facility and traverses the work site as much as possible. This may be accomplished by positioning the exhaust unit(s) at a maximum distance from the worker access opening or other makeup air sources.
 - 2) Wherever practical, work site exhaust units can be located on the floor in or near unused doorways or windows. The end of the unit or its exhaust duct should be placed through an opening in the plastic barrier or wall covering. The plastic around the unit or duct should then be sealed with tape.
 - 3) Each unit must have temporary electrical power (115V AC). If necessary, three-wire extension cords can supply power to a unit. The cords must be in continuous lengths (without splice), in good condition, and should not be more than 100 feet long. They must not be fastened with staples, hung from nails, or suspended by wire. Extension cords should be suspended off the floor and out of workers' way to protect the cords from damage from traffic, sharp objects, and pinching.

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- 4) Whenever possible, exhaust units should be vented to the outside of the building. This may involve the use of additional lengths of flexible or rigid duct connected to the air outlet and routed to the nearest outside opening. Ducts shall not exceed 100 feet in total length. Windowpanes may have to be moved temporarily.
 - 5) If exhaust air cannot be vented to the outside of the building or if cold temperatures necessitate measures to conserve heat and minimize cold air infiltration, filtered air that has been exhausted through the barrier may be recirculated into an adjacent area. However, this is not recommended.
 - 6) Additional makeup air may be necessary to avoid creating too high of a pressure differential, which could cause the plastic coverings and temporary barriers to "blow in." Additional makeup air also may be needed to move air most effectively through the work site. Supplemental makeup air inlets may be made by making openings in the plastic sheeting that allow air from outside the building into the work site. Auxiliary makeup air inlets should be as far as possible from the exhaust unit(s) (e.g., on an opposite wall), off the floor (preferably near the ceiling), and away from barriers that separate the work site from occupied clean areas. The barrier should be resealed whenever the negative pressure system is turned off after removal has started. Because the pressure differential (and ultimately the effectiveness of the system) is affected by the adequacy of makeup air, the number of auxiliary air inlets should be kept to a minimum to maintain negative pressure. 845.Appendix D, Illustration A, of this Part presents examples of negative pressure systems denoting the location of HEPA-filtered exhaust units and the direction of air flow.
- c) Use of the Negative Pressure System, Testing the System
- 1) The negative pressure system should be tested before any lead containing substrate is wetted, removed, or abated. After the work site has been prepared, the decontamination facility set up, and the exhaust unit(s) installed, the unit(s) should be started (one at a time). Observe the barriers and plastic sheeting. The plastic curtains of the decontamination facility should move slightly in toward the work site. The use of ventilation smoke tubes and a rubber bulb is another easy and inexpensive way to visually check system performance and direction of air flow through openings in the barrier. The measuring device must be sensitive enough to detect a relatively low pressure drop. A Magnehelic gauge with a scale of 0 to 0.25 or 0.50 inch of H₂O and 0.005 or 0.01 inch graduations is generally adequate. The pressure drop across the barrier is measured from the outside by punching a small hole in the plastic barrier and inserting one end of a piece of

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rubber or Tygon tubing. The other end of the tubing is connected to the "low pressure" top of the instrument. The "high pressure" tap must be open to the atmosphere. The pressure is read directly from the scale. After the test is completed, the hole in the barrier must be patched.

d) Replacement of Filters

- 1) The HEPA filter should be replaced if prefilter and/or intermediate filter replacement does not restore the pressure drop across the filters to its original clean resistance reading or if the HEPA filter becomes damaged. The exhaust unit is shut off to replace the HEPA filter, which requires removing the prefilter first, then opening the intake grill or filter access, and finally removing the HEPA filter from the unit. Used HEPA filters should be placed in a sealable plastic bag (appropriately labeled) and disposed of as lead waste. A new HEPA filter (structurally identical to the original filter) should then be installed. The intake grill and intermediate filter should be put back in place, the unit turned on, and the prefilter positioned on the intake grill. Whenever the HEPA filter is replaced, the prefilter and intermediate filter should also be replaced.
- 2) When several exhaust units are used to ventilate a work site, any air movement through an inactive unit during the HEPA filter replacement will be into the work site. Thus, the risk of lead dust released to the outside environment is controlled.
- 3) Any filters used in the system may be replaced more frequently than the pressure drop across the filters indicates is necessary. Prefilters, for example, may be replaced two to four times a day or when accumulations of particulate matter become visible. Intermediate filters must be replaced once every day, and the HEPA filter may be replaced at the beginning of each new project. (Used HEPA filters must be disposed of as lead containing waste.) Conditions in the work site dictate the frequency of filter changes. In a work site where dust release is effectively controlled by thorough wetting and good work practices, fewer filter changes may be required than in work sites where the removal process is not well controlled. Filters can be used effectively until resistance (as a result of excessive particulate loading) diminishes the exhaust capacity of the unit.

e) Dismantling the System

When a final inspection and the results of final air tests indicate that the area has been decontaminated, all filters of the exhaust units should be removed and disposed of properly and the units shut off. The remaining barriers between contaminated and clean areas and all seals on

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openings into the work site and fixtures may be removed and disposed of as contaminated waste. A final check should be made to be sure that no dust or debris remain on surfaces as a result of dismantling operations.

Section 845.APPENDIX D Recommended Setup and Use of a Negative Pressure System

ILLUSTRATION A Examples of Negative Pressure Systems

DF, Decontamination Facility; EU, Exhaust Unit; WA, Worker Access; A, Single-room area with multiple windows; B, Single-room work site with single window rear entrance; C, Large single-room work site with windows and auxillary makeup air source (dotted arrow). Arrows denote direction of air flow. Circled numbers indicate progression of removal sequence.

GRAPHIC MATERIAL

See printed copy of IAC for detail

Section 845.APPENDIX E Soil Sampling

If the soil is suspected as a source of lead involved in a child lead poisoning, samples shall be submitted to a certified testing laboratory for analysis for lead to determine the lead content. Soil which is to be removed shall be submitted to a certified testing laboratory for Toxic Characteristic Leaching Procedure (TCLP) analysis. Following the TCLP analysis, appropriate permits shall be secured from the Illinois Environmental Protection Agency (IEPA). The owner or its agent shall be responsible for determining waste generator status by contacting the IEPA.

Many different configurations of the dwelling exterior are likely to be encountered in the field, so that only general guidance can be given on the number and location of soil samples to be taken. Initial sampling shall consist of a single soil core approximately one inch in diameter and not to exceed one inch in depth. One sample is to be taken for every 10 lineal feet of the dwelling unit, evenly spaced around the dwelling unit, approximately 2 feet away from the dwelling. Samples shall also be taken in areas around the dwelling unit where children play if those areas were not included in the initial sampling. Analytical results of these samples will be used to establish the bounds of the clean-up area, or the Department will establish a level which has been determined by the Department or delegate agency to be considered no cause for action. No cause for action is based upon the analysis of investigative information gathered by the inspector at the site, and determined by the Department or delegate agency that the soil lead level does not contribute significantly to the child's lead body burden.

First, prepare a site description. Make a detailed drawing showing the boundary of the lot; the position of the main building and any other structures such as garages and storage sheds; the

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position of the sidewalks, driveways, and other paved areas; the position of the play areas (if clear); and the position of areas with exposed soil, roof rain spouts, and general drainage patterns. In addition to the diagram, describe the location of the property and include the following information:

Type of building construction;

Condition of main building;

Condition of the property and nature of adjacent property;

Fencing and animals on the property;

Apparent use of the property (e.g., used as play area).

Soil samples should be taken with a tool, such as a spatula, which can easily be decontaminated with a wipe after each use. Use a new wipe prior to taking a new sample.

Soil samples may be combined to form one sample for each side of the dwelling, building or structure. If the building is 50 feet long, 5 soil samples shall be taken. They may then be combined to form one sample for analysis. Soil samples shall only be combined with samples from the same side of the dwelling, building or structure. Specific areas around the dwelling, building or structure which appear to be play areas which are bare soil shall be sampled, labeled, and kept separate from other samples. Samples should be placed in a whirl-pak plastic bag or other type of plastic bag which can be sealed. The bag should be labeled as to where the soil sample was obtained (For example; the east side of the house) and sealed. Record each sample location on the diagram. Submit samples for analysis or provide a Spectrum Analyzer reading for the specific area tested. Record results from the analysis.

Alternate or temporary remedial actions include the following:

- 1) Areas may be covered with plastic or decorative rock, gravel, wood chips or similar landscaping material to a depth of three inches. Bare soil should be revegetated if possible.
- 2) Soil may be tilled under or mixed to a depth of six inches, followed by a placement of three inches of clean topsoil, and reseeded or resodded. Soil additives (i.e., lime) should be considered to reduce lead bioavailability. The tilling process shall not cause excessive dust.

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- 3) Clean topsoil, having a lead level at or below soil lead levels cited in Section 845.50 (b), shall be used as a fill material and the soil reseeded or resodded. Ground cover shall be used until the new grass is established.

Section 845.APPENDIX F Childhood Lead Risk Assessment Questionnaire

ILLINOIS DEPARTMENT OF PUBLIC HEALTH DIVISION OF FAMILY
HEALTH CHILDHOOD LEAD RISK ASSESSMENT QUESTIONNAIRE

Medical evaluation of a patient to determine lead exposure includes knowledge of the child's geographic location and living conditions in combination with the history and physical exam. The first question in this process is:

DOES THE CHILD, AGES 6 MONTHS TO 24 MONTHS, LIVE IN A HIGH RISK ZIP CODE AREA (REFER TO ZIP CODES ON REVERSE SIDE)?
(If "N" continue with additional questions) Y N

ASSESSMENT OF ALL OTHER CHILDREN Circle the appropriate response Y N

Does the child, ages 6 months to 24 months:

Live in or regularly visit a home or building (school or daycare) built before 1960? Y N

Live in or regularly visit a home or building built before 1960 which has recently been or is currently under renovation or remodeling? Y N

Live with a person whose occupation or hobby involves exposure to lead? Y N

Receive or have ever received herbal medicines or home remedies (see guidelines)? Y N

POPULATION BASED ASSESSMENT QUESTIONS

(Use at physician's discretion)

Live close to an active lead smelter, battery recycling plant, lead mine, and/or other industry likely to release lead into the environment? Y N

Does the family use imported or glazed ceramics for food preparation, storage or as dinnerware? Y N

Ever been to Central or South America or Mexico where lead exposure could potentially occur?

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Y N

CHILDREN WITH A POSITIVE RESPONSE TO ANY ONE OF THE QUESTIONS NOTED ABOVE WILL NEED BLOOD LEAD TESTING TO COMPLETE THE SCREENING PROCESS. DUE TO SIMILAR ENVIRONMENTAL EXPOSURE, CHILDREN WITH SIBLINGS WHO HAVE ELEVATED BLOOD LEAD LEVELS SHOULD HAVE BLOOD LEAD TESTING.

The Lead Risk Assessment Tool may be used to complete the Lead Assessment component of the Well Child visit. The assessment is recommended annually for all children from 6 months through 24 months of age.

POSSIBLE METHODS OF EXPOSURE

OCCUPATIONS

Auto repair
Car or boat repair
Battery manufacture or repair
Brass/copper foundry
Bridge reconstruction workers
Chemical/chemical preparation
Home remodeling/manufacturers
Construction workers
Lead soldering (i.e., electronics)
Gas station attendants
Painting
Glass manufacturers
industrial machinery equipment operators
Lead smelters and refiners
Lead miner
Plastics manufacturers
Plumbers, pipe fitters
Police officers
Printers
Radiator repair
Rubber products manufacturers
Steel welders and cutters

HOBBIES

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Casting lead figures (toy soldiers, etc.)
Furniture refinishing
Jewelry making
Preparing lead shot, fishing sinkers, bullets, reloading cartridges
Stained glass making
Target shooting at firing ranges

ENVIRONMENTAL

Ceramics/Pottery
Lead crystal
Lead paint
Lead painted homes
Lead soldered cans (imported cans)
Proximity to lead related industries Renovating/remodeling older homes
Soil/dust near industries, roadways
Use of water from leaded pipes

OTHER

Asian Cosmetics
Folk remedies (greta, azarcon, pay-loo-ah, ghasard, Hai ge fen, Bali Goli, Kandou, Kohl, X-yoo-Fa, Mai ge fen and poying ton)
Imported food in lead soldered

HIGH RISK Blood test mandatory. Repeat as noted in Guidelines.
ZIP CODE Risk Assessment Questionnaire

LOW RISK Blood lead test required for any YES answer. No blood lead test required
when all answers are no. Follow-up as indicated in Guidelines. Reassess
annually at each Well Child Visit.

ZIP CODES

Pediatric Lead Poisoning High Risk ZIP Code Areas

(See printed copy of IAC for detail)

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Section 845.APPENDIX G Information Agreement

The Illinois Department of Public Health ("Department"), and _____ ("Applicant"), agree as follows:

- 1) The Department will provide data dealing with children who have been tested for lead poisoning in Illinois as outlined in the letter of application.
- 2) The applicant agrees that:
 - a) use of data is restricted to the purpose outlined in the letter of application (Attachment A) and any other or additional use of the data may result in immediate termination of this agreement by the Department;
 - b) any and all data which may lead to the identity of any child or parent, research subject, physician, informant, other person or hospital is strictly privileged and confidential. Applicant agrees to keep all such data strictly confidential at all times;
 - c) all officers, applicants and employees of Applicant will keep all such data strictly confidential. Applicant will communicate the requirements of this section to all officers, applicants and employees, will discipline all persons who may violate the requirement of this section, and will notify the Department in writing within 48 hours of any violation of this section, including full details of the violation and corrective actions to be taken;
 - d) all data provided by the Department pursuant to this agreement is the sole property of the Department. Any copies by applicant of data provided by the Department pursuant to this agreement are subject to all provisions contained herein. Any copies of data created by Applicant will be destroyed upon completion of the purpose outlined in the application;
 - e) the applicant agrees to forward to the Department copies of proposed publications containing data or interpretation of data received as a result of this agreement for the sole purpose of confirming compliance with this agreement;
 - f) any breach of any of the provisions of this agreement will void the agreement.
- 3) The applicant further agrees to state in publications and presentations concerning research which is the subject of this agreement that the Department was the source of

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data and that conclusions, opinions and recommendations are not necessarily those of the Department.

- 4) The Applicant and the Department understand and agree that this agreement may not be sold, assigned or transferred in any matter and that any actual or attempted sale, assignment or transfer shall render this agreement null, void and of no further effect.
- 5) This agreement shall take effect upon signature by the applicant and the Director of Public Health.
- 6) All notices required or requested by either the Department or the Applicant shall be sent to the following addresses:

to the Department:

Illinois Department of Public Health
Childhood Lead Poisoning Prevention Program
535 West Jefferson Street
Springfield, Illinois 62761-0001
Attn: Mary Miller

to the Applicant:

Attn:

- 7) The Applicant and the Department understand and agree that this Agreement constitutes the total agreement between them and that no promises, terms or conditions, either oral or written, express or implied, not recited, incorporated or referenced herein shall be binding.

Applicant

Department

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(Signature)

(Recommended by)

(Title)

(Director, Department)

(Typed/printed named)

(Execution date)

Section 845.APPENDIX H Childhood Lead Poisoning Assessment and Screening Algorithm

GRAPHIC MATERIAL

See printed copy of IAC for detail