

# Essential Maintenance Practices & the Vermont Lead Law

## Lead Poisoning

Lead poisoning is a serious but *preventable* health problem. Lead can cause permanent damage to children including learning disabilities, behavioral problems, decreased intelligence, and other health problems.

Adults also suffer adverse health effects from lead, including increased blood pressure, cardiovascular disease, anemia, impaired renal function, thyroid dysfunction, and cancer.

## Lead in Housing

Lead paint and dust from lead paint are the major sources of lead exposure in children. In 1978, lead was banned in house paint. Most homes built before that year contain lead. Children and adults can be exposed to lead during renovation projects or whenever lead paint is improperly sanded, scraped or burned.

Over time, painted surfaces crumble into dust contaminating homes and soil. This dust or soil clings to toys, hands and objects that children normally put into their mouths, exposing them to lead. Children can also be exposed to lead by eating, chewing or sucking on lead-painted objects such as windowsills or furniture.

## Lead Law

The Vermont Lead Law was passed in 1996 and updated in 2008 (18 VSA Chapter 38). The law requires that landlords of older buildings and child care facility owners take steps to help prevent children from being exposed to lead. If a residential rental property or child care facility was built before 1978, the owner of the property or the property management company is required to comply with the Vermont Lead Law. They must:

- Provide tenants with an approved pamphlet about lead poisoning prevention
- Post an approved notice asking people to report chipping or damaged paint
- Attend a training program approved by the Department of Health and or ensure that anyone who performs essential maintenance practices on the property has completed the training program
- Complete essential maintenance practices annually
- Sign a compliance statement certifying that essential maintenance practices have been done and provide a copy to their tenants, insurance carrier and the Department of Health at least every 365 days

The lead law prohibits the use of unsafe work practices including removing lead-based paint by burning, using a heat gun, water or sand blasting, dry scraping, power sanding, and chemical stripping. These unsafe work practices increase the risk of lead exposure. The law requires the use of safe work practices including limiting access to work areas, using plastic dust barriers, wearing protective clothing, and misting or wetting painted surfaces or debris before disturbing it.



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## Benefits of the Lead Law

**Protects children.** Simple ongoing maintenance practices will prevent children from being exposed to lead

**Protects property owners.** Property owners in compliance with the law receive increased liability protection.

**Protects workers.** The lead law prohibits the use of unsafe work practices which will reduce worker exposure to lead.

**Saves money.** By reducing children's exposure to lead, property owners may avoid the high cost of abatement that could be required in the case of a lead-poisoned child.

## Essential Maintenance Practices

Essential Maintenance Practices, which must be completed annually, include:

- Inspecting the property inside and outside
- Identifying areas where paint is in poor condition and promptly fixing it in a lead-safe way
- Verifying the installation of low-cost inserts in window wells in all wooden windows
- Removing any visible paint chips on the ground outside the building
- Performing a specialized cleaning in common areas
- Taking precautions whenever remodeling to prevent spread of lead dust

## Essential Maintenance Practices Class

The essential maintenance practices class is offered around the state by trained instructors. It is four hours long and is usually free. A schedule of classes is online at [leadsafevermont.org](http://leadsafevermont.org).

The class helps participants to:

- Comply with the Vermont Lead Law
- Understand the health effects of lead exposure
- Learn ways to protect children from exposure to lead
- Know how to perform Essential Maintenance Practices safely
- Identify work practices that increase the risk of causing lead poisoning

## Other Resources

Childhood Lead Poisoning Prevention Program  
Vermont Department of Health  
800-439-8550  
<http://healthvermont.gov>

Lead Hazard Reduction Program  
City of Burlington  
(802) 865-5323  
<http://www.cedoburlington.org>

Lead Hazard Reduction Program  
Vermont Housing and Conservation Board  
(802) 828-3250 or 800-290-0527  
<http://www.leadSAFEVermont.org>

US Environmental Protection Agency  
<http://www.epa.gov/lead>

June 2008

## **Basic Considerations when Selecting a Lead-based Paint Consultant or Contractor**

Before a property owner or homebuyer starts looking for a lead-based paint service provider, he or she must first understand what kinds of services are available.

**Abatement** permanently (20 years or more) controls a lead hazard to limit exposure to harmful levels of lead. Abatement includes strategies such as component replacement, paint removal, encapsulation, or permanently covering bare lead-contaminated soil. Specialized cleaning precedes clearance testing, which is always performed at the end of an abatement project to ensure that dust left behind does not contain excessive levels of lead. A certified inspector who cannot be an employee of the abatement contractor conducts the clearance testing.

**Supervisor (Contractor)** is any certified entity or person who is responsible for performance of the actual abatement within a lead abatement project.

**Renovation** is the modification of any existing structure, or portions thereof, that results in disturbance of painted surfaces, unless that activity is performed as part of an abatement. Renovation includes, but is not limited to: the removal or modification of painted surfaces or painted components, the removal of large structures (such as walls, ceilings, large surface re-plastering or major re-plumbing); and window replacement.

**Home inspection** is what many buyers of homes for resale obtain to determine if building systems (such as heating and plumbing) are in good working order, and to identify structural problems (such as roof leaks) or other defects (such as peeling paint). A home inspection should not be confused with a lead inspection or a lead risk assessment.

**Lead consulting services** are performed to evaluate the presence of lead in a structure. Types of lead consulting services include lead inspections and lead risk assessments. These services are performed by certified inspectors and risk assessors.

**Lead inspection** is an evaluation performed by a lead inspector or risk assessor to determine the presence or absence of lead-based paint on painted or coated surfaces. A lead inspection is a surface-by-surface investigation designed to answer two general questions: Is lead-based paint present; and, if present, where is the lead-based paint? Lead inspections are generally performed using an XRF (X-Ray Fluorescence) analyzer, or by collecting paint samples and sending them to an EPA-recognized laboratory for lead analysis. A Final Inspection Report identifies all surfaces with lead-based paint but does not provide the consumer with information about the condition of the paint, the presence of lead contaminated dust or soil, or options for controlling any hazards found. In order to be exempt from the VT Essential Maintenance Practices, your building must have an extensive, surface by surface inspection that indicates no lead paint present.

**Lead risk assessment** is an evaluation performed by a certified risk assessor to identify lead hazards from deteriorated paint, dust, and bare soil and to identify options to control the lead hazards. You should ask the contractor or consultant to provide you a written proposal that describes what they will do, the content of the final report, schedule, and budget.

The following checklist should help property owners, home buyers, and renters ensure that their lead hazard evaluation or control contractor is trained, qualified, and capable.

## Lead Service Provider Checklist

- Service provider name.
- Telephone number.
- Certification numbers and copy of lead license.
- When does the certification (licenses) of the listed persons expire?
- Does the service provider have solid references from 3 recent jobs?
- Have you checked enforcement history with the VT Department of Health?
- Does the service provider carry general liability and/or errors-and-omissions insurance with specific coverage for lead?
- How many years of experience does the service provider have in lead work?
- For lead abatement, will the contract specify that a dust clearance test be passed?
- Will the service provider cover costs associated with failing a clearance test (recleaning and retesting)?
- What is the schedule and budget estimate for services?
- What does a sample contract and final inspection, risk assessment or abatement report look like?

We recommend that you obtain at least three bids from any category that you might hire from. You may choose to have the inspector/risk assessor consultant assist you in getting the bids and hiring of the abatement contractor. You may choose to have the consultant just handle the whole thing. Also, you can choose to do the hiring yourself, which may reduce any conflict of interest issues.

In general, conflicts of interest relate to the potential for self-gain usually, but not always, of a fiscal nature. A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by a person's other interests or commitments, especially economic, particularly if those interests or commitments are not disclosed.

State program staff can assist you in providing information regarding on-file compliance enforcement actions on lead consultants and contractors. We can also explain the abatement process and answer any other questions you may have. **Call 1-800-439-8550 for information.**

## Lead Entities and Consultants

On the following pages are lists of:

- **Lead Consulting Entities (Companies)**
- **Individual Lead Consultants**
- **Lead Abatement Contractor Entities (Companies) – Target Housing**
- **Lead Abatement Contractor Entities (Companies) - Superstructures**
- **Lead Laboratories**

They have been certified in accordance with the Vermont Regulations for Lead Control. Certified firms and individuals must be used to perform lead based paint related services in Vermont. If you have any questions, please refer to the Vermont Regulations for Lead Control or call the Lead Regulatory Program at (802) 863-7236 or in Vermont (800) 439-8550.

\* **Lead abatement** means the removal of lead-based paint and lead contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, and the removal or covering of lead contaminated soil.

### Lead Consultant Contractor Entities (Companies)

These are consulting companies who are licensed and may employ one or more of the following disciplines – Inspector, Risk Assessor and/or Project Designer.

Cardno ATC 171 Commerce Street P.O. Box 1486 Williston, VT 05495 <b>(802) 862-1980</b>	Clay Point Associates Inc. P.O. Box 1254 Williston, VT 05495-1254 <b>802-879-2600</b>	Crothers Environmental Group, LLC 29 Duncan Road Morrisville, VT 05661 <b>802-888-1936</b>
Evergreen Environmental Health & Safety P.O. Box 668 Stowe, VT 05672 <b>802-239-4696</b>	TRC Environmental Corporation 21 Griffin Road North Windsor, CT 06095 <b>860-298-6280</b>	

### Lead Abatement Contractor Entities (Companies) – Target Housing

These are companies licensed to perform abatement removal for the following types of structures – Target Housing (pre-1978 housing and childcare facilities), Public and Commercial Buildings.

Alderson Inc. P.O. Box 484, 266 Pine Street Burlington, VT 05402 <b>802-660-8899</b>	Alliance Property Management Inc. 3 Old Pump Road Jericho, VT 05465 <b>(802) 899-3400</b>	Environmental Hazards Management Inc. 23 Commerce Street, P.O. Box 785 Williston, VT 05495 <b>(802) 862-4537</b>
EnviroVantage Inc. 629 Calef Highway Epping, NH 03042 <b>(603) 679-9682</b>	Heritage Environmental Projects, Inc. P.O. Box 4185 Burlington, VT 05406 <b>802-860-2900</b>	JM Environmental 31 Lafayette Street Rutland, VT 05701 <b>(802) 773-1103</b>
Lighthouse Enterprize LLC P.O. Box 566 Shelburne, VT 05482 <b>(802) 236-2453</b>	LVI Environmental Services Inc. 401 S Second Street Everett, MA 02149 <b>617-389-8880</b>	Northstar Demolition & Remediation, LP 1201 S. Childers Road Orange, TX 77632 <b>(409) 886-3959</b>
Techtron Environmental Inc. P.O. Box 5597 Essex Junction, VT 05453 <b>(802) 878-9776</b>		

### Lead Abatement Contractor Entities (Companies) - Superstructures

These are companies licensed to perform abatement removal for the following types of structures – Superstructures and Commercial Buildings (steel structures such as bridges, tanks and/or industrial abatement).

Atlas Painting & Sheeting Corp. 465 Creekside Drive Amherst, NY 14228 <b>(716) 564-0490</b>	Catamount Environmental Inc. P.O. Box 160 Wilmington, VT 05363 <b>(802) 464-2754</b>	Environmental Hazards Management Inc. 23 Commerce Street, P.O. Box 785 Williston, VT 05495 <b>(802) 862-4537</b>
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LVI Environmental Services Inc. 401 S Second Street Everett, MA 02149 <b>617-389-8880</b>	Marcel A. Payeur, Inc. 113 Otis Allen Road Sanford, ME 04073 <b>207-324-0786</b>	Modern Protective Coatings, Inc. P.O. Box 119, 61 Robinson Road Hudson, NH 03051 <b>(603) 594-3722</b>
Monoko, LLC 1037 Peninsula Avenue Tarpon Springs, FL 34689 <b>(727) 940-3244</b>	Morvan Painting Corporation 379 Frost Road Northfield, VT 05663 <b>(802) 485-6433</b>	Northstar Demolition & Remediation, LP 1201 S. Childers Road Orange, TX 77632 <b>(409) 886-3959</b>
Techtron Environmental Inc. P.O. Box 5597 Essex Junction, VT 05453 <b>(802) 878-9776</b>	The Aulson Company LLC 49 Danton Drive, Ste. 201 Methuen, MA 01844 <b>(978) 688-9100</b>	Vermont Protective Coatings Inc. P.O. Box 256 Brandon, VT 05733 <b>802-247-3237</b>

**Lead Laboratories**

These are laboratory providers who are licensed to provide one or more of the following lead analytical services for soil samples, dust wipes and paint chips.

AMA Analytical Service, Inc. 4475 Forbes Boulevard Lanham, MD 20706 <b>301-459-2640</b>	Con-Test Analytical Laboratory 39 Spruce Street East Longmeadow, MA 01028 <b>413-525-2332</b>	EMSL Analytical Inc. 200 Route 130 North Cinnaminson, NJ 08077 <b>(856) 303-2545</b>
Environmental Hazards Services 7469 Whitepine Road N. Chesterfield, VA 23237 <b>(804) 275-4788</b>	Proscience Analytical Services, Inc. 22 Cummings Park Woburn, MA 01801 <b>(781) 935-3212</b>	Schneider Laboratories Global Inc. 2512 West Cary Street Richmond, VA 23220-5117 <b>(804) 353-6778</b>