

TITLE 410 INDIANA DEPARTMENT OF HEALTH

Proposed Rule LSA Document

DIGEST

410 IAC 32-1-12 "Clearance levels" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 12. "Clearance levels" means values that indicate the maximum amount of lead permitted in dust on a surface following completion of a remediation activity. Clearance may only be achieved by confirming that the lead level of any surface component is lower than the ~~hazard level~~ **EPA Dust Lead Action Level (DLAL)** for that same building component.

(Indiana Department of Health; [410 IAC 32-1-12](#); filed Jan 6, 1999, 4:28 p.m.: 22 IR 1433; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; readopted filed Jul 14, 2011, 11:42 a.m.: [20110810-IR-410110253RFA](#); filed Dec 20, 2011, 1:51 p.m.: [20120118-IR-410100734FRA](#); readopted filed Sep 13, 2017, 4:08 p.m.: [20171011-IR-410170339RFA](#); filed Dec 16, 2021, 8:34 a.m.: [20220112-IR-410210390FRA](#); readopted filed Nov 28, 2023, 12:13 p.m.: [20231227-IR-410230638RFA](#)) NOTE: Transferred from the Air Pollution Control Board ([326 IAC 23-1-8](#)) to the Indiana State Department of Health ([410 IAC 32-1-12](#)) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-17 "Containment" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 17. "Containment" means a process to protect workers and the environment by controlling exposures to the ~~lead-contaminated~~ **lead-containing** dust and debris created during abatement.

(Indiana Department of Health; [410 IAC 32-1-17](#); filed Jan 6, 1999, 4:28 p.m.: 22 IR 1433; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; readopted filed Jul 14, 2011, 11:42 a.m.: [20110810-IR-410110253RFA](#); readopted filed Sep 13, 2017, 4:08 p.m.: [20171011-IR-410170339RFA](#); readopted filed Nov 28, 2023, 12:13 p.m.: [20231227-IR-410230638RFA](#)) NOTE: Transferred from the Air Pollution Control Board ([326 IAC 23-1-12](#)) to the Indiana State Department of Health ([410 IAC 32-1-17](#)) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-28 "Dust-lead hazard" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 28. (a) "Dust-lead hazard" means surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of lead equal to or exceeding the ~~hazard threshold set forth by the United States Environmental Protection Agency, 40 CFR Part 745*, effective March 8, 2021~~ **detectable level of lead.**

(b) A dust-lead hazard is present in a residential dwelling or child-occupied facility:

(1) in a residential dwelling on floors, interior window sills, and other horizontal surfaces when the weighted arithmetic mean lead loading for all single surface or composite samples of floors, interior window sills, and other horizontal surfaces are equal to or greater than the ~~hazard threshold set forth by the United States Environmental Protection Agency, 40 CFR Part 745*, effective March 8, 2021~~ **detectable level of lead;**

(2) on floors and interior window sills, in an unsampled residential dwelling in a multifamily dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one (1) sampled residential unit on the property; and

(3) on floors and interior window sills in an unsampled common area in a multifamily dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one (1) sampled common area in the same common area group on the property.

~~*This document is incorporated by reference. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.~~

(Indiana Department of Health; [410 IAC 32-1-28](#); filed Sep 10, 2003, 4:24 p.m.: 27 IR 462; readopted filed Jul 14, 2011, 11:42 a.m.: [20110810-IR-410110253RFA](#); filed Dec 20, 2011, 1:51 p.m.: [20120118-IR-410100734FRA](#); readopted filed Sep 13, 2017, 4:08 p.m.: [20171011-IR-410170339RFA](#); filed Dec 16, 2021, 8:34 a.m.: [20220112-IR-410210390FRA](#); readopted filed Nov 28, 2023, 12:13 p.m.: [20231227-IR-410230638RFA](#)) NOTE: Transferred from the Air Pollution Control Board ([326 IAC 23-1-21.5](#)) to the Indiana State Department of Health ([410 IAC 32-1-28](#)) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-38 "Hazardous waste" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 38. "Hazardous waste" means any waste as defined in 40 CFR 261.3* ~~or 329 IAC 3-1.~~

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for

review and copying at the Indiana Department of Health, Indiana Lead and Healthy Homes Program, Fifth Floor, 2 North Meridian Street, Indianapolis, Indiana 46204.

(Indiana Department of Health; [410 IAC 32-1-38](#); filed Jan 6, 1999, 4:28 p.m.: 22 IR 1435; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Aug 26, 2004, 11:30 a.m.: 28 IR 114; errata filed Jun 14, 2010, 10:11 a.m.: [20100630-IR-410100396ACA](#); readopted filed Jul 14, 2011, 11:42 a.m.: [20110810-IR-410110253RFA](#); readopted filed Sep 13, 2017, 4:08 p.m.: [20171011-IR-410170339RFA](#); errata filed Jul 28, 2021, 12:09 p.m.: [20210811-IR-410210327ACA](#); readopted filed Nov 28, 2023, 12:13 p.m.: [20231227-IR-410230638RFA](#))

NOTE: Transferred from the Air Pollution Control Board ([326 IAC 23-1-31](#)) to the Indiana State Department of Health ([410 IAC 32-1-38](#)) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-48 "Lead-contaminated dust" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 48. "Lead-contaminated dust" means surface dust in residential dwellings or child-occupied facilities that contain ~~an area or mass concentration of lead at, or in excess of, levels identified by the United States Environmental Protection Agency, 40 CFR Part 745*, effective March 8, 2021.~~

~~*This document is incorporated by reference. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.~~ **any detectable amount of lead.**

(Indiana Department of Health; 410 IAC 32-1-48; filed Jan 6, 1999, 4:28 p.m.: 22 IR 1436; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Jun 14, 2010, 10:11 a.m.: [20100630-IR-410100396ACA](#); readopted filed Jul 14, 2011, 11:42 a.m.: [20110810-IR-410110253RFA](#); readopted filed Sep 13, 2017, 4:08 p.m.: [20171011-IR-410170339RFA](#); errata filed Jul 28, 2021, 12:09 p.m.: [20210811-IR-410210327ACA](#); filed Dec 16, 2021, 8:34 a.m.: [20220112-IR-410210390FRA](#); readopted filed Nov 28, 2023, 12:13 p.m.: [20231227-IR-410230638RFA](#)) NOTE: Transferred from the Air Pollution Control Board ([326 IAC 23-1-38](#)) to the Indiana State Department of Health ([410 IAC 32-1-48](#)) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-49 "Lead-contaminated soil" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 49. "Lead-contaminated soil" means bare soil on residential real property and on the property of a child-occupied facility that contains lead. ~~at, or in excess of, levels identified by the United States Environmental Protection Agency, 40 CFR Part 745*, effective March 8, 2021.~~

~~*This document is incorporated by reference. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.~~

(Indiana Department of Health; 410 IAC 32-1- 49; filed Jan 6, 1999, 4:28 p.m.: 22 IR 1436; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Jun 14, 2010, 10:11 a.m.: 20100630-IR-410100396ACA; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR-410110253RFA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; errata filed Jul 28, 2021, 12:09 p.m.: 20210811-IR- 410210327ACA; filed Dec 16, 2021, 8:34 a.m.: 20220112-IR-410210390FRA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR-410230638RFA) NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-1-39) to the Indiana State Department of Health (410 IAC 32-1-49) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-70 "Risk assessor" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 70. "Risk assessor" means a person who has been trained by an approved training course provider and licensed by the department to conduct inspections, lead- hazard screens, and risk assessments. A risk assessor ~~also samples~~ **may sample** for the presence of lead in **water**, dust, and soil ~~for the purposes of abatement clearance testing.~~ **to ensure clearance levels have been met.**

(Indiana Department of Health; 410 IAC 32-1-70; filed Sep 10, 2003, 4:24 p.m.: 27 IR 464; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR-410110253RFA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR-410230638RFA) NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-1-60.1) to the Indiana State Department of Health (410 IAC 32-1- 70) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-1-72 "Soil-lead hazard" defined

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 72. (a) "Soil-lead hazard" means bare soil on residential real property or on the property of a child-occupied facility that contains total lead at, or in excess of, levels identified by the United States Environmental Protection Agency, ~~40 CFR Part 745*, effective March 8, 2021.~~

(b) A soil-lead hazard is present:

(1) in a play area when the soil-lead concentration from a composite play area sample of bare soil is equal to or greater than levels identified by the United States Environmental Protection Agency, ~~40 CFR Part 745*, effective March 8, 2021~~; or

(2) in the rest of the yard when the arithmetic mean lead concentration from a composite sample or composite samples of bare soil from the rest of the yard, including nonplay areas, for each residential building on a property equal to or greater than levels identified by the United States Environmental Protection Agency, ~~40 CFR Part 745*, effective March 8, 2021~~.

(c) If the soil is removed, it shall:

(1) be replaced by soil with a lead concentration as low as practicable, but not greater than levels identified by the United States Environmental Protection Agency, ~~40 CFR Part 745*, effective March 8, 2021~~; and

(2) not be used as top soil at another residential property or facility.

(d) If the soil-lead hazard is equal to or exceeds levels identified by the United States Environmental Protection Agency, ~~40 CFR Part 745*, effective March 8, 2021~~, the soil-lead hazard must be remediated using an abatement activity.

~~*This document is incorporated by reference. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.~~

(Indiana Department of Health; 410 IAC 32-1- 72; filed Sep 10, 2003, 4:24 p.m.: 27 IR 465; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR-410110253RFA; filed Dec 20, 2011, 1:51 p.m.: 20120118-IR-410100734FRA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; filed Dec 16, 2021, 8:34 a.m.: 20220112-IR-410210390FRA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR-410230638RFA) NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-1-60.6) to the Indiana State Department of Health (410 IAC 32-1-72) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-2-7 Lead-based paint license reciprocity

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 7. (a) Any person holding a current U.S. EPA state or tribe authorized lead-based paint program license from another state, who is applying for an initial Indiana lead-based paint license from the department as a lead-based paint inspector, risk assessor, project designer, supervisor, worker, or clearance examiner under this rule, shall do the following:

(1) Submit a completed application on forms provided by the department.

(2) Submit a copy of all current lead-based paint program licenses.

(3) For persons applying for inspector, risk assessor, project designer, or supervisor licenses, provide proof of having passed the third- party examination.

(4) Have attended an Indiana approved lead-based paint two (2) hour rules awareness course.

(5) Pay the license application fee specified in section 8 of this rule.

(b) Any person holding a current U.S. EPA state or tribe authorized lead-based paint program license, who is applying for an initial Indiana license from the department to conduct lead-based paint activities as a contractor under this rule, shall do the following:

(1) Submit a completed application on forms provided by the department, which shall include a signed statement that the person has read and understands this rule ~~and 40 CFR 745, Lead Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Final Rule*~~.

(2) Submit a copy of all U.S. EPA or U.S. EPA state or tribe authorized lead-based paint program licenses and documentation indicating that the applicant or the applicant's designated representative meets the experience, education, and training requirements of section 3 of this rule, including having successfully completed the approved initial and any requisite refresher training courses for lead-based paint project supervisor and received passing scores on all written examinations for such courses, including third-party examinations.

(3) Submit an up-to-date copy of the contractor's written standard operating procedures that include current compliance procedures.

(4) Submit documentation of the contractor's financial responsibility with a current certificate of insurance with at least five hundred thousand dollars (\$500,000) of liability insurance. The company offering the insurance coverage must be recognized or licensed by the Indiana department of insurance.

(5) Have attended an Indiana approved lead-based paint two (2) hour rules awareness course.

(6) Pay the license application fee specified in section 8 of this rule.

(c) If the department determines the information on the application is incomplete, the department shall request in writing that the applicant submit the missing information. If the information is not submitted within one (1) year of the department receipt of the application, the application will expire and the fee is not transferable.

(d) In addition to the requirements of subsections (a) through (b), the department may require an applicant or a designated representative to take an examination administered by the department. The examination shall cover only the discipline for which the applicant is seeking licensure. The commissioner shall deny the application if the applicant does not receive a passing score of seventy percent (70%). If the department denies the application, the certificate of training is

invalid and the applicant must retake and pass the initial training course for the discipline for which the applicant is seeking a license and any subsequent third-party examinations.

(e) The applicant shall provide two (2) copies of a clear and recent one and one-half (1 1/2) inch by one and one-half (1 1/2) inch identifying color photograph at the time of application.

(f) The department shall review the application and shall make a determination as to the eligibility of the person. The department shall issue a lead-based paint program license to any person who fulfills the requirements established by this rule. The lead-based paint license shall expire three (3) years after issuance. The department may deny an application for a lead-based paint program license based on any of the applicable criteria listed in section 6 of this rule or for failure to comply with any other provision of this rule.

(g) Applications must be completed in writing and submitted for processing. If the license is approved, the license will be sent to the applicant via the United States Postal Service to the address listed on the application.

~~*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Health, Indiana Lead and Healthy Homes Program, Fifth Floor, 2 North Meridian Street, Indianapolis, Indiana 46204.~~

(Indiana Department of Health; 410 IAC 32-2-7; filed Sep 10, 2003, 4:24 p.m.: 27 IR 472; errata filed Jun 14, 2010, 10:11 a.m.: 20100630-IR-410100396ACA; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR-410110253RFA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR-410230638RFA) NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-2-6.5) to the Indiana State Department of Health (410 IAC 32-2-7) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-3-3 Initial training course requirements

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 3. To offer lead-based paint course instruction in any one (1) or all of the disciplines, training course providers must ensure that their courses of study meet, at a minimum, the following training hour requirements and hands-on activities:

(1) The course of study for an inspector must last a minimum of twenty-four (24) training hours. This course of study shall include a minimum of eight (8) hours of hands-on training and shall contain the following course topics:

(A) Role and responsibilities of an inspector.

- (B) Background information on lead and its adverse health effects.
 - (C) Lead-based paint inspection methods, including selection of rooms and components for sampling or testing. This course of study shall include hands-on activities.
 - (D) Paint, dust, and soil sampling methodologies. This course of study shall include hands-on activities.
 - (E) Clearance standards and testing, including random sampling. This course of study shall include hands-on activities.
 - (F) Preparation of the final inspection report. This course of study shall include hands-on activities.
 - (G) Record keeping.
 - (H) Regulatory review to include the following:
 - (i) TSCA Title IV*.
 - (ii) Occupational Safety and Health Administration (OSHA) respirator requirements ~~found at 29 CFR 1926.62*~~.
 - (iii) Applicable local, state, and federal regulations and guidance that pertain to lead-based paint and lead-based paint activities.
- (2) The course of study for a risk assessor must last a minimum of sixteen (16) training hours and shall include a minimum of four (4) hours of hands-on training and contain the following course topics:
- (A) Role and responsibilities of a risk assessor.
 - (B) Collection of background information to perform a risk assessment.
 - (C) Sources of environmental lead contamination, including paint, surface dust and soil, water, air, packaging, and food.
 - (D) Visual inspection for the purposes of identifying potential sources of lead-based paint hazards. The course of study includes hands-on activities.
 - (E) Lead hazard screen protocol.
 - (F) Sampling for other sources of lead exposure. The course of study includes hands-on activities.
 - (G) Interpretation of lead-based paint and other lead sampling results, including all applicable state or federal guidance or regulations pertaining to lead-based paint hazards. The course of study includes hands-on activities.

(H) Development of hazard control options, the role of interim controls, and operations and maintenance activities to reduce lead-based paint hazards.

(I) Preparation of a final risk assessment report.

(J) Regulatory review, including, at minimum, the following:

(i) OSHA lead construction standard ~~found at 29 CFR 1926.62*~~.

(ii) U.S. EPA Lead-Based Paint Poisoning Prevention rule ~~found at 40 CFR 745*~~.

(iii) All applicable local, state, and federal regulations.

(3) The course of study for a supervisor must last a minimum of thirty-two (32) training hours and shall include a minimum of eight (8) hours of hands-on training and contain the following course topics:

(A) Role and responsibilities of a supervisor.

(B) Background information on lead and its adverse health effects.

(C) Regulatory review to include, at minimum, the following:

(i) OSHA lead construction standard ~~found at 29 CFR 1926.62*~~ (Occupational Safety and Health Administration, Occupational Exposure to Lead).

(ii) U.S. EPA Lead-Based Paint Poisoning Prevention rule ~~found at 40 CFR 745*~~.

(iii) All applicable local, state, and federal regulations.

(D) Liability and insurance issues relating to lead-based paint abatement.

(E) Risk assessment and inspection report interpretation. This course of study includes hands-on activities.

(F) Development and implementation of an occupant protection plan and abatement report.

(G) Lead-based paint hazard recognition and control. This course of study includes hands-on activities.

(H) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices. This course of study includes hands-on activities.

(I) Interior dust abatement and cleanup or lead-based paint hazard control and reduction methods. This course of study includes hands-on activities.

(J) Soil and exterior dust abatement or lead-based paint hazard control and reduction methods. This course of study includes hands-on activities.

(K) Clearance standards and testing.

(L) Cleanup and waste disposal.

(M) Record keeping.

(N) Employee personal respiratory protection and personal protective equipment, including the following:

(i) Classes and characteristics of respirator types.

(ii) Limitations of respirators.

(iii) Proper selection, inspections, donning, use, maintenance, and storage procedures for respirators.

(iv) Methods for field testing of the face piece-to-mouth seal (positive and negative pressure fitting tests).

(v) Qualitative and quantitative fit testing procedures.

(vi) Variability between field and laboratory protection factors.

(vii) Factors that alter respirator fit, for example, facial hair.

(viii) The components of a proper respiratory protection program.

(ix) Selection and use of personal protective clothing.

(x) Use, storage, and handling of nondisposable clothing.

(xi) Regulations covering personal protective equipment.

(O) Respiratory protection programs and medical surveillance programs.

(4) The course of study for a project designer must last a minimum of eight (8) training hours and contain the following course topics:

(A) Role and responsibilities of a project designer.

(B) Development and implementation of an occupant protection plan for large scale abatement projects.

(C) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices for large-scale abatement projects.

(D) Interior dust abatement and cleanup or lead hazard control and reduction methods for large-scale abatement projects.

(E) Clearance standards and testing for large-scale abatement projects.

(F) Integration of lead-based paint abatement methods with modernization and rehabilitation projects for large-scale abatement projects.

(G) OSHA requirements for lead sites.

(H) Relevant federal, state, and local regulatory requirements with a discussion of procedures and standards.

(5) The course of study for an abatement worker must last a minimum of sixteen (16) training hours. This course of study includes a minimum of eight (8) hours of hands-on activities and contain the following course topics:

(A) Role and responsibilities of an abatement worker.

(B) Background information on lead and its adverse health effects.

(C) Background information on federal, state, and local regulations and guidance that pertain to lead-based paint abatement.

(D) Lead-based paint hazard recognition and control. This course of study includes hands-on activities.

(E) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices, with hands-on activities.

(F) Interior dust abatement methods and cleanup or lead-based paint hazard reduction, with hands-on activities.

(G) Soil and exterior dust abatement methods or lead-based paint hazard reduction, with hands-on activities.

(H) Employee personal protective equipment, including the following:

(i) Classes and characteristics of respirator types.

(ii) Limitations of respirators and their proper selection, inspection, donning, use, maintenance, and storage procedures.

(iii) Methods for field testing of the face piece-to-mouth seal (positive and negative pressure fitting tests).

(iv) Qualitative and quantitative fit testing procedures.

(v) Variability between field and laboratory protection factors.

(vi) Factors that alter respirator fit, for example, facial hair.

(vii) The components of a proper respiratory protection program.

(viii) Selection and use of personal protective clothing, use, storage, and handling of nondisposable clothing.

(ix) Regulations covering personal protective equipment.

(I) Hazards encountered during abatement activities and how to deal with them, including the following:

- (i) Electrical hazards.
- (ii) Heat stress.
- (iii) Air contaminants other than lead.
- (iv) Fire and explosion hazards.
- (v) Scaffold and ladder hazards.
- (vi) Slips, trips, and falls.
- (vii) Confined spaces.

(J) Applicable federal, state, and local regulations and guidance that pertains to lead-based paint and lead-based paint activities.

(6) The course of study for a clearance examiner must last a minimum of five (5) training hours. This course of study shall follow the U.S. EPA-approved Lead Sampling Technician Training Course, including the use of all guidelines, manuals, and appendices and contain the following course topics:

(A) Introduction and background shall contain the following topics:

- (i) A brief overview to the course.
- (ii) An introduction of course objectives and general background on the health risks of lead and the purpose of lead sampling.

(B) Skills shall contain the following topics:

- (i) How to perform a visual assessment.
- (ii) Preparation for and collection of dust wipe samples.
- (iii) Selection of an accredited lab, sample submission, and interpretation of acceptable results.

(C) Application shall contain the following topics:

- (i) Overview of federal, state, and local regulations applying to lead sampling.
- (ii) How to perform lead samples in post-renovation clearance, HUD-required clearance, and other lead sampling examinations.

(D) Writing and delivering reports shall include the following:

- (i) The preparation of reports.

(ii) The procedures for explaining results to clients.

(7) The course of study for the Indiana lead-based paint rules awareness course must be a minimum of two (2) training hours. This course of study shall include the use of all Indiana guidelines, manuals, and appendices on the following course topics:

(A) Introduction and background shall contain the following topics:

(i) A brief overview to the course.

(ii) Introduction of course objectives.

(B) Indiana lead-based paint rules to include the following:

(i) Review and comparison of Indiana lead-based paint rules to federal rule requirements.

(ii) Review other Indiana state rule requirements.

(iii) Student question and answer session on Indiana lead-based paint rules.

(C) Indiana lead-based paint forms to include the following:

(i) Licensing application form.

(ii) Project notification form.

(iii) Inspection and risk assessment reports.

~~*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Health, Indiana Lead and Healthy Homes Program, Fifth Floor, 2 North Meridian Street, Indianapolis, Indiana 46204.~~

(Indiana Department of Health; 410 IAC 32-3- 3; filed Jan 6, 1999, 4:28 p.m.: 22 IR 1448; filed Sep 10, 2003, 4:24 p.m.: 27 IR 476; errata filed Jun 14, 2010, 10:11 a.m.: 20100630- IR-410100396ACA; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR-410110253RFA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; errata filed Jul 28, 2021, 12:09 p.m.: 20210811-IR-410210327ACA; errata filed Jul 28, 2021, 12:09 p.m.: 20210811-IR-410210327ACA; errata filed Jul 28, 2021, 12:09 p.m.: 20210811-IR-410210327ACA; errata filed Jul 28, 2021, 12:09 p.m.: 20210811-IR-410210327ACA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR- 410230638RFA) NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-3-3) to the Indiana State Department of Health (410 IAC 32-3-3) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-4-9 Post-abatement clearance procedures

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 9. The following post-abatement final visual clearance procedures shall be performed only by a licensed inspector or risk assessor:

(1) Following an abatement and prior to removal of warning signs or other demarcation, a visual inspection shall be completed by an Indiana licensed inspector or risk assessor to determine if deteriorated, painted surfaces or visible amounts of dust, debris, or residue are still present.

(2) If deteriorated painted surfaces or visible amounts of dust debris or residue are present, they must be wet wiped or HEPA vacuumed until such conditions are eliminated prior to the continuation of the clearance procedures.

(3) Following the visual inspection and any post-abatement cleanup required in this rule, clearance sampling for lead-contaminated dust shall be conducted by employing single-surface sampling or composite sampling techniques.

(4) Dust samples on surfaces for clearance purposes shall be taken using documented methodologies that incorporate adequate quality control procedures.

(5) Dust samples for clearance purposes shall be taken within a minimum of one (1) hour after completion of final post-abatement clean-up activities.

(6) The following post-abatement clearance activities shall be conducted as appropriate based upon the extent or manner of abatement activities conducted in or to the target housing or child-occupied facility:

(A) After conducting an abatement with containment between abated and unabated areas:

(i) one (1) dust sample shall be taken from one (1) interior window sill and from one (1) window trough, if present;

(ii) one (1) dust sample shall be taken from the floors of each of no less than four (4) rooms, hallways, or stairwells within the containment area; and

(iii) one (1) dust sample shall be taken from the floor outside the containment area.

If there are fewer than four (4) rooms, hallways, or stairwells within the containment area, then all rooms, hallways, or stairwells shall be sampled.

(B) After conducting an abatement with no containment:

(i) two (2) dust samples shall be taken from each of no fewer than four (4) rooms, hallways, or stairwells in the target housing or child-occupied facility;

(ii) one (1) dust sample shall be taken from one (1) interior window sill and one (1) window trough, if present; and

(iii) one (1) dust sample shall be taken from the floor of each room, hallway, or stairwell selected.

If there are fewer than four (4) rooms, hallways, or stairwells within the residential dwelling or child-occupied facility, then all rooms, hallways, or stairwells shall be sampled.

(C) Following an exterior paint abatement, a visible inspection shall be conducted as follows:

(i) All horizontal surfaces in the outdoor living area closest to the abated surface shall be found to be clean of visible dust and debris.

(ii) A visual inspection shall be conducted to determine the presence of paint chips on the dripline or next to the foundation below any exterior surface abated.

(iii) If paint chips are present, the chips shall be removed from the site and properly disposed of according to all applicable federal, state, and local requirements.

(D) The rooms, hallways, or stairwells selected for sampling shall be selected according to documented methodologies.

(E) The licensed inspector or risk assessor shall compare the residual lead level, as determined by the laboratory analysis, from each single surface dust sample with applicable clearance levels for lead in dust on floors, interior window sills, and window troughs divided by half the number of subsamples in the composite sample. If the residual lead level:

(i) in a single surface dust sample equals or exceeds the applicable clearance levels; or

(ii) in a composite dust sample equals or exceeds the applicable clearance level divided by half the number of subsamples in the composite sample;

then the sample is a failed sample. All the components represented by the failed sample shall be recleaned and retested until clearance levels are met.

(F) The clearance levels for lead in dust are a mass-per-area concentration of lead equal to or exceeding the ~~hazard threshold~~ **action level** of a specific building component as set forth by the United States Environmental Protection Agency, 40 CFR Part 745*, effective March 8, 2021.

~~*This document is incorporated by reference. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.~~

(Indiana Department of Health; 410 IAC 32-4-9; filed Jan 6, 1999, 4:28 p.m.: 22 IR 1460; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Sep 10, 2003, 4:24 p.m.: 27 IR 487; errata filed Jun 14, 2010, 10:11 a.m.: 20100630-IR-410100396ACA; readopted filed Jul 14, 2011, 11:42 a.m.: 20110810-IR- 410110253RFA; readopted filed Sep 13, 2017, 4:08 p.m.: 20171011-IR-410170339RFA; filed Dec 16, 2021, 8:34 a.m.: 20220112-IR-410210390FRA; readopted filed Nov 28, 2023, 12:13 p.m.: 20231227-IR-410230638RFA)

NOTE: Transferred from the Air Pollution Control Board (326 IAC 23-4-9) to the Indiana State Department of Health (410 IAC 32-4- 9) by P.L.57-2009, SECTION 17, effective July 1, 2009.

410 IAC 32-6 Incorporation by Reference

Authority: IC 16-41-39.8-6

Affected: IC 16-41-39.8

Sec. 6. (a) When used in this article, references to the following publications shall mean the version of that publication listed below. The following publications are hereby incorporated by reference:

(1) 29 CFR 1926.62 (June 30, 2022).

(2) 40 CFR 745 (July 1, 2024).

(b) Federal rules that have been incorporated by reference do not include any later amendments than those specified in the incorporation citation. Sales of the Code of Federal Regulations are handled exclusively by the