



## Ohio Administrative Code Rule 3701-30-01 Definitions.

Effective: July 1, 2023

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(A) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.

(B) "Child at risk of lead poisoning" means any child under six years of age who meets one or more of the following:

(1) Is medicaid eligible in accordance with Chapter 5111. of the Revised Code;

(2) Lives in a high risk zip code as designated by the director;

(3) Lives in or regularly visits a residential unit, child care facility, or school built before 1950;

(4) Lives in or regularly visits a residential unit built before 1978 that has deteriorated paint; this may include a day care center, preschool, the home of a child care provider or a relative.

(5) Lives in or regularly visits a residential unit built before 1978 with recent ongoing or planned renovation/remodeling;

(6) Has a sibling or playmate that has or did have an elevated blood lead level or lead poisoning; or

(7) Frequently comes in contact with an adult who has a lead-related hobby, or occupation.

(8) Lives near an active lead smelter, battery recycling plant, or other industry known to generate airborne lead dust.

(C) "Child care facility" means each area of any of the following in which child care, as defined in section 5104.01 of the Revised Code, is provided to children under six years of age:



(1) A child day-care center, type A family day-care home, or type B family day-care home as defined in section 5104.01 of the Revised Code; or

(2) A preschool program or school child program as defined in section 3301.52 of the Revised Code.

(D) "Clearance examination" means an examination to determine whether the lead hazards in a residential unit, child care facility, or school have been sufficiently controlled. A clearance examination includes a visual assessment, collection and analysis of environmental samples.

(E) "Director" means the director of the Ohio department of health, the director's designee, or the director's authorized agent.

(F) "Elevated blood lead level" resulting from lead exposure means a confirmed venous blood lead test level of lead in human blood of 3.5 micrograms per deciliter or greater, but less than ten micrograms per deciliter.

(G) "Lead poisoning" resulting from lead exposure means a confirmed venous blood lead test level of lead in human blood of ten micrograms per deciliter or greater.

(H) "Lead abatement" means a measure or set of measures designed for the single purpose of permanently eliminating lead hazards. "Lead abatement" includes all of the following:

- (1) Removal of lead-based paint and lead-contaminated dust;
- (2) Permanent enclosure or encapsulation of lead-based paint;
- (3) Replacement of surfaces or fixtures painted with lead-based paint;
- (4) Removal or permanent covering of lead-contaminated soil;
- (5) Preparation, cleanup, and disposal activities associated with lead abatement;

"Lead abatement" does not include any of the following:



- (a) Preventative treatments performed pursuant to section 3742.41 of the Revised Code;
- (b) Implementation of interim controls;
- (c) Activities performed by a property owner on a residential unit to which both of the following apply:
  - (i) It is a freestanding single-family home used as the property owner's private residence;
  - (ii) No child under six years of age who has lead poisoning visits or resides in the unit.
- (I) "Lead-based paint" means any paint or other similar surface-coating substance containing lead at or in excess of the level that is hazardous to human health as set forth in rule 3701-32-19 of the Administrative Code.
- (J) "Lead-contaminated dust" means surface dust that contains an area or mass concentration of lead at or in excess of the level that is hazardous to human health as set forth in rule 3701-32-19 of the Administrative Code.
- (K) "Lead-contaminated soil" means soil that contains lead at or in excess of the level that is hazardous to human health as set forth in rule 3701-32-19 of the Administrative Code.
- (L) "Lead-contaminated water pipes" means water pipes containing lead materials resulting in contamination of the water supply with lead at or in excess of the level that is hazardous to human health as set forth in rule 3701-32-19 of the Administrative Code.
- (M) "Lead hazard" means material that is likely to cause lead exposure and endanger an individual's health as set forth in rule 3701-32-19 of the Administrative Code. "Lead hazard" includes lead-based paint, lead-contaminated dust, lead-contaminated soil, and lead-contaminated water pipes.
- (N) "Lead safe rental registry" means the rental registry created in accordance with section 3742.41 of the Revised Code.



(O) "Manager" means a person, who may be the same person as the owner, responsible for the daily operation of a residential unit, child care facility, or school.

(P) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(Q) "Primary health care provider" means any person or government entity that provides well child health care services, such as annual examinations and immunizations to children under six years of age. "Primary health care provider" includes, but is not limited to, physicians, certified nurse practitioners, clinical nurse specialists, local health departments, medical clinics, offices and hospitals.

(R) "Public health lead investigation" means an investigation conducted by a public health lead investigator in accordance with rule 3701-30-07 of the Administrative Code.

(S) "Public health lead investigator" means an employee or contractor of the director or a designated board of health who is a licensed lead risk assessor in the state of Ohio and is either a registered environmental health specialist, or is a registered environmental health specialist-in-training, or is a person who has met the qualifications and has conducted public health lead investigations in accordance with rule 3701-30-07 of the Administrative Code prior to September 30, 2019.

(T) "Public health lead risk assessment" means a lead risk assessment conducted by a public health lead investigator in accordance with rule 3701-30-08 of the Administrative Code.

(U) "Public health lead risk assessment report" means a report completed by a public health lead investigator meeting the requirements in paragraph (U)(1) of this rule setting forth the investigator's findings at the property.

(V) "Residential unit" means a dwelling or any part of a building being used as an individual's private residence.

(W) "School" means a public or nonpublic school in which children under six years of age receive



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