

LEAD POISONING & HOUSING

PUBLIC HEALTH ISSUE:

Lead poisoning continues to be a significant, preventable environmental health problem, particularly among children living in older rental housing. Though lead has been found in drinking water, jewelry, spices and antiques; aging housing and deteriorating lead paint is the primary cause of most lead poisonings. NH's housing stock is aging with 58% of our homes built before 1978 when lead paint was banned for residential use. In some communities more than 80% of the homes were built before 1978. In 2019, nearly 600 children living in NH had blood lead levels high enough to impair their ability to think, concentrate and learn. Lead poisoning is entirely preventable.

ROLE OF THE HEALTH OFFICER:

- May assess and identify potential lead hazards during inspections of schools, daycares, and foster homes and report them on your inspection forms.
- May collaborate with the NH DHHS on any ongoing investigations of child lead poisonings in your community in addition to the assessment of any building or site that is under an Administrative Order of Lead Hazard Reduction.
- May educate the community about lead poisoning hazards by sharing information with homeowners and renovation professionals on lead-safe work practices.
- May collaborate with the Environmental Protection Agency (EPA) to report and stop activities occurring in violation of the Renovation, Repair, and Painting Rule (RRP).

ROLE OF THE STATE

- Shall enforce *RSA 130-A Lead Paint Poisoning Prevention and Control* to:
 - License lead inspectors, risk assessors, abatement contractors, supervisors, workers and trainers;
 - Develop and maintain a data base on the incidence of lead poisoning in children;
 - Investigate cases of lead poisoning in children 72 months or less, whose blood lead level is 5.0 µg/dL or greater that reside in rental housing;
 - If during such an investigation, lead hazards are identified, issue an Administrative Order of Lead Hazard Reduction to the property owner.
 - Implement comprehensive Nurse Case Management to children 72 months or less with blood lead elevations 5.0 µg/dL or greater;
 - Implement public education programs for the general public; and

- Notify parents and property owners of children 72 months or less, with blood lead elevations between 3.0 - 4.9 µg/dL.

RELATED LAWS AND RULES

- **RSA 130-A, Lead Paint Poisoning Prevention and Control**
www.gencourt.state.nh.us/rsa/html/x/130-a/130-a-mrg.htm
- **HP-1600, Rules for Lead Poisoning Prevention and Control**
www.gencourt.state.nh.us/rules/state_agencies/he-p1600.html
- **EPA's regulations on residential property renovation at 40 CFR 745, Subpart E**
<https://www.ecfr.gov/cgi-bin/text-idx?SID=cd05f748c481fd0ec85ffb94b9193066&node=sp40.31.745.e&rgn=div6>
- **RSA 540, Actions Against Tenants**, www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-LV-540.htm
- **RSA 540-A, Prohibited Practices & Security Deposits**,
www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-LV-540-A.htm

BACKGROUND:

Young children under the age of six are particularly susceptible to the toxic effects of lead dust from deteriorating lead paint because their close proximity to the ground and their normal hand-to-mouth activities. This results in greater contact with lead dust in their environment. Most children with elevated blood lead levels have no obvious symptoms. Lead affects every system in the body, particularly the developing brain and nervous system, resulting in delays in cognitive development and behavior changes. This results in learning delays, irritability and aggression. New Hampshire is now a universal testing state and RSA 130-A mandates that children be tested for blood lead at ages 1 year old and *again* at 2 years old. All children ages 3 to six years old who have not been previously tested or have moved or spent a significant time residing in a property built prior to 1978 should be tested.

The only way to know whether an individual has an elevated lead level is to have a blood test performed. A simple blood lead test can be performed by either a capillary finger stick or a venous collection from your arm. An elevated capillary result should be confirmed by a venous blood lead test. Blood lead results are reported as micrograms of lead per deciliter of blood (µg/dL).

In 1978, the Consumer Product Safety Commission banned the manufacture of paint containing more than 0.06% lead by weight on interior and exterior residential surfaces, toys, and furniture. However, lead-based paint continues to be used in marine, military and industrial settings because of its durability.

Lead hazards are identified as the presence of lead equal to or greater than 1.0 milligram/centimeter² reading on an XRF instrument that is:

- peeling, chipping, chalking or cracking, or any paint located on an interior or exterior surface of fixture that is damaged or deteriorated and is likely to become accessible to a child;
- The presence of lead based substances on chewable, accessible, horizontal surfaces that protrude more than ½ inch and are located more than 6 inches but less than 4 feet from the floor or ground;
- Lead based substances on interior or exterior surfaces that are subject to abrasion or friction or subject to damage by repeated impact; or
- Bare soil in children’s play areas that has equal to or greater than 400 parts per million (PPM) of lead or 1,200 ppm average of lead for bare soil in the rest of the yard.

There is no safe level of lead in the blood. However, at certain blood lead levels, action is taken by the DHHS Healthy Homes and Lead Poisoning Prevention Program (HHLPPP) as shown in the table below.

Blood Lead level	Notify Parent by US Mail	Notify Property Owner by US Mail	Provide Medical Case Mgt.	Perform an Investigation of Rental Unit	Issue Order of Lead Hazard Reduction (if Hazards are found)	Provide Medical Chelation
3.0µg /dL – 4.9 µg/dL	X	X				
5.0µg/dL or higher (confirmed)	X	X	X	X	X	
45µg/dL or higher (confirmed)	X	X	X	X	X	X

COLLABORATING WITH THE EPA TO REPORT AN RRP VIOLATION

EPA's Renovation, Repair and Painting (RRP) Rule applies to work in housing and child-occupied facilities. Contractors subject to the rule must take each of the following actions to protect occupants from exposure to lead-based paint:

- Be certified by EPA to conduct RRP work
- Provide the [Renovate Right brochure \(PDF\)](#) to owners and tenants before beginning work
- Minimize exposure to dust and paint chips created during work

EPA New England will follow up on tips and complaints from the public regarding violations of laws that require people to be informed of potential Lead-Based Paint hazards when they buy, rent, or hire contractors to renovate a home or child-occupied facility. Exposure to lead paint is a serious health concern, especially for young children.

To report a violation of federal Lead-Based Paint rules, follow these easy steps:

Residential Property Renovation Requirements - Renovation, Repair and Painting Rule (RRP Rule) - Firms and renovators that are paid to perform renovation, repair, and painting projects that disturb lead-based paint in homes or child-occupied facilities (such as day care centers and schools) built before 1978 must follow the requirements in the RRP Rule. To report firms and renovators that are not following lead-safe work practices, did not notify property owners or occupants about potential lead-based paint hazards, or are not Lead-Safe Certified Firms and/or Lead-Safe Renovators, you may:

- Complete this [electronic tip/complaint form](#)
- Contact our Tip & Complaint Line 617-918-TIPS [8477]

Disclosure Rule - Home sellers and landlords of residential property built before 1978 must provide certain important information about lead paint before a prospective buyer or tenant is obligated under a contract to purchase or rent the property. To report a property owner/property manager who did not notify prospective purchasers or tenants of residential property about potential lead-based paint hazards, you may:

- Complete this [electronic tip/complaint form](#)
- Contact our Tip & Complaint Line 617-918-TIPS [8477]

For questions concerning lead poisoning and its prevention contact:

New Hampshire Healthy Homes and Lead Poisoning Prevention Program
29 Hazen Drive
Concord, New Hampshire 03301
1-800-852-3345, ext. 4507 (in NH), or (603) 271-4507
1-800-897-LEAD (in NH) or LeadInfo@dhhs.nh.gov
www.dhhs.nh.gov/dphs/bchs/clpp/index.htm