

4761.2655 ENCAPSULATION OF LEAD-BASED PAINT.

A. Materials to be used for encapsulation of lead-based paint must meet all documented methodologies and have from the manufacturer of the encapsulant material:

- (1) a written, 20-year warranty for any defects in the encapsulant material;
- (2) a recommended maintenance plan for the encapsulant; and
- (3) documentation that the material has been determined by an independent laboratory to meet the criteria of the American Society for Testing and Materials for the specified type of encapsulant.

B. Encapsulants must be applied as specified in documented methodologies.

C. A lead risk assessor or lead supervisor must verify that the surface to be encapsulated will successfully pass the patch and adhesion tests described in HUD's Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (1995). The guidelines are incorporated by reference under part 4761.2000, subpart 15, item H. Preparation of a surface for the patch and adhesion tests does not constitute lead hazard reduction.

D. The property owner or lead supervisor is responsible for determining that the surface to be encapsulated:

- (1) is structurally sound;
- (2) is not an impact surface or a friction surface in normal usage; and
- (3) will support the application of an encapsulant.

Statutory Authority: *MS s 144.9508*

History: *29 SR 531*

Published Electronically: *November 29, 2004*