

7025.0240 NOTIFICATION.

Subpart 1. **Notice required.** The owner, or representative of the owner, of a steel structure or the owner, or representative of the owner, of a painting facility shall provide notice as described in items A and B at least ten working days before the start of removal of lead paint from a total exterior surface area greater than 500 square feet on one steel structure or on more than one steel structure at one location during one calendar year. Stationary painting facilities that have applied for an air quality permit as required by chapter 7007, permits and offsets rules, whose only emissions are due to paint removal and repainting operations, are exempt from notification.

A. The owner, or representative of the owner, must give written notice as required in subpart 2 to the adult residents of buildings, and to the owner or administrator of any child care or school buildings, within a distance to a single steel structure of 50 feet or twice the height of the structure, whichever is greater, but not to exceed 500 feet. Notification is required within 200 feet of a bridge portion. For multiple storage structures at one location, this distance is equal to the sum of the heights of individual structures from which lead paint is removed during one year, not to exceed 200 feet. The owner, or representative of the owner, must mail or deliver the notice to the owner or administrator of a child care or school building. The owner, or representative of the owner, must mail, deliver, or put on or under the door of each residence one notice for each single-family building and one notice for each unit of a multiunit building.

If the owner, or representative of the owner, postpones the beginning of paint removal more than five working days from the date stated in the written notices required by this subpart, the owner, or representative of the owner, shall redistribute each of the notices with the revised schedule for paint removal within five working days of the original starting date.

B. The owner, or representative of the owner, must mail, facsimile, or deliver written notice to the commissioner as required in subpart 3. Any corrections to the information provided in the notice shall be made in writing and received by the commissioner no later than the date the change is initiated. However, a change of the project starting date to an earlier starting date requires advance notification of ten working days.

If the owner, or representative of the owner, postpones the beginning of paint removal from the date stated in the original written notice, the commissioner must be renotified before the original starting date of paint removal by a supplemental notice with the revised schedule. The owner, or representative of the owner, shall mail, facsimile, or deliver amended notifications to the commissioner.

Subp. 2. **Contents of notice to residents, administrator, and owner.** The notice required in subpart 1, item A, shall state that lead paint is present on the structure, shall

specify the days and the hours during which paint removal is anticipated, and shall advise the owner or administrator and the adult residents of buildings to prevent children under the age of ten years from entering the outdoor area within 100 feet of the structure or structures or bridge portion from the start of paint removal each day until the completion of cleanup after paint removal.

If dry abrasive blasting or wet abrasive blasting is the method of paint removal, the notice shall further advise the owner or administrator and the adult residents of buildings within 100 feet of the structure or structures or bridge portion, or within a distance equal to the height of the structure, whichever is greater, to take the following actions each day before paint removal begins:

A. close all doors, windows, and storm windows on the walls that face the structure to be abrasive blasted and their adjoining walls;

B. turn off all air conditioning units that use outdoor air exchange on the walls that face the structure and their adjoining walls, and tightly cover these units with impermeable material; and

C. take inside or remove from the exterior property all pets, pet houses, pet food and water bowls, and all children's toys and play equipment, or cover the equipment that cannot be moved.

Subp. 3. **Contents of notice to commissioner.** The notice required in subpart 1, item B, shall include:

A. the type of steel structure from which paint is to be removed and the address or location of the structure or structures;

B. the scheduled starting and completion days and times;

C. a copy of the painting records or paint test results required by part 7025.0230;

D. the name, business address, and telephone number of the contractor, the consultant, and the owner, and the name of one contact person for each company and owner;

E. if the structure from which lead paint is to be removed is either a bridge or a steel structure in part 7025.0370, item C, a description of the bridge or structure that includes:

(1) the number of total square feet of surface area from which paint will be removed;

(2) the distance to the property nearest the bridge or structure for each kind of property designated in part 7025.0250 up to 500 feet; and

(3) the class of pollution control to be applied to each bridge portion or structure as required in parts 7025.0250 and 7025.0260 to 7025.0300; or

F. if the structure from which lead paint is to be removed is either a storage structure or a steel structure in part 7025.0370, item A, a description of the structure that includes:

(1) the number of total square feet of surface area from which paint will be removed;

(2) the calculation of potential risk factor (RF) from part 7025.0310;

(3) the distance to the property nearest the structure for each kind of property designated in the table in part 7025.0310 up to 500 feet; and

(4) the class of pollution control to be applied to the structure from the table in part 7025.0310;

G. a copy of the notice given to the adult residents and to the owner or administrator in subparts 1 and 2, with a list of addresses, within the distance required by subpart 1, that received notification;

H. the paint removal methods and the containment methods the owner or contractor will use to comply with parts 7025.0260 to 7025.0300, 7025.0320 to 7025.0350, and 7025.0360 to 7025.0370;

I. the name and location of the waste disposal site where the waste collected as required by parts 7025.0260 to 7025.0300, 7025.0320 to 7025.0350, and 7025.0360 to 7025.0370, and disposed of as required by part 7025.0380, will be deposited; or a description of the proposed disposition of waste materials that are not put in a waste disposal site; or, if the waste generator is a hazardous waste facility permitted by the MPCA, the EPA identification number of the facility; and

J. any other information that the commissioner may request to determine compliance with parts 7025.0200 to 7025.0380.

Any corrections to the information provided in the notice shall be made in writing by a supplemental notice that the owner shall mail, facsimile, or deliver to the commissioner.

Statutory Authority: *MS s 115.03; 116.07; 144.9508*

History: *21 SR 202; 23 SR 2224*

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