

Indiana State Department of Health Lead and Healthy Homes Rules Update

Indiana State Department of Health
Indiana Lead and Healthy Homes Program

Rules

- ◉ Indiana Administrative Code 410, Chapter 5.1, Radon (410 IAC 5.1)
- ◉ Indiana Administrative Code 410, Chapter 29, Lead Case Management (410 IAC 29)
- ◉ Indiana Administrative Code 410, Chapter 32, Lead-based Paint Program (410 IAC 32)

Radon

- Defines Radon program
- Creates a licensure program for Radon professionals
- Creates reporting requirements for radon activities

Timeline

- Created by the Indiana State Department of Health in 1993
- Readopted in 2001
- Readopted in 2007
- Moved to the Indiana Lead and Healthy Homes Program January 1, 2011
- Public meeting held May 9, 2011
- Initiate rulemaking process January 2012

Proposed changes – 410 IAC 5.1

- Adds best practices from the other states in Region 5
- Tightens reporting requirements – changed to monthly versus annually
- Adds schools and commercial buildings
- Enforcement



Reporting, Monitoring and Preventative Procedures for Lead Poisoning

- ◉ Defines case management procedures for children identified with elevated blood lead levels
- ◉ Orders assessment and remediation for properties associated with an elevated blood lead level
- ◉ Addresses consumer products with lead
- ◉ Training for paint retailers

Timeline

- Created by the Indiana State Department of Health in 2006
- Effective January 2, 2007
- Revised April 20, 2009
- Tentative informal meeting November 2011
- Initiate rulemaking process January 2012

Proposed changes 410 IAC 29

- Requires the risk assessment report be given to the residents and the department as well as the owner
- Provides flexibility for contact attempts in closing a case
- Requires case management activities be reported in a format designated by ISDH within 5 business days

Proposed changes 410 IAC 29

- Requires case closure activities be reported in a format designated by ISDH within 5 business days
- Add reporting requirements for environmental hazards that are not remediated within 180 days and are referred for legal action

Lead-based Paint Program

- ◉ Established through the Indiana Department of Environmental Management in 1999
- ◉ Transferred to the Indiana State Department of Health in 2009
- ◉ Readopted in 2011
- ◉ First rule revision for the Indiana State Department of Health

Timeline

- Informal public meeting held on November 8, 2010
- Published Notice of Intent in the Indiana Register in December 2010
- Draft rule approved by the ISDH Executive Board in January 2011
- Published Notice of Public Hearing in August 2011
- Public hearing on September 19, 2011
- Final ISDH Executive Board approval scheduled for November 2011

Lead-based Paint Program



- Lead disciplines
- Work practices
- Defines abatement
- Outlines license requirements
- Provides framework for training course providers
- Outlines abatement procedures

Proposed changes – 410 IAC 32

- Adds clearance examiner as a discipline
- Adds the definition of a dust lead hazard for window troughs - 400 ug/dL ft²
- Adds the definition of a dust sampling technician
- Clarifies the definition of lead-based paint activities. Additional sentence added to address RRP.
- Adds the definition of maintenance activities



Proposed changes – 410 IAC 32

- Adds a qualifier to the definition of paint in poor condition of the component being in a room.
- Adds the definition of remediation
- Adds provision to the definition of soil lead hazard that if the hazard equals or exceeds 5,000 ppm, the soil must be remediated using an abatement activity.
- Adds a provision that the lecture portion of a training course could be completed on-line

Proposed changes - 410 IAC 32

- Adds the definition of water-lead hazard
- Adds a provision that would allow for a combination risk assessor/lead inspector refresher course
- Adds provision that all risk assessments, lead inspections and lead hazard screens must be reported to the department
- Adds provisions to allow for electronic submission of notifications, applications and reports

Proposed changes – 410 IAC 32

- Adds provision that all HVAC shall be closed when possible and sealed in the work area with poly and tape
- Requires poly to be extended from the foundation a minimum of ten (10) feet.
- Adds a requirement for record keeping that the risk assessment associated with the job must be included in the post abatement report and kept with the project records

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