

Indiana State Department of Health Lead Abatement Contractor requirements

410 IAC 32-2-3(c)

1. Have a designated representative on staff that:
 - a. Has a valid LBP supervisor's license
 - b. Has one year experience as a lead abatement worker or
 - c. Two year experience in a related field
 - d. Submit documentation regarding b or c
2. Ensure that there is at least one LBP project supervisor (with a valid license) on site at all times during a LBP abatement project
3. Ensure that licenses for all workers and supervisors are kept on site at all time

410 IAC 32-2-4 (b)

1. Submit a completed application, including signed statement reference in (b)(1) - included in cover letter.
2. Submit a copy of all required documents listed in 32-2-3 (d) (listed below)
3. Submit an up-to-date copy of company's SOP (see later in this document)
4. Submit license fee of \$150.00
5. Submit proof of contractor's financial responsibility with a current certificate of insurance with at least \$ 500,000.00 of liability insurance
6. Submit a complete list of contracts (if any) for previous lead-based paint projects
7. Submit a list of any contractual penalties that the contractor has paid for non-compliance with contract specification (if applicable)
8. Submit copies of any letters, notices, etc. issued by the Department (if applicable)
9. Submit a copy of any legal proceedings issued against the company or supervisor while engaged in LBP activities (if applicable)
10. Submit a description of any previous LBP projects that were prematurely terminated or not completed and why (if applicable).

410 IAC 32-2-3(d)

1. Official academic transcripts or diplomas to demonstrate compliance with the education requirements.
2. Resumes, letters of reference, or documentation of work experience to demonstrate compliance with the work experience requirements
3. Initial certificate of lead-supervisor training, issues by an approved training course provider, to demonstrate compliance with the training requirements. Two color photographs must be attached to the license.

Standard Operating Procedure

Include the following sections:

1. Definitions
2. Licensing and training policy
3. Notification Requirements, contents, schedule, form (32-4-6)
4. Lead abatement work procedures (32-4-5-9)
5. Lead abatement procedures for interior abatement (32-4-7)
6. Lead abatement procedures for exterior abatement (32-4-8)
7. Post abatement clearance procedures (32-4-10)
8. Lead based paint disposal procedures (32-4-11)
9. Lead Construction standard (29 CFR 1926.62)
10. Respiratory Protection Program (even if your workers will never wear them)
11. Recordkeeping policy

All of these are included in the following packet

Date

Indiana State Department of Health
2 North Meridian
Childhood Lead Poisoning Prevention
Indianapolis IN 46204

Dear ISDH:

XXX is submitting an application to be a lead abatement contractor. Enclosed is the paperwork necessary to comply with the Indiana rule regarding contractor licensing.

At all times, XXX will have on staff or a designated representative who has completed a lead supervisor course (conducted by an Indiana-approved training provider) and has passed the third-party exam. We will not allow an agent or employee to:

- exercise control over a LBP project
 - come into contact with LBP in connection with LBP activities or
 - engage in LBP activities
- unless the employee or agent is licensed under the Indiana rule

XXX will, when performing LBP abatement activities, comply with the work practice standards under 410 IAC 32-4. During LBP abatement activities, we will have a licensed supervisor in the work area. The LBP workers will have access to the project supervisor throughout the project. Licenses for all LBP abatement workers and supervisors will be available outside the work area, available for inspection through the duration of the project.

XXX has read and understands 410 IAC 32 and 40 CFR 745.

Enclosure items include the following:

- Application fee of \$150.00
- Signed application
- Company standard operating procedure including:
 - Definitions
 - Licensing and training policy
 - Notification Requirements, contents, schedule, form (32-4-6)
 - Lead abatement procedures for lead abatement (32-4-5)
 - Lead abatement procedures for interior abatement (32-4-7)
 - Lead abatement procedures for exterior abatement (32-4-8)
 - Post abatement clearance procedures (32-4-10)
 - Lead based paint disposal procedures (32-4-11)
 - Lead Construction standard (29 CFR 1926.62)
 - Respiratory Protection Program (29 CFR 1910.134)
 - Record keeping policy (29 CFR 23-4-13)
- Proof of financial responsibility
- Required designated representative information
 - Copy of supervisor training certificate(s)
 - White signature cards, signed

Applicant photographs
Required work experience
Third party exam score

Note: only include this paragraph if the company has never conducted a lead abatement project.

The following items are not included to demonstrate competency (410 IAC 32-4(b)(4)) as this firm has never implemented a lead abatement project and therefore 410 IAC 32-4-(B) 3, 5-8 do not apply.

- Lead-based paint projects prematurely terminated or not completed
- Contractual penalties
- Contracts for lead-based paint projects
- Warning letters, notices, citations, violations, legal proceedings

After XXX has obtained their lead contractor's license, we will comply with any new regulations, forms or other pertinent procedures promulgated by any Federal, State or local agencies.

Sincerely,

Lead Abatement Definitions

1. Adequate quality control means a plan or design that ensures the authenticity, integrity and accuracy of samples, including dust, soil, and paint chip or paint film samples. The term also includes provisions for representative sampling.
2. Child-occupied facility means a building or portion of a building that:
 - a. Was constructed prior to January 1, 1978
 - b. Does not qualify as target housing; and
 - c. Is visited regularly by a child who is six (6) years of age or younger and any of the following conditions exist for the building or portion of the building:
 1. the child visits at least two (2) days a week (Sunday through Saturday) and each of the visits lasts at least three (3) hours
 2. the child visits at least six (6) hours each week
 3. the child's combined annual visits during a calendar year total at least sixty (60) hours
 - d. The term includes day care centers, preschools, and kindergarten classrooms
3. Containment means a process to protect workers and the environment by controlling exposure to the lead-contaminated dust and debris created during abatement
4. Target housing means housing constructed before January 1, 1978. The term does not include the following:
 - a. Housing for the elderly or individuals with disabilities that is not occupied by or expected to be occupied by a child six (6) years of age or younger
 - b. A building without a bedroom

Licensing and Training Policy

1. XXX employees working in lead-based paint activities (defined as: inspection, risk assessment, and abatement of LBP in target housing and child occupied facilities) will be licensed by the State of Indiana, Department of Health.
2. XXX employees will follow ISDH procedures to obtain this license. This includes attending and passing an Indiana approved training course in the appropriate discipline, taking the third party exam for the initial license (except workers), submitting State required documentation with the license (including photos) and applicable licensing fee.

Lead Abatement Notification Requirements

1. XXX will submit a written notice of intention to conduct an LBP activity to the Indiana State Department of Health for all lead abatement projects that take place in a child occupied facility or target housing using the form provided by the State of Indiana.
2. The notification form will be postmarked, faxed or hand-delivered at least two working days before any LBP activity as defined by the rule. If the notice is being updated or cancelled, a copy of the previous notification will be attached to the new, revised notification.
3. If the activity is an emergency abatement operation, notice will be given as early as possible, but not later than the following working day after the activity is started.
4. *The notification form will include the following information:*
5. Any of the following types of operations that will be conducted as part of an abatement project
 - a. Wet or dry stripping
 - b. Encapsulation
 - c. Enclosure
 - d. Emergency abatement
 - e. Soil removal
 - f. Interior abatement
 - g. Exterior abatement
6. Description of the facility or affected part of the facility
 - a. Size in square feet
 - b. Number of floors
 - c. Age
 - d. Present and prior use of the facility
7. An estimate of the approximate amount of LBP to be removed in the facility in terms of linear or square feet on facility components and the procedure, including analytical methods,

employed to detect the presence and amount of lead-based paint.

8. Location and street address, including:
 - a. Building name and number, building owner or operator, and floor or room number location, and if applicable
 - b. City
 - c. County
 - d. State
 - e. Present and prior use of the facility
9. Scheduled starting abatement date and completion dates as indicated by the posting and removal of LBP hazard demarcations in the work area.
10. The name of the contractor conducting the abatement.
11. Description of planned activity work to be performed and methods to be employed, including techniques to be used and a description of the affected facility components.
12. Description of work practices and engineering controls to be used to comply with the rule, including lead removal and waste handling emission control procedures.
13. Description of procedures to be followed in the event that unexpected LBP becomes a LBP hazard and warrants immediate action.
14. Name and location of the waste disposal site where lead containing waste material will be deposited and the name, address, and telephone number of the waste transporter.
15. A signed certification from the owner or operator that the information provided in the notification is correct and that only Indiana licensed workers and project supervisors will be used to implement any LBP activity.
16. The name, address, telephone number, and license number issued to the following:
 - a. The person who inspected the facility for LBP
 - b. The person who conducted a risk assessment
 - c. The person who conducted the clearance sampling
17. For emergency LBP activities, the date and hour that the emergency occurred, including a description and explanation of how the event causes a LBP hazard and warrants immediate action.

Attach a copy of the abatement notification form – Tab 8, last two pages

Lead Based Paint Abatement Work Practices

Abatement procedures for all projects will follow 410 IAC 32-4- 5-9

1. All LBP abatements will be conducted by persons licensed by the department to remove lead-based paint.
2. A licensed supervisor will be on site, available to workers and responsible for direct supervision of workers during all:
 - a. work site preparation
 - b. abatement activities
 - c. post abatement cleanup of work areas
3. The licensed supervisor and contractor will ensure that all abatement activities are conducted according to the requirements of 410 IAC 32, and all other federal, state and local requirements.
4. Notification of a LBP abatement activities in target housing or child-occupied facilities prior to the commencement of abatement activities.
5. The on-site supervisor will maintain the following documents at the abatement site at all times:
 - a. Indiana notification
 - b. Occupant Protection Plan
 - c. Employee licenses
 - d. Required OSHA documentation
6. A written protection plan will be developed for all abatement projects and will
 - a. Be unique to each dwelling or child-occupied facility
 - b. Be developed prior to abatement
 - c. Describe the measures and management procedures that will be taken during the abatement to protect the building occupants from exposure to any lead-based paint hazards.
 - d. Be prepared by a supervisor or project designer
7. The following work practices will be prohibited at all XXX LBP abatement projects
 - a. Open-flame burning or torching of lead-based paint is prohibited.
 - b. Machine sanding or grinding or abrasive blasting or sandblasting of lead-based paint is prohibited unless used with HEPA exhaust control that removes particles of three-tenths (0.3) micron or larger from the air at ninety-nine and ninety-seven hundredths percent (99.97%) or greater efficiency
 - c. Dry scraping of lead-based paint only in conjunction with heat guns or around electrical outlets or when treating defective paint spots totaling no more than two (2) square feet in any one (1) room, hallway, or stairwell or totaling no more than twenty (20) square feet on exterior surfaces.
 - d. Operating a heat gun on lead-based paint is permitted only at temperatures below one thousand one hundred (1,100) degrees Fahrenheit, unless it chars the paint
 - e. Uncontained water blasting and uncontained abrasive blasting methods of abatement

will not be used.

- f. Use of a volatile stripper that is a hazardous chemical unless working in a space ventilated by circulation of outside air.
8. All persons entering the work area during a lead-abatement project will wear disposable shoe covers that will be removed upon leaving the work area and placed with abatement waste.
9. Any persons entering the work area during lead paint removal activity, such as using a heat gun, scraping, HEPA sanding, or chemical stripping, or during replacement and during the cleanup process will wear appropriate respirator protection in accordance with all OSHA requirements found at 29 CFR 1926.62*.
10. In every abatement activity that results in the disturbance of lead-based paint, polyethylene plastic sheeting will be placed directly below the work area.
11. XXX will post warning signs at all entrances and exits to work area. The warning signs posted will read "Warning Lead Work Area Poison No Smoking or Eating". The work area will also be restricted by barrier tape.
12. Access of non-licensed abatement workers to abatement work areas will be limited and enforced by the abatement supervisor. Only the persons informed by the supervisor of potential lead hazards and who have a direct relationship to the project may enter the work area.
13. Surfaces that have been stripped with caustic chemicals or that have come into contact with caustic or solvent-based liquid waste will be cleaned by wet washing until there is no visible residue.
14. A thorough cleanup of the entire area under active abatement will occur daily during the entire interior and exterior abatement process. This daily cleanup will consist of the following:
 - a. HEPA vacuum all surfaces and place debris into labeled six (6) mil polyethylene sheets.
 - b. Lead-contaminated waste will be stored in an area inside the property line designated and posted as a lead waste storage area, and covered with six (6) mil polyethylene sheeting. Lead-contaminated waste will be stored outside.
 - c. Small debris will be swept up using a HEPA vacuum and bagged in a six (6) mil polyethylene or double four (4) mil bags and stored in a designated secure area.
 - d. Consumable and disposable supplies such as mop heads, plastic sheeting, sponges, and rags will be treated as contaminated debris.
15. XXX will use all new work practices in rules and guidance promulgated by Federal, State and local agencies.

Lead abatement procedures - interior

1. Carpeting left in place will be covered with at least two (2) sheets of six (6) mil polyethylene sheeting, secured to the wall or baseboard with masking tape.
2. Non-movable objects remaining in the work area will be wrapped with six (6) mil polyethylene sheeting and sealed with tape.
3. After all moveable objects have been removed from the work area, the work area will be sealed from non-work areas and all tears, breaks, cracks, and openings in the containment system will be repaired as they occur.
4. After sealing off the work area, floors will be covered with at least two (2) layers of six (6) mil polyethylene sheeting.
5. Forced-air heating and air conditioning systems will be shut down, and all air intake and exhaust points of these systems will be sealed.
6. If a common area is an abatement work area, and there are no alternative entrances and egresses that are located outside of the work area, a protected passage through the common area will be erected.
7. If a safe passage cannot be created and alternative entrances and exits do not exist, then abatement in common areas will be conducted between established and posted hours and the work area will be cleaned with a HEPA vacuum at the end of each working day until all surfaces are free of all visible dust and debris.

Lead abatement procedures - exterior

1. Before beginning to abate lead paint using wet methods on exterior work areas, the following site preparation procedures will be used:
 - a. Place polyethylene plastic sheeting six (6) mils thick as close to the building foundation as possible, extending beyond the dripline.
 - b. Extend the edge of the sheets a sufficient distance to contain the run-off and raise the outside edge of the sheets such as with boards, to trap liquid waste.
 - c. Have available appropriate containers to hold liquid waste for later transfer and disposal
 - d. Where seams occur, they will be sealed with tape and edges will be raised and a new section of plastic sheeting and framing will be added as needed.
2. Before beginning to abate lead paint using dry methods on exterior work areas, the following site preparation procedures will be used:
 - a. Place polyethylene plastic sheeting six (6) mils thick as close to the building foundation as possible.
 - b. Extend the sheeting out from the foundation a minimum of five (5) feet and an additional three (3) feet per floor before being abated.
 - c. Weight the sheeting at the foundation and along edges and seams
 - d. Erect vertical shrouds if constant wind speed exceeds fifteen (15) miles per hour or there is visible movement of debris beyond the ground sheeting.
3. Soil abatement will be conducted in one (1) of the following ways:
 - a. If soil is removed, the lead-contaminated soil will be replaced with soil that is not lead-contaminated
 - b. If soil is not removed, the lead-contaminated soil will be permanently covered.
4. No visible paint chips or painted debris that contains lead-based paint will remain on the soil, pavement, or other exterior horizontal surface for more than forty-eight (48) hours after the surface activities are complete.

Post-abatement clearance policy

Post abatement clearance sampling will only be conducted by an Indiana licensed inspector or risk assessor. The following outlines the sampling procedures:

1. Prior to the removal of warning signs and other demarcation, a visual inspection will be conducted by an Indiana licensed inspector or risk assessor to determine if deteriorated, LB painted surfaces or visible amounts of dust, debris, or residue are still present.
2. XXX will remove any deteriorated paint or visible amount of dust, debris or residue found during the visual inspection.
3. Clearance sampling will be conducted no sooner than 1-hour after the completion of the project, using documented methodologies and procedures outlined in 410 IAC 32-4-9.
4. The Indiana licensed inspector or risk assessor will compare the analytical results to the applicable clearance level to determine whether or not clearance has been achieved.
5. If clearance has been achieved, the demarcation will be removed and the lead abatement project will be considered complete.
6. If clearance levels exceed the applicable levels, XXX will reclean and have retest all failed areas.
7. Upon completion of the project, the Indiana licensed inspector or risk assessor will submit all analytical results to XXX to be included in the final lead abatement report.
8. A visual inspection following exterior abatement will be conducted as follows:
 - a. All horizontal surfaces in the outdoor living area closest to the abated surfaces must be found to be clean of visible dust and debris
 - b. A visual inspection will be conducted looking for the presence of paint chips on the dripline or next to the foundation below abated exterior surfaces
 - c. Any paint chips samples found will be removed within 48 hours and disposed of properly. Soil sampling may be conducted to determine if the lead hazard has been removed

Lead Waste Disposal Procedures

1. All LBP waste left at a facility or stored elsewhere prior to disposal, will be securely stored in a manner that restricts access by unauthorized persons to the material.
2. The material will be stored in a locked container, room, truck or trailer.
3. Lead hazard warning signs or labels will be prominently displayed on the door of the locked container, room, truck or trailer, or some other security measure will be employed, including the use of barriers or barrier tape.
4. A lead warning label will be posted in all areas where lead is stored.
5. Waste will be transported in accordance with U.S.D.O.T. requirements, and disposed according to 329 IAC 2-21, 3.1-6-1 and 10-8.1.
6. All debris will be placed into labeled 6(six) mil polyethylene or double 4 (four) mil bags and stored in a designated secure area.
7. Consumable and disposable supplies, such as mop heads, plastic sheeting, sponges and rags will be treated as contaminated debris.
8. Residential waste will not be tested by Toxicity Characteristic Leaching Procedure (TCLP), as it is exempt from such testing.

Recordkeeping Policy

1. All reports or plans required in the rule will be completed within sixty (60) days from the completion of the abatement project and will be submitted to the building owner within the same number of days.
2. All reports and plans will be retained for a minimum of three (3) years by XXX and will be available to the department upon request.
3. The records will include the following information regarding the lead abatement project:
 - a. The name, address and proof of license of:
 - i. The person who supervised the LBP activities project
 - ii. Each employee who worked on the project
 - b. The name, address, and signature of each licensed risk assessor or inspector who conducted clearance sampling, and the date of the clearance testing
 - c. The site of the LBP activities project
 - d. A description of the project
 - e. The starting and completion date for the LBP activities project
 - f. A summary of procedures used to conduct the LBP activity
 - g. A detailed written description of the LBP activities:
 - i. Including methods used
 - ii. Locations of room or components where LBP activities occurred
 - iii. Reasons for selecting LBP abatement method
 - iv. Suggested monitoring of encapsulants and enclosures
 - v. Occupant protection plan
 - vi. Results of clearance testing, soil analysis (if applicable) and the name of the federally approved lab who conducted the analysis
 - vii. The amount of material containing LBP that was removed from the site of the project
 - viii. The name and address of each disposal site used for the disposal of LBP containing material that was disposed of as a result of the LBP activities project
 - ix. A copy of each receipt issued by a disposal site

Medical Surveillance Program

This program complies with OSHA 29 CFR 1926.62.

1. XXX will make available initial medical surveillance to all employees occupationally exposed on any day to lead at or above the action level. The initial surveillance includes biological monitoring in the form of blood sampling (BLL) and analysis for lead and zinc protoporphyrin (ZPP) levels.
2. A complete program will be instituted for all employees who are exposed at or above the action level for more than 30 days in 12 months. This program will continue each year the employee reaches the 30 days level. Blood levels will also be monitored on a continual basis for those employees exposed at or above the action level for 30 days or more in a 12 month period.
3. All medical examinations will be performed or supervised by a licensed physician. Physicians will not reveal any findings to the employer, that are not relevant to tasks performed at the workplace.
4. There will be no cost for the employees, and the medical surveillance will be at a reasonable time and place.
5. Employees will be notified of the biological monitoring results within 5 days after employer receipt.
6. Any employee required to wear a respirator will be allowed to seek a medical examination if the employee has breathing difficulty during fit testing or respirator use.
7. All medical records will be kept for the duration of employment plus 30 more years, for each employee.

1926.59 - Hazard Communication Standard

The purpose of the program is to ensure that the hazards of all chemicals produced or imported are evaluated and information regarding their hazards are transmitted to employees.

1. XXX has developed, implemented and will maintain at each workplace, a written hazard communication program. The program will include information regarding labeling, Material Safety Data Sheets (MSDS's), and employee training on the program.
2. XXX will rely on Material Safety Data Sheets (MSDS's), label and other information supplied by the manufacturer, importer and/or supplier to determine the hazards of the product.
3. Copies of MSDS's will be maintained and readily accessible during each work shift in each work area. Where employees travel between work shifts, the MSDS's will be kept at the primary workplace, and will be readily accessible during an emergency.
3. All workplace containers will be labeled, tagged or marked with the following information:
 - a. identity of the hazardous chemical (s)
 - b. appropriate hazard warnings
 - c. name and address of the chemical manufacturer, importer or other responsible party
4. XXX will train all employees on hazardous chemicals in their work area at the time of initial assignment, and whenever a new physical or health hazard is introduced into the work area. Training will include:
 - a. information regarding this rule
 - b. operations in their work area where hazardous chemicals are present
 - c. location and availability of the written hazardous communication program and MSDS's

Note: The following IOSHA web address provides assistance in preparing a hazard communication program <http://www.in.gov/dol/2648.htm>

Respiratory Protection Program

This program complies with OSHA 29 CFR 1910.134

1. Respirators will be supplied (at no cost to the employee) by the employer when such equipment is necessary to protect the health of the employee. Applicable and suitable respirators will be selected and supplied to comply with Table 1 of 29 CFR 1926.62. All respirators will be NIOSH certified.
2. This program will be administered by a suitably trained program administrator, who will regularly evaluate and update the program.
3. Medical evaluations will be conducted for any employee required to wear a respirator if the employee has breathing difficulty during fit testing or respirator use.
4. All tight-fitting face pieces will be fit tested using protocols in Appendix A of 1910.134. No facial hair will be allowed for those wearing tight-fitting face pieces. Fit testing will be repeated on an annual basis. Fit testing will be conducted prior to the required 12 months under the following circumstances: significant weight loss or gain, facial scarring, dental changes or cosmetic surgery. The employee will have a sufficient number of respirator models and sizes to select from during fit testing.
5. Records will be kept on file for the most current fit test and medical evaluation.
6. Employees will be trained in the following areas prior to wearing the respirator the first time:
 - a. procedures for proper use of respirators in routine and reasonably foreseeable emergencies
 - b. procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing and discarding respirators
 - c. respiratory hazards to which employees potentially will be exposed
 - d. procedures for the proper use of respirators, including putting on and taking them off, limitations on their use and maintenance of the respirators
 - e. inspection, repair, cleaning and storage. (See attachment)
7. Employees who wear respirators will participate in annual training regarding use of the respirator.
8. When respirator use is not required, XXX will not provide respirators to employees, but will allow the employees to use their own respirators, if XXX determines that such use will not create a hazard.

Respirator Inspection, Maintenance and Storage

1. **Inspection**
All respirators used in routine situations will be inspected before each use and during cleaning. Inspection includes checking the respirator function, tightness of connections and the condition of the various parts (such as: valves, face pieces, filters and straps).
2. **Repair**
XXX will ensure that respirators that fail an inspection or are otherwise found to be defective will be removed discarded or repaired. All repairs or adjustments to respirators will be made by persons appropriately trained and they will only use the respirator manufacturer's NIOSH- approved parts. All repairs will be made according to the manufacturer's recommendations and specifications for that type of repair.
3. **Cleaning**
XXX will ensure that respirators are cleaned and disinfected using the procedures found in Appendix B-2 of 1910.134, or procedures recommended by the manufacturer. Respirators will be cleaned as often as necessary to be maintained in a sanitary condition when used exclusively by one employee only. Respirators shared by more than one employee will be cleaned and disinfected after each use.
4. **Storage**
Respirators will be stored in a location where they are protected from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture and damaging chemicals. They will be stored in a bag or box, or in some other manner to prevent deformation of the face piece and exhalation valve.