

04 NCAC 19L .1011 LEAD-BASED PAINT

(a) The recipient must comply with the Lead-Based Paint Poisoning Prevention Act [42 U.S.C. 4831(b)], 24 CFR Part 570.608, and 24 CFR Part 35, including provisions and subsequent amendments of the above:

- (1) prohibiting the use of lead-based paint;
- (2) requiring elimination of lead-based paint hazards; and
- (3) requiring notification of the hazards of lead-based paint poisoning to purchasers, owners and tenants of housing constructed prior to 1978 which was acquired or rehabilitated with CDBG assistance.

(b) All construction contracts as described in this Rule shall contain a provision prohibiting the use of lead based paint.

(c) In lieu of the testing procedures set forth in the 1996 HUD Guidelines, the recipient may forego testing and abate all applicable surfaces in accordance with the methods set out in the HUD regulations.

(d) Lead-based paint hazard evaluation and abatement activities financed with CDBG funds must be conducted by individuals and firms that are certified in accordance with the applicable EPA and HUD requirements for Lead Based Paint activities.

History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5304(b)(4); 42 U.S.C.A. 4821 through 4846; Eff. July 1, 1982; Amended Eff. August 1, 1998; June 1, 1994; June 1, 1993; May 1, 1988; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.