On January 13, 2017, HUD published the “Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Response to Elevated Blood Lead Levels” (lead-free) final rule in the Federal Register. The final rule amends HUD’s lead-based paint regulations on reducing blood lead levels in children under age 6 who reside in federally-owned or -assisted housing that was built pre-1978, and formally adopts the Centers for Disease Control (CDC) definition of “elevated blood lead levels” (EBLLs) in children under the age of six. Under the final rule, PHAs are required to conduct an environmental investigation of the dwelling unit in which the child lived at the time the blood was last sampled (“index unit”) and of common areas servicing the index unit. The rule applies to project-based assistance provided by non-HUD federal agencies, project-based assistance, HUD-owned and mortgagee-in-possession multifamily property, public housing, and tenant-based rental assistance. The final rule also includes a new protocol for responding to a case of a child under 6 that has an EBLL. PHAs should be in compliance with the rule as of July 13, 2017.

The new protocol for responding to a case of a child under 6 that has an EBLL requires PHAs to conduct an environmental investigation of the dwelling unit in which the child lived at the time the blood was last sampled (“index unit”) and of common areas servicing the index unit. The procedure for conducting an environmental investigation includes: reviewing the findings of any previous lead-based paint inspection, risk assessment, environmental investigation, or reevaluation of the property; conducting a comprehensive interview of the family of the child, based on the CDC EBLL environmental investigation checklist or HUD EBLL questionnaire, or a comparable questionnaire (such as one from the public health department); conducting a risk assessment; augmenting the risk assessment, in consultation with the public health department managing the child’s EBLL case, if that public health department chooses to cooperate with the designated party, to determine what, if any, other possible sources of exposure should be investigated. This would include, but is not limited to: drinking water, glazed pottery or tableware that may contain lead glazes, work clothes or vehicle that may have been contaminated from a parent’s or guardian’s workplace, or imported cosmetics, hobbies, folk remedies, and candies; providing to the HUD field office documentation that the designated party has conducted the activities above, within 10 business days of the deadline for each activity. PHAs may submit this documentation electronically.

Once the PHA performs the environmental investigation, the PHA or owner would conduct interim controls designed to reduce temporary human exposure or likely exposure to lead-based paint hazards. If the risk assessment of the index unit and common areas servicing the unit identifies lead-based paint hazards, PHAs are required to conduct a risk assessment of other units that house children under the age of 6 within the building. For public housing, PHAs would then conduct interim controls of identified hazards and for tenant-based vouchers, the owner would conduct interim controls.
## Cross-Cutting

### Responsible Entity

<table>
<thead>
<tr>
<th>Activity</th>
<th>Public Housing</th>
<th>Housing Choice Voucher</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PHA</td>
<td>PHA</td>
</tr>
<tr>
<td>Initial notification to HUD of confirmed case</td>
<td>X</td>
<td>*</td>
</tr>
<tr>
<td>Verification, if necessary</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Initial notification of confirmed case to public health department</td>
<td>X</td>
<td>*</td>
</tr>
<tr>
<td>Environmental investigation</td>
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<td>X</td>
</tr>
<tr>
<td>Lead hazard control</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Clearance after work completed</td>
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<td>X</td>
</tr>
<tr>
<td>Follow-up notification to HUD</td>
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<td></td>
</tr>
<tr>
<td>Notification to other residents</td>
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<td>X</td>
</tr>
<tr>
<td>Ongoing LBP maintenance</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Ensuring Compliance with LSHR (Public Housing)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Periodic Reevaluation and Response, if &gt; $5,000/unit/year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring of Owner's Compliance with LSHR and HQS (HCV/PBV)</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

- The PHA may wish to collaborate with the owner on implementing this process.

For up-to-date information on this issue and other affordable housing issues go to [www.nahro.org/resource-center](http://www.nahro.org/resource-center) and follow the NAHRO blog at [www.nahroblog.org](http://www.nahroblog.org)