

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	12/06/2023	
Media Program:	Toxic Substance Control Act	
Regulatory Program(s)	Renovation Repair and Paint (RRP)	
Company Name:	Philip and Melissa Kingston	
Facility Name:	Philip and Melissa Kingston	
Facility Physical Location:	5901 Palo Pinto	
(city, state, zip code)	Dallas, TX 75206	
Mailing address:		
(city, state, zip code)		
County/Parish:	Dallas	
Facility Phone Number	214-643-1797	
Facility Contact:	Philip Kingston	Property Owner
	Philip@kingstonfordallas@gmail.com	
FRS Number:	N/A	
Identification/Permit Number:	N/A	
Media Identifier Number:	N/A	
NAICS:		
SIC:		
Personnel participating in inspection:		
Angela Hays	EPA Region 6	Inspector
Stan Lancaster	EPA Region 6	Inspector
Kiera Hancock	EPA Region 6	Inspector
Philip Kingston	Resident	Home Owner
EPA Lead Inspector Signature/Date	ANGELA HAYS  Digitally signed by ANGELA HAYS Date: 2024.01.18 10:19:03 -06'00'	
	Angela Hays	Date
Supervisor Signature/Date	Yurk, Jeff  Digitally signed by Yurk, Jeff Date: 2024.01.18 10:56:20 -06'00'	
	Troy Stuckey	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

The focus of the inspection was to evaluate compliance to the Toxic Substances Control Act (TSCA) Lead Based Paint, Renovation Repair and Paint (RRP) rule, codified at 40 C.F.R. § 745, Subpart E. The property was targeted due to a complaint on 09/27/2023 stating the following “I'm writing to bring to your attention a potential environmental and public health concern at 5901 Palo Pinto. The property, built in 1922, is currently undergoing window replacement and exterior work. Given its age, there's a significant possibility that the property contains lead-based paint. Despite this, I've observed that no apparent precautions are being taken to prevent the spread of lead-contaminated dust or debris. Paint chips can be seen scattered throughout the yard, on the street, and in nearby areas. Additionally, sanding activities are taking place, potentially dispersing lead-contaminated dust into the air and possibly contaminating local water sources. Considering the well-documented health risks associated with lead exposure, especially for children and pregnant women, I am deeply concerned about the potential harm this could cause to residents and the environment. I kindly request that the EPA looks into this matter promptly to ensure that the renovation work complies with the EPA's Renovation, Repair, and Painting (RRP) rule or any other relevant regulations and to safeguard our community from potential lead exposure. Thank you for your attention to this matter. I trust in the EPA's commitment to ensuring a safe and healthy environment for all.”

FACILITY DESCRIPTION

5901 Palo Pinto Ave. Dallas TX 75206 is a single-family residence built in 1922.

Section II – OBSERVATIONS

On 12/06/2023 EPA inspectors Angela Hays, Stan Lancaster, and Kiera Hancock visited the residence of 5901 Palo Pinto Ave. Dallas TX 75206 due to a complaint stating RRP work was being performed at the residence without proper work practices. Upon arrival EPA Inspectors were met by Philip Kingston. We presented our credentials and discussed the reason for the site visit. Mr. Kingston agreed to be interviewed and signed a Notice of Inspection to document the visit.

EPA inspectors asked Mr. Kingston about work done to the home within the past five years. He stated the home was painted in 2019 but could not recall who performed the work. EPA inspectors viewed the outside of the property for signs of recent work. There was no evidence on the exterior of the home that any RRP work had been recently completed.

Section III – AREAS OF CONCERN

No areas of concern were found at the time of inspection.

Section IV – FOLLOW UP

EPA Inspectors requested Mr. Kingston to provide contractor information after the inspection.

Correspondence with Mr. Kingston received on 12/07/2023 stated that Mr. and Mrs. Kingston could not locate records of who had painted the home in 2019.

No additional follow up is requested.

Appendix:

- A** Notice of Inspection
- B** Inspection Checklist

Appendix: A

Notice of Inspection



United States
ENVIRONMENTAL PROTECTION AGENCY

Washington, DC 20460

Notice of Inspection
Office of Enforcement and Compliance Assurance

1. Investigation Identification			3. Facility Name
Date <i>12/6/2023</i>	Inspection Number <i>2</i>	Daily Seq. Number <i>2</i>	<i>5901 Polo Pinto Dallas TX</i>
2. Inspector's Address <i>1201 Elm Street Dallas TX 75202</i>			4. Facility Address <i>5901 Polo Pinto Dallas TX</i>

For Internal EPA Use. Copies may be provided to the recipient as acknowledgment of this notice.

Reason for Inspection

Under the authority of Section 11 of the Toxic Substances Control Act

For the purpose of inspecting (including taking samples, photographs, statements and other inspection activities) an establishment, facility or other premises in which chemical substances or mixtures, articles containing same are manufactured, processed, stored or held before or after their distribution in commerce (including records, files, papers, processes, control and facilities) and any conveyances being used to transport chemical substance, mixtures or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls and facilities) bearing on whether the requirements of the Act are applicable to the chemical substances, mixtures or articles, within, or associated with, such premise or conveyance have been complied with.

☐ In addition, this inspection extends to (check appropriate blocks):

☐ A. Financial Data

☐ D. Personnel Data

☐ B. Sales Data

☐ E. Research Data

☐ C. Pricing Data

The nature and extent of inspection of such data specified in A through E above is as follows:

*Follow up with owner on RRP Work done in 2019.
Owner will provide Contractors Information.*

Inspector's Signature <i>Angela Hays</i>		Recipient's Signature <i>[Signature]</i>	
Name <i>Angela Hays</i>		Name	
Title <i>Inspector TEIA</i>	Date <i>12/6/23</i>	Title	Date

Appendix B

Inspection Checklist



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Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

Renovation Firms & Renovators Inspection Checklist

EPA Inspector Name	Angela Hays
EPA Inspector Telephone	214-665-2285
EPA Inspector Email	Hays.angela@epa.gov
Inspection Date	12/6/2023
Inspection Type:	
Inspection Location	

Firm Information

Name	
Address	5701 Palo Pinto
Contact Name	Melissa and Philip Kingston
Contact Telephone	214 642 1707
Contact Email	Philip B. Kingston for Dallas @ gmail.com
Manager Name	
Manager Telephone	
Manager Email	

EPA Firm Certification Number

Nature/Description of Work

OPENING CONFERENCE

	Y-N- N/A	Comments
Introduction & Purpose	✓	Complaint
Permission to enter granted	✓	Philip Kingston



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

Permission to enter document signed	N/A	
Facility/operator provided copy of entry document	Y	
Copy of Lead Base Paint Pamphlet provided	online	

The items identified in this inspection have the potential to incur civil penalties in the amount identified. Your firm has 90 days in which to submit proof that the items identified have been corrected. These deficiencies are of a serious nature and if left uncorrected could result in formal enforcement action. Your response should be submitted to:

Paint Exterior work performed in 2019. No signs of work being performed.

~~Charles Barnes~~ *Angela Hays*

6EN-H1

US Environmental Protection Agency Region 6

~~1445 Ross Avenue~~ *1201 Elm St*

Dallas, TX 75202

Copy of inspection checklist and on-site report sent to:

Print Name: _____

Date _____

Email: _____

INFORMATION DISTRIBUTION REQUIREMENTS

#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.84(a)(1)	Renovation in Dwelling Unit: Did the renovator/property owner/property manager provide the owner of the unit with the EPA-approved lead hazard information pamphlet?	N/A			



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators
US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

2	Comments 40 C.F.R. § 745.84(a)(2)	Renovation in Dwelling Unit: Did the renovator/property owner/property manager provide the adult occupant of the unit (if occupant is not the owner) with the EPA-approved lead hazard information pamphlet?	N/A			
3	Comments 40 C.F.R. § 745.84(b)(1)	Renovation in Common Area: Did the renovator provide the property manager/owner of the multi-family housing with the EPA-approved lead hazard information/pamphlet and/or to post informational signs?	N/A			
4	Comments 40 C.F.R. § 745.84(b)(2)	Renovation in Common Area: Did the renovator/property manager/property owner notify in writing, or ensure written notification of, each unit of the multi-family housing and make the pamphlet available upon request prior to the start of the renovation, and/or post informational signs?	N/A			
5	Comments 40 C.F.R. § 745.84(c)(1)(i)	Renovation in Child-Occupied Facility: Did the renovator/property manager provide the owner of the building in which the child-occupied facility is located with the EPA-approved lead hazard information pamphlet?	N/A			
	Comments					

Painting Compliance Checklist - Renovators
 US ENVIRONMENTAL PROTECTION AGENCY
 REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

6	40 C.F.R. § 745.84(c)(1)(i)	Renovation in Child-Occupied Facility: Did the renovator/property manager/property owner provide an adult representative of the child occupied facility with the pamphlet, if the owner is not the operator of the child-occupied facility?	N/A			
7	40 C.F.R. § 745.84(c)(2)	Renovation in Child-Occupied Facility: Did the renovator/property manager/property owner provide the parents and/or guardians of children using the child-occupied facility with the pamphlet and information describing the general nature and locations of the renovation and the anticipated completion date, by mailing or hand-delivering the pamphlet and renovation information, or by posting informational signs describing the general nature and locations of the renovation and the anticipated completion date, posted in areas where they can be seen by parents or guardians of the children frequenting the child-occupied facility, and accompanied by a posted copy of the pamphlet or information on how interested parents or guardians can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to the parents or guardians?	N/A			
	Comments					
8	40 C.F.R. § 745.85 (1)	all renovations: did the renovator post signs clearly defining the work area and warning occupants and other persons not involved in renovation activities to remain outside of the work area; to prepare, to the extent	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovation
US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

		practicable, signs in the primary language of the occupants; and/or to post signs before beginning the renovation and make sure they remain in place and readable until the renovation and the post-renovation cleaning verification have been completed?				
	Comments					
TEST KITS						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.88	all renovations: did the renovator/firm use an epa approved dust test kit when determining the presence of lead? was there a potential where the test kit result provided a false negative result for lead (i.e., no lead)?	N/A			
	Comments					
2	40 C.F.R. § 745.88	all renovations: did the renovator/firm use an epa approved dust test kit when determining the presence of lead, where the test kit provided an accurate result for the presence of lead?	N/A			
	Comments					
FAILURE TO ALLOW ACCESS TO RECORDS OR REFUSAL OF AN INSPECTION						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.87(C)	all renovations: did the renovator/property owner/property manager refuse to permit entry or inspection? failure or refusal to permit entry or inspection is also a violation of tsca §15 and tsca §409.	N/A			
	Comments					

COMPANY NAME: ~~Blank Inspection~~ Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

2	40 C.F.R. § 745.235(C) 40 C.F.R. § 745.237	target housing and child-occupied facilities: did the renovator/property owner/property manager refuse to permit entry or inspection, as required by 40 c.f.r. §745.237 and section 11 of tsca (15 u.s.c. § 2610)? failure to allow entry and inspection is a prohibited act under sections 15 and 409 of tsca (15 u.s.c. § 2614, 2689).	N/A			
Comments						
FAILURE TO ESTABLISH AND MAINTAIN RECORDS, FAILURE OR REFUSAL TO MAKE RECORDS AVAILABLE						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40C.F.R. § 745.237	All Renovations: Did the renovator/firm/property owner/property manager fail or refusal to establish and maintain records, or to make available such records? Such failure or refusal is a violation of TSCA § 409.	N/A			
Comments						
2	40 C.F.R. § 745.225, § 745.226, and/or § 745.227	Target Housing and Child-occupied Facilities: Did the renovator/firm/property owner/property manager fail or refuse to establish, maintain, provide, copy, or permit access to records or reports?	N/A			
Comments						
ACKNOWLEDGEMENT AND CERTIFICATION STATEMENT REQUIREMENTS						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.84(a)(1)(i)	Renovation in Dwelling Unit: Did the renovator/firm/property manager obtain, from the owner, a written acknowledgment that the owner had received the	N/A			



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovation
US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

	40 C.F.R. § 745.84(a)(1)	pamphlet, or obtain a certificate of mailing at least 7 days prior to the renovation?				
	Comments					
2	40 C.F.R. § 745.84(a)(2) 40 C.F.R. § 745.84(a)(2)(i)	Renovation in Dwelling Unit: Did the renovator/firm/property manager obtain, from the adult occupant, a written acknowledgment that the adult occupant has received the pamphlet, or obtain a certificate of mailing at least 7 days prior to the renovation?	N/A			
	Comments					
3	40 C.F.R. § 745.84(b)(1) 40 C.F.R. § 745.84(b)(1)(i)	Renovation in Common Area: Did the renovator/firm/property manager obtain, from the owner, a written acknowledgment that the owner has received the pamphlet, or that information signs have been posted, or obtain a certificate of mailing at least 7 days prior to the renovation?	N/A			
	Comments					
4	40 C.F.R. § 745.84(b)(3)	Renovation in Common Area: Did the renovator/firm/property manager prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet?	N/A			
	Comments					
5	40 C.F.R. § 745.84(b)(4)	renovation in common area: did the renovator/firm/property manager notify, in writing, the owners and occupants if the scope, locations or expected starting and ending dates of the planned renovation activities change after the initial notification, before the renovator	N/A			

Renovation Compliance Checklist - Renovators
 US ENVIRONMENTAL PROTECTION AGENCY
 REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

		initiated work beyond that which was described in the original notice?				
	Comments					
6	40 C.F.R. § 745.84(c)(1)(i)	renovation in child-occupied facility: did the renovator/firm/ property manager obtain, from the owner of the building, a written acknowledgment that the owner had received the pamphlet, or obtained a certificate of mailing at least 7 days prior to the renovation?	N/A			
	Comments					
7	40 C.F.R. § 745.84(c)(1)(i)	renovation in child-occupied facility: did the renovator/firm/ property owner/property manager obtain from an adult representative of the child occupied facility, if the operator of the child-occupied facility is not the owner of the building, a written acknowledgment that the operator has received the pamphlet, or obtained a certificate of mailing at least 7 days prior to the renovation?	N/A			
	Comments					
8	40 C.F.R. § 745.84(c)(3)	Renovation in Child-Occupied Facility: Did the renovator/firm/ property owner/property manager prepare, sign and date a statement describing the steps performed to notify all parents and guardians of the intended renovation activities and to provide the pamphlet?	N/A			
	Comments					
9	40 C.F.R. § 745.84(d)(1)	All Renovations: Did the renovator/firm/property owner/property manager include a statement recording	N/A			

Page 8 of 33

COMPANY NAME: Blank Inspection

Pablo Pinto



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Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

		the owner/occupant's name and acknowledgment of the pamphlet receipt prior to the start of the renovation, the address of the unit undergoing renovation, the signature of the owner or occupant as applicable, and the date of signature?				
	Comments					
10	40 C.F.R. § 745.84(d)(2) and (3)	All Renovations: Did the renovator/firm/property owner/property manager provide a written acknowledgment of receipt on either a separate sheet or as part of any written contract or service agreement for the renovation, and be written in the same language as the text of the contract or agreement or lease or pamphlet?				
	Comments					
RECORD RETENTION REQUIREMENTS						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.86	All Renovations: Did the renovator/firm/property manager/property owner retain all records necessary to demonstrate compliance with the residential property renovation for a period of 3 years following completion of the renovation activities?	N/A			
	Comments					
2	40 C.F.R. § 745.225 (i)	All Renovations: Did the training program maintain and make available to EPA upon request, records for a period of 3 years and 6 months?	N/A			
	Comments					

COMPANY NAME: ~~Blank Inspection~~ Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

3	40 C.F.R. § 745.225, 745.226, or 745.227 & 40 C.F.R. § 745.235 (b)	Target Housing and Child-occupied Facilities: did the renovator/firm/property manager/property owner/training activity fail or refuse to establish, maintain, provide, copy, or permit access to records or reports?	N/A			
Comments						
RENOVATION FIRM, RENOVATOR AND DUST SAMPLING TECHNICIAN CERTIFICATION AND REQUIREMENTS						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.89(a) pursuant to 40 CFR § 745.81(a)(2)(i)	All Renovations: Did the renovator/firm that performs, offers or claims to perform renovations or dust sampling for compensation obtain initial certification from EPA?	N/A			
Comments						
2	40 CFR § 745.89(a & 40 C.F.R. § 745.89(b)(1)(i) ii)	All Renovations: Did the EPA-certified firm stop renovations or dust sampling because it did not obtain recertification?	N/A			
Comments						
3	40 C.F.R. § 745.89(b). & 40 C.F.R. § 745.89(c)	All Renovations: Did the EPA-certified firm amend its certification within 90 days of the date a change occurred to information included in the firm's most recent applications? Did the firm halt renovations or dust sampling until its certification was amended?	N/A			

Page 10 of 33

COMPANY NAME: Blank Inspection Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

**TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION**

	Comments				
4	40 C.F.R. § 745.89(d)(2) & 40 C.F.R. § 745.81(a)(2)	All Renovations: Did the renovator/firm fail to carry out its responsibilities during a renovation?	N/A		
	Comments				
5	40 C.F.R. § 745.90(b) or (c) 40 CFR § 745.90(a) 40 C.F.R. § 745.81(a)(3)	All Renovations: Did the renovator or dust sampling technician, perform all renovator or dust sampling responsibilities obtain a course completion certificate (proof of certification)?	N/A		
	Comments				
6	40 CFR § 745.90(b)(7)	All Renovations: Did the renovator or dust sampling technician, performing renovator or dust sampling responsibilities under 40 C.F.R. § 745.90(b) or (c) to maintain copies of their course completion certificate(s) (proof of certification) at the work site?	N/A		
	Comments				
7	40 C.F.R. § 745.90(b) or (c)	All Renovations: Did the renovator or dust sampling technician with responsibilities for ensuring compliance with 40 C.F.R. § 745.85 at all renovations to which they are assigned, ensure those activities happened as required?	N/A		
	Comments				



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

8	40 C.F.R. § 745.90(c)	All Renovations: Did the dust sampling technician to perform optional dust clearance sampling under § 745.85(c)?	N/A			
	Comments					
9	40 C.F.R. § 745.81(a)(3)	Target Housing and Child-occupied Facilities: Did the previously EPA-certified individual stop directing renovations if he/she did not obtain recertification under 40 CFR § 745.90(a)(4)?	N/A			
	Comments					
10	40 C.F.R. § 745.81(a)(4)	Target Housing and Child-occupied Facilities: Did the previously EPA-certified individual stop renovations or dust sampling if he/she did not obtain recertification under 40 CFR § 745.90(a)(4)?	N/A			
	Comments					

WORK PRACTICE STANDARDS FOR CONDUCTING RENOVATIONS IN TARGET HOUSING AND CHILD OCCUPIED FACILITIES

#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.85(a)(2)(i)(A)	Interior Renovations: Did the renovation firm remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting or other impermeable material with all seams and edges taped or otherwise sealed?	N/A			
	Comments					
2	40 C.F.R. § 745.85(a)(2)(i)(B)	Interior Renovations: Did the renovation firm, before beginning the renovation, close and cover all ducts opening in the work area with taped-down plastic sheeting or other impermeable material?	N/A			

Page 12 of 33

COMPANY NAME: Blank Inspection Pals Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

**TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION**

	Comments				
3	40 C.F.R. § 745.85(a)(2)(i)(C)	Interior Renovations: Did the renovation firm close windows and doors in the work area, cover doors with plastic sheeting or other impermeable material, and/or cover doors used as an entrance to the work with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area?	N/A		
4	40 C.F.R. § 745.85(a)(2)(i)(D)	Interior Renovations: Did the renovation firm, before beginning the renovation, cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater?	N/A		
5	40 C.F.R. § 745.85(a)(2)(i)(E)	Interior Renovations: Did the renovation firm use precautions to ensure that all personnel, tools, and other items, including the exteriors of containers of waste, are free of dust and debris before leaving the work area?	N/A		
6	40 C.F.R. § 745.85(a)(2)(i)(A)	Exterior Renovations: Did the renovation firm, before beginning the renovation, close all doors and windows within 20 feet of the renovation, close all doors and windows within 20 feet of the renovation on the same floor as the renovation on multi-story buildings, and/or	N/A		



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

		close all doors and windows on all floors below that are the same horizontal distance from the renovation?				
	Comments					
7	40 C.F.R. § 745.85(a)(2)(i)(B)	Exterior Renovations: Did the renovation firm, before beginning the renovation, to ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area?	N/A			
	Comments					
8	40 C.F.R. § 745.85(a)(2)(i)(C)	Exterior Renovations: Did the renovation firm, before beginning the renovation, cover the ground with plastic sheeting or other disposable impermeable material extending 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents 10 feet of such ground covering?	N/A			
	Comments					
9	40 C.F.R. § 745.85(a)(2)(i)(D)	Exterior Renovations: Did the renovation firm, before beginning the renovations in certain situations, to take extra precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate other buildings or other areas of the property or migrate to adjacent properties?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

**TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION**

10	40 C.F.R. § 745.85(a)(3)(i)	Prohibited and restricted practices: Did the renovator/firm prohibit the use of open-flame burning or torching of lead-based paint during renovations?	N/A			
	Comments					
11	40 C.F.R. § 745.85(a)(3)(i)	Prohibited and restricted practices: Did the renovator/firm prohibit the use of machines that remove lead-based paint through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, unless such machines are used with HEPA exhaust control?	N/A			
	Comments					
12	40 C.F.R. § 745.85(a)(3)(ii)	Prohibited and restricted practices: Did the renovator/firm restrict the operating/use of a heat gun on lead-based paint to temperatures below 1100 degrees Fahrenheit?	N/A			
	Comments					
13	to 40 C.F.R. § 745.85(a)(4)(i)	Waste from renovations: Did the renovator/firm contain waste from renovation activities to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal and/or failure to cover a chute if it is used to remove waste from the work area?	N/A			
	Comments					
14	40 C.F.R. § 745.85(a)(4)(i)	Waste from renovations: Did the renovator/firm, at the conclusion of each work day and/or at the conclusion of the renovation, ensure that waste that had been collected from renovation activities was stored under containment, in an enclosure, or behind a barrier that	N/A			



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

		prevents release of dust and debris out of the work area and prevents access to dust and debris?				
	Comments					
15	to 40 C.F.R. § 745.85(a)(4)(i) ii)	Waste from renovations: Did the renovation firm contain the waste to prevent release of dust and debris during the transport of waste from renovation activities?	N/A			
	Comments					
16	40 C.F.R. § 745.85(a)(5)	Cleaning the work area: Did the renovation firm clean the work area until no dust, debris or residue remained after the renovation had been completed?	N/A			
	Comments					
17	40 C.F.R. § 745.85(a)(5)(i)(A)	Cleaning the work area: did the renovation firm collect all paint chips and debris and seal the material in a heavy-duty bag without dispersing any of it?	N/A			
	Comments					
18	40 C.F.R. § 745.85(a)(5)(i)(B)	Cleaning the work area: Did the renovation firm remove the protective sheeting by misting the sheeting before folding it, folding the dirty side inward, and/or either taping shut to seal or sealing it in heavy-duty bags?	N/A			
	Comments					
19	40 C.F.R. § 745.85(a)(5)(i)(B)	Cleaning the work area: Did the renovation firm keep in place the plastic sheeting used to isolate contaminated rooms from non-contaminated rooms until after the cleaning and removal of other sheeting?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

**TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION**

20	40 C.F.R. § 745.85(a)(5)(i)(B)	Cleaning the work area: Did the renovation firm dispose of the plastic sheeting, used as occupant protection at the renovation site, as waste?	N/A			
Comments						
21	40 C.F.R. § 745.85(a)(5)(i)	Cleaning the work area: Did the renovation firm clean all objects and surfaces in the work area and within 2 feet of the work area, cleaning from higher to lower?	N/A			
Comments						
22	40 C.F.R. § 745.85(a)(5)(i)(A)	Cleaning the work area: Did the renovation firm clean walls in the work area, starting at the ceiling and working down to the floor, by either vacuuming with a HEPA vacuum or wiping with a damp cloth?	N/A			
Comments						
23	40 C.F.R. § 745.85(a)(5)(i)(B)	Cleaning the work area: Did the renovation firm thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum and/or failure to use a HEPA vacuum equipped with a beater bar when vacuuming carpets and rugs?	N/A			
Comments						
24	40 C.F.R. § 745.85(a)(5)(i)(C)	Cleaning the work area: Did the renovation firm to wipe all remaining surfaces and objects in the work area, except for carpeted or upholstered surfaces, with a damp cloth and/or failure to mop uncarpeted floors thoroughly, using a mopping method that keeps the wash water separate from the rinse water, such as the 2-bucket mopping method, or using a wet mopping system?	N/A			



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

Comments	
25	40 C.F.R. § 745.85(b)(1)(i) Standards for post-renovation cleaning verification: Did the renovator perform a visual inspection of the interior work area to determine whether dust, debris or residue is still present, to remove dust, debris or residue by re-cleaning if necessary, and/or perform another visual inspection? N/A
Comments	
26	40 C.F.R. § 745.85(b)(1)(i)(A) Standards for post-renovation cleaning verification: Did the renovator verify that each interior windowsill in the work area has been adequately cleaned using a disposable cleaning cloth(s) compared to the cleaning verification card following the prescribed procedures, pursuant to 40 C.F.R. §745.85 (b)(1)(ii) (A) or failure by a certified renovator to arrange for the collection dust clearance samples as part of optional dust clearance testing? N/A
Comments	
27	40 C.F.R. § 745.85(b)(1)(i)(B) Standards for post-renovation cleaning verification: Failure by a renovator to verify that each interior floor in the work area has been adequately cleaned using a disposable cleaning cloth(s) compared to the cleaning verification card following the prescribed procedures pursuant to 40 C.F.R. §745.85 (b)(1)(ii) (B) or failure by a certified renovator to arrange for the collection dust clearance samples as part of optional dust clearance testing? N/A
Comments	



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

28	40 C.F.R. § 745.85(b)(1)(i) ii)	Standards for post-renovation cleaning verification: Did the renovator wait until interior work area passes post-renovation cleaning verification before removing signs?	N/A			
Comments						
29	40 C.F.R. § 745.85(b)(2)	Standards for post-renovation cleaning verification: Did the renovator perform a visual inspection of the exterior work area to determine whether dust, debris or residue is still present, to remove dust, debris or residue by re-cleaning if necessary, and/or perform another visual inspection?	N/A			
Comments						
30	40 C.F.R. § 745.85(b)(2)	Standards for post-renovation cleaning verification: Did the renovator wait until exterior work area passes visual inspection before removing signs?	N/A			
Comments						
31	40 C.F.R. § 745.85(c)	Standards for post-renovation cleaning verification: Did the renovation firm arrange for performance of optional dust clearance testing at the conclusion of the renovation if required to do so by the person contracting for the renovation, a Federal, State, Territorial, Tribal, or local law or regulation?	N/A			
Comments						
32	40 C.F.R. § 745.85(c)(2)	Standards for post-renovation cleaning verification: Did the renovator have the optional dust clearance testing performed by a certified inspector, risk assessor or dust sampling technician at the conclusion of the renovation?	N/A			

COMPANY NAME: Blank Inspection Polo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

Comments						
33	40 C.F.R. § 745.85(c)(3)	Standards for post-renovation cleaning verification: Did the renovation firm re-clean the work area until dust clearance results are below clearance standards?	N/A			
Comments						
WORK PRACTICE STANDARDS FOR CONDUCTING LEAD-BASED PAINT ACTIVITIES IN TARGET HOUSING AND CHILD-OCCUPIED FACILITIES						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.227(a)(1)	Target Housing and Child-occupied Facilities: Did the renovator/firm perform all lead-based paint activities pursuant to the work practice standards, appropriate requirements, methodologies and clearance levels specified and referenced?	N/A			
Comments						
2	40 C.F.R. § 745.227(a)(2)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure lead-based paint activity described by the certified individual as an inspection, lead-hazard screen, risk assessment or abatement, was performed by a certified individual?	N/A			
Comments						
3	40 C.F.R. § 745.227(b)(1)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure an inspection was conducted only by a person certified by EPA as an inspector or risk assessor and, if conducted, must be conducted according to the prescribed procedures?	N/A			
Comments						

COMPANY NAME: Blank Inspection Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

4	40 C.F.R. § 745.227(b)(2)	Target Housing and Child-occupied Facilities: Did the renovator/firm conduct an inspection at select locations according to documented methodologies to be tested for the presence of lead-based paint?	N/A			
	Comments					
5	40 C.F.R. § 745.227(b)(2) (i)	Target Housing and Child-occupied Facilities: Did the renovator/firm test for lead-based paint each interior and/or exterior component with a distinct painting history in a residential dwelling and/or child occupied facility?	N/A			
	Comments					
6	40 C.F.R. § 745.227(b)(2) (ii)	Target Housing and Child-occupied Facilities: Did the renovator/firm test for lead-based paint each interior and/or exterior component with a distinct painting history in a multi-family dwelling?	N/A			
	Comments					
7	40 C.F.R. § 745.227(b)(3) (i)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that paint sampled for analysis to determine the presence of lead was conducted using documented methodologies which incorporate adequate quality control procedures?	N/A			
	Comments					
8	40 C.F.R. § 745.227(b)(3) (ii)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that all collected paint chip samples were analyzed according to 40 C.F.R. § 745.227(f) to determine if they contain detectable levels of lead that can be quantified numerically?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

9	40 C.F.R. § 745.227(b)(4)	Target Housing and Child-occupied Facilities: Did the inspector or risk assessor prepare an inspection report that includes the required information?	N/A			
	Comments					
10	40 C.F.R. § 745.227(c)(1)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that a lead hazard screen was conducted only by a person certified by EPA as a risk assessor?	N/A			
	Comments					
11	40 C.F.R. § 745.227(c)(2)(i)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that a lead hazard screen included the collection of background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age 6 years and under?	N/A			
	Comments					
12	40 C.F.R. § 745.227(c)(2)(ii)(A)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a lead hazard screen includes a visual inspection to determine the presence of deteriorated paint?	N/A			
	Comments					
13	40 C.F.R. § 745.227(c)(2)(ii)(B)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a lead hazard screen includes a visual inspection to locate at least two dust samples performed according to the prescribed methodologies?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

14	40 C.F.R. § 745.227(c)(3)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a lead hazard screen includes the collection and analysis of dust samples according to the prescribed methodologies?	N/A			
	Comments					
15	40 C.F.R. § 745.227(c)(4)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a lead hazard screen includes the collection and analysis of paint samples according to the prescribed methodologies?	N/A			
	Comments					
16	40 C.F.R. § 745.227(c)(5)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a risk assessor prepared a lead hazard screen report that includes the required information found in the regulation?	N/A			
	Comments					
17	40 C.F.R. § 745.227(d)(1)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure a risk assessment was conducted only by a person certified by EPA as a risk assessor?	N/A			
	Comments					
18	40 C.F.R. § 745.227(d)(2)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that a risk assessment includes a visual inspection of the residential dwelling or child-occupied facility to locate the existence of deteriorated paint, assess the extent and causes of the deterioration, and other potential lead-based paint hazards?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

19	40 C.F.R. § 745.227(d)(3)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that a lead hazard screen includes the collection of background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age 6 years and under?	N/A			
	Comments					
20	40 C.F.R. § 745.227(d)(4)	Target Housing and Child-occupied Facilities: Did the renovator/firm test for the presence of lead on each surface determined to have a distinct painting history?	N/A			
	Comments					
21	40 C.F.R. § 745.227(d)(5)	Residential Dwellings: Did the renovator/firm collect and analyze for lead concentration dust samples (either composite or single-surface samples) from the interior window sill(s) and floor(s) in all living areas where one or more children, age 6 and under, are most likely to come into contact with dust?	N/A			
	Comments					
22	40 C.F.R. § 745.227(d)(6)	Multi-family Dwellings and Child-occupied Facilities: Did the renovator/firm collect and analyze interior window sill and floor dust samples (either composite or single-surface samples) for lead concentration from the prescribed locations?	N/A			
	Comments					
23	40 C.F.R. § 745.227(d)(7)	Child-occupied Facilities: Did the renovator/firm collect and analyze interior window sill and floor dust samples (either composite or single-surface samples) for	N/A			

Page 24 of 33

COMPANY NAME: Blank Inspection

Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

19	40 C.F.R. § 745.227(d)(3)	Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that a lead hazard screen includes the collection of background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age 6 years and under?	N/A			
	Comments					
20	40 C.F.R. § 745.227(d)(4)	Target Housing and Child-occupied Facilities: Did the renovator/firm test for the presence of lead on each surface determined to have a distinct painting history?	N/A			
	Comments					
21	40 C.F.R. § 745.227(d)(5)	Residential Dwellings: Did the renovator/firm collect and analyze for lead concentration dust samples (either composite or single-surface samples) from the interior window sill(s) and floor(s) in all living areas where one or more children, age 6 and under, are most likely to come into contact with dust?	N/A			
	Comments					
22	40 C.F.R. § 745.227(d)(6)	Multi-family Dwellings and Child-occupied Facilities: Did the renovator/firm collect and analyze interior window sill and floor dust samples (either composite or single-surface samples) for lead concentration from the prescribed locations?	N/A			
	Comments					
23	40 C.F.R. § 745.227(d)(7)	Child-occupied Facilities: Did the renovator/firm collect and analyze interior window sill and floor dust samples (either composite or single-surface samples) for	N/A			

Page 24 of 33

COMPANY NAME: Blank Inspection

Palo Pinto



U.S. EPA

Lead Renovation/Repair

U.S. ENVIRONMENTAL PROTECTION
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT TITLE IV-LEAD HAZARD REDUCTION

		lead concentration in each room, hallway or stairwell utilized by one or more children, age 6 and under, and in other common areas in the child occupied facility?				
24	40 C.F.R. § 745.227(d)(8)	Comments Target Housing and Child-occupied Facilities: Did the renovator/firm collect and analyze soil samples for lead concentrations in the prescribed locations?	N/A			
25	40 C.F.R. § 745.227(d)(9)	Comments Target Housing and Child-occupied Facilities: Did the renovator/firm conduct all paint, dust, or soil sampling or testing using documented methodologies that incorporate adequate quality control procedures?	N/A			
26	40 C.F.R. § 745.227(d)(10)	Comments Target Housing and Child-occupied Facilities: Did the renovator/firm analyze any collected paint chip, dust, or soil samples according to 40 C.F.R. § 745.227(f) to determine if they contain detectable levels of lead that can be quantified numerically?	N/A			
27	40 C.F.R. § 745.227(d)(11)	Comments Target Housing and Child-occupied Facilities: Did the renovator/firm/risk assessor prepare a risk assessment report that includes the required information?	N/A			
28	40 C.F.R. § 745.227(e)(1)	Comments Target Housing and Child-occupied Facilities: Did the renovator/firm ensure that an abatement is conducted only by a person certified by EPA, and, if	N/A			



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

		conducted, is conducted according to the prescribed procedures?				
	Comments					
29	40 C.F.R. § 745.227(e)(2)	Target Housing and Child-occupied Facilities: Did the firm ensure a certified renovator was available to be onsite for each abatement project during all work site preparation, during the post-abatement cleanup of work areas, and to be onsite at other times during the abatement or available by telephone, pager or answering service and able to be present at the work site in no more than 2 hours?	N/A			
	Comments					
30	40 C.F.R. § 745.227(e)(3)	Target Housing and Child-occupied Facilities: Did the firm ensure a certified renovator was available to direct activities and ensure that all abatement activities are conducted according to the requirements of 40 C.F.R. § 745.227(e) and all other Federal, State and local requirements?	N/A			
	Comments					
31	40 C.F.R. § 745.227(e)(4) (i-v)	Target Housing and Child-occupied Facilities: Did the renovation firm notify EPA of lead-based paint abatement activities or to update notification as prescribed and by the designated deadline?	N/A			
	Comments					
32	40 C.F.R. § 745.227(e)(4) (vi)	Target Housing and Child-occupied Facilities: Did the renovation firm include the designated information in each notification?	N/A			
	Comments					

Page 26 of 33

COMPANY NAME: Blank Inspection Palo Pinto



U.S. EPA

Lead Renovation/Repair

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

33	40 C.F.R. § 745.227(e)(4) (vii)	Target Housing and Child-occupied Facilities: Did the certified firm accomplish written or electronic notification via one of the prescribed methods?	N/A			
	Comments					
34	40 C.F.R. § 745.227(e)(4) (viii)	Target Housing and Child-occupied Facilities: Did the renovation firm begin lead-based paint abatement activities on the date and at the location specified in either the original or updated Notification?	N/A			
	Comments					
35	40 C.F.R. § 745.227(e)(4) (ix)	Target Housing and Child-occupied Facilities: Did the certified renovation firm or individual notify EPA before engaging in lead-based paint abatement activities defined in 40 C.F.R. § 745.223?	N/A			
	Comments					
36	40 C.F.R. § 745.227(e)(5)	Target Housing and Child-occupied Facilities: Did the certified renovation firm or individual develop a written occupant protection plan for all abatement projects and in accordance with the prescribed procedures?	N/A			
	Comments					
37	40 C.F.R. § 745.227(e)(6) (i)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator prohibit the use of open-flame burning or torching of lead-based paint during abatement activities?	N/A			
	Comments					
38	40 C.F.R. § 745.227(e)(6) (ii)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator prohibit the use of machines that remove lead-based paint through sanding, grinding,	N/A			

Page 27 of 33

COMPANY NAME: Blank Inspection Palo Pinto



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

		abrasive blasting, or sandblasting, unless such machines are used with HEPA exhaust control which removes particles of 0.3 microns or larger from the air at 99.97 percent or greater efficiency?				
	Comments					
39	40 C.F.R. § 745.227(e)(6) (iii)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator prohibit the dry scraping of lead-based paint unless it is used in conjunction with heat guns or around electrical outlets or when treating defective paint spots totaling no more than 6 square feet in any one room, hallway, or stairwell or totaling no more than 20 square feet on exterior surfaces?	N/A			
	Comments					
40	40 C.F.R. § 745.227(e)(6) (iv)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator restrict the operating of a heat gun on lead-based paint at temperatures below 1100 degrees Fahrenheit?	N/A			
	Comments					
41	40 C.F.R. § 745.227(e)(7)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator conduct soil abatement, when necessary, according to the prescribed methods?	N/A			
	Comments					
42	to 40 C.F.R. § 745.227(e)(8)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator have a certified inspector or risk assessor perform the post-abatement clearance procedures?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

43	40 C.F.R. § 745.227(e)(8) (i)	Target Housing and Child-occupied Facilities: Did the certified firm have an inspector or risk assessor to perform a visual inspection after abatement to determine if deteriorated painted surfaces and/or visible amounts of dust, debris or residue are still present and to remove any hazards that still remain?	N/A			
	Comments					
44	40 C.F.R. § 745.227(e)(8) (ii)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator wait until the required visual inspection and any necessary post-abatement cleanups were completed before performing clearance sampling for lead in dust?	N/A			
	Comments					
45	40 C.F.R. § 745.227(e)(8) (iii)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator take dust samples for clearance purposes using documented methodologies that incorporate adequate quality control procedures?	N/A			
	Comments					
46	40 C.F.R. § 745.227(e)(8) (iv)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator wait a minimum of 1-hour after completion of final post-abatement cleanup activities to collect dust samples for clearance purposes?	N/A			
	Comments					
47	40 C.F.R. § 745.227(e)(8) (v)(A)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator collect the required dust samples from the prescribed surfaces in the designated rooms after conducting an abatement with containment between abated and unabated areas?	N/A			

Page 29 of 33

COMPANY NAME: ~~Blank Inspection~~ Palo Pinto

Repair/Painting Compliance Checklist - Renovators US ENVIRONMENTAL PROTECTION AGENCY REGION 6, DALLAS, TX 75202 TOXIC SUBSTANCES CONTROL ACT TITLE IV-LEAD HAZARD REDUCTION

48	Comments 40 C.F.R. § 745.227(e)(8)(v)(B)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator collect the required dust samples from the prescribed surfaces in the designated rooms after conducting an abatement with no containment?	N/A			
49	Comments 40 C.F.R. § 745.227(e)(8)(v)(C)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator conduct a visual inspection and clean horizontal, outdoor surfaces of visible dust and debris, perform visual inspection for paint chips on the dripline and remove and properly dispose of any paint chips found following an exterior paint abatement?	N/A			
50	Comments 40 C.F.R. § 745.227(e)(8)(vi)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator select the rooms, hallways or stairwells for sampling according to documented methodologies?	N/A			
51	Comments 40 C.F.R. § 745.227(e)(8)(vii)	Target Housing and Child-occupied Facilities: Did the certified inspector or risk assessor compare the residual lead level from dust samples with clearance levels to determine if level exceeds the applicable clearance level?	N/A			
52	Comments 40 C.F.R. § 745.227(e)(8)(vii)	Target Housing and Child-occupied Facilities: Did a certified inspector or risk assessor re-clean and retest the	N/A			



U.S. EPA

Lead Renovation

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75206
TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

		surface of components that were determined to have failed clearance testing after abatement?				
53	Comments 40 C.F.R. § 745.227(e)(8) (viii)	Target Housing and Child-occupied Facilities: Did the certified firm/renovator use the standard clearance levels for lead in dust of 40 µg/ft ² for floors, 250 µg/ft ² for interior window sills, and 400 µg/ft ² for window troughs to determine if a level in a sample exceeds the applicable clearance level?	N/A			
54	Comments 40 C.F.R. § 745.227(e)(9)	Target Housing and Child-occupied Facilities: Did a certified firm/renovator perform random sampling in a multifamily dwelling with similarly constructed and maintained residential dwellings according to the prescribed methods?	N/A			
55	Comments 40 C.F.R. § 745.227(e)(10)	Target Housing and Child-occupied Facilities: Did a certified renovator/supervisor or project designer prepare an abatement report that includes the required information?	N/A			
56	Comments 40 C.F.R. § 745.227(f)	Target Housing and Child-occupied Facilities: Did a certified renovator ensure that all paint chip, dust, or soil samples obtained are collected by a certified risk assessor or paint inspector and analyzed by an EPA recognized laboratory?	N/A			
	Comments					



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY

REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT

TITLE IV-LEAD HAZARD REDUCTION

57	40 C.F.R. § 745.227(g)	Target Housing and Child-occupied Facilities: Did the certified renovator limit composite dust sampling to only those situations specified?	N/A			
	Comments					
58	40 C.F.R. § 745.227(h)	Target Housing and Child-occupied Facilities: Did the certified renovator make a determination on the presence of lead-based paint?	N/A			
	Comments					
59	40 CFR § 745.233	Target Housing and Child-occupied Facilities: Is the firm certified performs, offers or claims to perform renovations or dust sampling for compensation to obtain initial certification from EPA, under 40 C.F.R. § 745.226?	N/A			
	Comments					
LEAD-BASED PAINT RISK ASSESSMENTS						
#	Reg Ref	Question	Y-N-N/A	Maj-Sig-Min	H-M-L	Potential Penalty
1	40 C.F.R. § 745.227(d)(1)	Is the person performing a risk assessment certified by EPA as a risk assessor?	N/A			
	Comments					
2	40 C.F.R. § 745.227(d)(2)	Did a certified renovator conduct a visual inspection for risk assessment of a child-occupied facility to locate the existence of deteriorated paint, assess extent and causes of deterioration, and other potential lead based paint hazards?	N/A			
	Comments					
Total Proposed Penalty Amount:						\$0



U.S. EPA

Lead Renovation/Repair/Painting Compliance Checklist - Renovators

US ENVIRONMENTAL PROTECTION AGENCY
REGION 6, DALLAS, TX 75202

TOXIC SUBSTANCES CONTROL ACT
TITLE IV-LEAD HAZARD REDUCTION

Target Housing

Major = one or more occupants under age 6 and/or pregnant woman

Significant = no information about age of the youngest occupant, or one or more occupants between ages of 6 and 17

Minor = no occupants under age 18

Child Occupied Facility

Major = one or more occupants under age 6 (by definition, a child-occupied facility is regularly visited by one or more children under 6)

Minor = renovation activities were completed during a period when children did not access the facility (e.g., as summer vacation) and there is no continuity of enrollment (i.e., the same children are not returning after the break).