



THE LEAD LEADER

PUBLISHED BY
THE MARYLAND DEPARTMENT OF THE ENVIRONMENT
LEAD ACCREDITATION AND OVERSIGHT DIVISION

VOLUME 8

MARCH 2005

Robert L. Ehrlich, *Governor*
Michael S. Steele, *Lt. Governor*

Kendl P. Philbrick, *Secretary*
Jonas A. Jacobson, *Dep. Secretary*

MDE'S LEAD NEWS & UPDATES



ATTENTION!

MDE'S LEAD LEADER IS ONLY DISTRIBUTED ELECTRONICALLY

MDE's Lead Leader will be published quarterly on the MDE website (www.mde.state.md.us) starting March 2005 edition. Publishing dates are: June 1, September 1, December 1 and March 1.

NEWS UPDATES

Social Security Numbers:

MDE requires full Social Security Numbers (SSN) on Lead Accreditation Applications. This requirement is in response to HB 935 which requires that before any license or permit may be renewed the issuing authority shall verify through the Office of the Comptroller that the applicant has paid all undisputed taxes and unemployment insurance contributions payable to the Comptroller or the Secretary of Labor, Licensing, and Regulation or that the applicant has provided for payment in a manner satisfactory to the unit responsible for collection.

Training providers will also require the SSN course documents but are not required to transmit the full SSN to MDE when reporting course completion details.

Lead Accreditation Fees Increase:

On 11/22/2004 the Lead Accreditation Fees increased for all lead service providers. Lead accreditation applications and fees for lead service providers, except Lead Training Providers, are due every other year. Lead Training Providers are now assessed an annual accreditation fee and due no later than November 21 for the following year. The complete fee schedule is located on the MDE website at www.mde.state.md.us.

Lead Paint Removal Procedures:

The Lead Poisoning Prevention Program has made two major changes to the Code of Maryland Regulations that were recently adopted by the Secretary of the Department of the Environment. The first amended section is COMAR 26.17.02.03 A(7) and concerns the prohibition of heat gun operation exceeding 1,100 degrees F. The effective date of this regulation was December 20, 2004 and reads:

"A. A person performing abatement of lead-containing substances may not use the following methods:

(7) Heat gun operating at or above 1,100 degrees F."

Lead Worker Training Requirements:

The second amended regulation is COMAR 26.16.01.07 B.(1)(a)(i) and has increased the worker course instructional time to include 7 hours of hands-on training. Effective March 14, 2005 the amended section will read:

"B. Training Requirements.

(1) Initial Lead Paint Worker Course.

(a) The initial lead paint abatement worker course shall:

(i) Provide at least 14 hours of instructional time with at least 7 hours devoted to hands-on training activity; and the curriculum for each training course shall be developed by the training provider in conformance with standards included in this chapter, including all applicable topics set forth in 40 CFR §745.225(d) and (e), and subject to approval by the Department.

These changes were made to bring Maryland's Lead Paint Regulations into conformance with the Federal standards.

Winter Waiver Updates



Inspectors providing Lead Paint Certificates during the winter waiver period (November 1 – April 1) are reminded that the local Housing or Livability Code Official must issue the waiver except in Baltimore City. In Baltimore City the

winter waiver is automatic and is noted on the Form B by the inspector. Local Code officials may specify a time period for compliance, or if no time period is specified, the period will be from the first day of November to the first day of April. Property owners are obligated to complete all delayed work within 30 days from the end of the applicable time period and be re-inspected by April 30.

A list of Livability Code Administrations can be found on our website at www.mde.state.md.us/Programs/LandPrograms/LeadCoordination/inspectorsContractors/index.asp

Inspectors please note that there is no winter waiver option for limited lead-free. If the period ends during the months when a winter waiver would normally be issued for a Risk Reduction certificate the property owner has to do the necessary repairs needed to obtain a limited lead-free. If the limited lead free certificate expires during the winter waiver period and there are defective paint issues that are not correctable due to weather then the limited lead free certificate expires and the property owner would need to obtain at a minimum a full risk reduction certificate with a winter waiver option to maintain full compliance.

ACCREDITATION

REMINDER

Supervisors and inspectors, please be aware that MDE no longer notifies supervisors and inspectors of their impending accreditation expiration. Please refer to your certificate for your accreditation expiration date. The training provider will provide you with an application form at the end of your one (1) day refresher training. If you do not receive an application you may obtain one from the MDE website at www.mde.state.md.us/lead.

Contractors will continue to receive written notice of their company's impending accreditation expiration.

Accreditation Applications

Accreditation applications that are complete with fees, training updates and forms and are received by MDE at least 30 days prior to the expiration of the current accreditation will not lapse during the accreditation process. However, a delay of accreditation renewal may occur if any part of the application is missing information or the fees are not submitted.

Rental Registration

On July 1, 2004, the annual Rental Registration fee was increased to \$15.00 per unit and the fee required for lead-free certification to \$10.00 per unit.

This information can be accessed from MDE's web site. Please advise your clients of these changes and contact MDE's Lead Rental Registration Division at 1(800) 776-2706 or (410) 537-4199 with any questions.

Important Mailing Information

Inspectors and contractors, please be aware that MDE uses the address provided to the training provider as the mailing address for MDE issued accreditation certificates. If the information provided to the training provider is incorrect or has changed you must call MDE to update your mailing information. To update contact information, contact Ms. Sharon Elliott at MDE at (410) 537-3820.

ADVISORIES FOR LEAD PAINT INSPECTION CONTRACTORS AND INSPECTORS

Appointments at MDE

If you need to speak with a representative from the Lead Poisoning Prevention Program you should phone 410-537-3825 to make an appointment before coming to our facility at Montgomery Park. Scheduling your visit to MDE will allow our staff to provide you with the best service possible.

Dust Wipe Notification

Visual Inspection Notification

Inspectors please note that MDE now has a standard notification form for dust wipe notices and the visual inspections of risk reduction treatments. Please visit the MDE website at www.mde.state.md.us/lead to obtain the new form.

Inspectors are reminded that notice of dust inspection to MDE is required by regulation and must be provided 24-hours ***before*** dust testing is performed. Visual inspectors are required to give notice to MDE of visual inspections of risk reduction treatments ***within 2 business days following completion of the inspection*** in an affected property. Inspection Notification form may be used for dust wipe inspection and visual inspection of risk reduction treatments.

Please be aware that MDE is looking at these notices and doing comparisons between the certificates issued and the notices provided. Failure to provide dust wipe notification or notice of inspection of risk reduction treatments may result in enforcement action and penalty. Dust wipe and inspection of risk reduction treatment notification forms should be addressed to Ms. Rebecca Fahey at 410-537-3156.

MDE TRACKING NUMBERS

Inspectors, if an owner is unable to give you their **TRACKING NUMBER**, please call 410-537-4199 to obtain the existing number or request a Tracking Number on behalf of the property owner. **PROPERTY ID NUMBER** may be obtained from the Maryland State Department of Assessment and Taxation (SDAT) at (410) 767-8259 or www.dat.state.md.us

ADVISORIES FOR LEAD ABATEMENT CONTRACTORS AND SUPERVISORS

Did You Know?

For every lead abatement project, the lead abatement contractor must make a record of the following: name and address of the contractor performing the work, location and description of the project, location of lead-based material that was abated, starting and completion dates of lead abatement contract and a summary of the abatement techniques that were used. The records must be retained for 6 years from the date of the completion of the lead abatement and made available to MDE upon request.

Before a lead abatement project can take place, the owner of the property must notify the tenants at least 7 days but not more than 30 days prior to the start date of the lead abatement project, of the area that will be abated and the residents' obligation to place all personal items in a box or an easily handled closed container. In addition, before a contractor can start an abatement project, the owner of the building where the abatement is taking place must make sure that all furniture and packed personal items from the work area are stored in a secure place.

Federal rules require that lead abatement contractors hand out the information pamphlet entitled "**Protect Your Family From Lead in you Home**" when renovation is being done. Bulk copies of this pamphlet can be obtained from the Government Printing Office order desk at (202) 512-1800. FAX requests can be sent to 202-512-2233.

Recent Changes

Effective October 1, 2004, an owner of a rental property, which was built before 1950, must provide documentation to the District Court showing that he/she is in compliance with the registration and risk reduction requirements of the Lead Law before he can bring rent court action to evict a tenant.

Effective October 1, 2004, an owner of an affected property (rental property, which was built before 1950), must be in compliance with the registration and risk reduction requirements of the Lead Law before receiving a rental license or registration from a local jurisdiction.

Lead question - whom should I call?

The wrong answer to this question is to call John O'Brien. John has always tried to get you the answers as soon as possible. Unfortunately, this practice has led to John's number being the immediate first lead contact point.

MDE Lead Poisoning Prevention Program (LPPP) has a structured phone duty system that has been developed over the years to provide professional and often immediate responses to general lead questions. You may access the phone duty system by calling the Lead hotline at 410-537-4199 (from local Baltimore calling area) or 1-800-776-2706 (from other parts of the state).

If the person on duty is unable to answer your call you will be transferred to a technician for additional assistance. If the technician is unavailable you will be placed into that person's voice mail.

Customer service has always been a high priority for LPPP staff. We strive to efficiently answer your questions and provide the technical assistance needed. Please be mindful that phone duty is not any staff person's full time job; it is a service we provide but it cannot take precedence over the public health services we provide. We suggest that you use MDE's LPPP other resources first as a method of determining answers to your questions. Every effort is made to update the LPPP information located on the website, www.mde.state.md.us/lead. If you find outdated information there please notify LPPP at the Lead hotline.

TRAINING PROVIDERS

Training Emphasis

MDE requests that Lead Training Providers put more emphasis on the individual and company accreditation process, i.e. self employed individuals must complete both their individual accreditation application and pay the associated fee as well as completing and submitting a company accreditation application for which the fee is waived. Self employed means that the accredited person does not work for anyone else and employs no other staff to perform lead services. Each training provider was presented with an updated Lead Accreditation Packet at the recent Training Provider Annual meeting.

This packet should be photocopied and provided to the trainees at the time of the accreditation briefing by the Training Provider. Training Providers are requested never to recommend that the trainee contact John O'Brien or any Lead Accreditation staff member to expedite the accreditation applications. Your cooperation is greatly appreciated.

Reporting

To report student training information electronically each provider must include the last four numbers of the student's Social Security Number (SSN) in the electronic format PRECEDED by five zero place holders. The format is 000-00-LAST 4. Training providers must have a record of the student's full SSN for their files but need not transmit the full number to MDE.