

4761.2560 LEAD INSPECTION.**Subpart 1. General requirements.**

A. A person must allow the commissioner to have access to a work site, according to Minnesota Statutes, section 144.99, subdivision 2, while the person performs a lead inspection.

B. An individual conducting a lead inspection must be licensed according to part 4761.2280 or 4761.2300 and must use the methods described in this part.

C. Sodium rhodizonate and sodium sulfide must not be used to inspect paint for the presence of lead.

Subp. 2. Methodologies.

A. A lead inspection must be performed according to one of the documented methodologies that corresponds to the type of sampling and analysis that will be used to determine lead concentration.

B. To the extent that the documented methodologies contain numerical standards for the lead content of paint, dust, or drinking water that differ from the standards in part 4761.2510, the more stringent standard applies.

C. X-ray fluorescence analyzers, laboratory sample analyses, or a combination of both, may be used for on-site measurements of lead.

Subp. 3. Lead inspection requirements.

A. A lead inspection for an affected property must:

(1) in a residence, school, or child-occupied facility, test each interior and exterior building component with a distinct painting history for lead-based paint. Surfaces do not need to be tested if the lead inspector or lead risk assessor determines the building component was replaced after 1978 or does not contain lead-based paint;

(2) in a multifamily residence, school, or child-occupied facility, test each building component with a distinct painting history in every common area for lead-based paint. Surfaces do not need to be tested if the lead inspector or lead risk assessor determines the building component was replaced after 1978 or does not contain lead-based paint; and

(3) visually identify the presence and location of bare soil if the ground is not covered by snow at the time of the inspection.

B. Collecting and analyzing drinking water is not required but may be performed as part of a lead inspection.

Subp. 4. **Reports.** Within 30 days of completing a lead inspection, the lead inspector or lead risk assessor must write a report containing the information described in part 4761.2680, subpart 1.

Statutory Authority: *MS s 144.9508*

History: *29 SR 531*

Published Electronically: *November 29, 2004*