Ohio Administrative Code

Rule 3701-32-12 Clearance examinations.

Effective: April 17, 2022

(A) A clearance examination includes a visual assessment of a residential unit, child care facility, or school that may be followed by the collection of environmental samples to determine whether the lead abatement, interim controls, or non-abatement lead activities in a residential unit, child care facility, or school has sufficiently controlled lead hazards or presumed lead hazards.

(B) The clearance standards set forth in rule 3701-32-19 of the Administrative Code shall be used to determine if the lead hazards or presumed lead hazards have been sufficiently controlled.

(C) Clearance examinations shall be performed by a lead risk assessor, lead inspector or clearance technician. A clearance technician shall perform clearance examinations on non-abatement projects only.

(D) When performing any clearance examination at a residential unit, child care facility or school, a lead inspector, lead risk assessor or clearance technician shall implement the following quality control measures:

(1) Collect dust samples for clearance examination purposes at a minimum of one hour after completion of final cleaning activities;

(2) Use documented methodologies incorporating quality control procedures when collecting environmental samples;

(3) Use single-surface dust sampling techniques only;

(4) Use a wipe material acceptable to ASTM as described in the E 1792, "Standard specification for wipe sampling materials for lead in surface dust," when taking dust samples;

(5) Submit any dust, paint chip, soil, or air samples collected for lead analysis to an environmental

lead analytical laboratory approved by the director pursuant to rule 3701-82-02 of the Administrative Code; and

(6) Submit any water samples collected for lead concentration analysis to a laboratory approved pursuant to Chapter 3745-89 of the Administrative Code.

(E) Except as provided in paragraph (G) of this rule, when performing a clearance examination in residential units, child care facilities or schools, the lead risk assessor, the lead inspector, or clearance technician shall do all of the following:

(1) Perform a visual assessment in the clearance area to identify all remaining deteriorated paint, visible dust, paint chips, debris or residue. For exterior areas, visually verify that bare soil has been covered, enclosures have been installed properly, and painted surfaces have been properly sealed. The findings shall be recorded on a form prescribed by the director. If deficiencies are found during the visual assessment:

(a) Inform the property owner, person or persons, performing the associated lead abatement or non-abatement work, or both, so all deficiencies may be corrected;

(b) Ensure the person or persons performing the associated lead abatement or non-abatement work controls or eliminates all identified deficiencies in order to pass the visual assessment; and

(c) Perform additional visual assessments to assure that the deficiencies are corrected, controlled or eliminated.

(2) Following a successful visual assessment, choose sample locations and collect the environmental samples for analysis at a residential unit in accordance with appendix A to this rule and at a child care facility or school in accordance with appendix B to this rule;

(3) If one or more environmental sample fails to meet the clearance standards established in rule 3701-32-19 of the Administrative Code, additional clearance examinations of the property must be performed until the clearance standards are met. For a failed dust wipe sample, all the components represented by the failed sample shall be re-cleaned. Additional clearance examinations of the

residential unit, child care facility, or school shall be conducted in accordance with paragraphs (E)(1), (E)(2) and (E)(3) of this rule, except only those components or areas requiring additional cleaning or other correction are part of the clearance area.

(F) Where similar multi-family residential units, child care facilities or schools with similar room equivalents have undergone comparable types of lead hazard control, the units, common areas, room equivalents, exterior areas, or all, may be grouped together and randomly sampled for the purposes of clearance, provided that:

(1) The individuals performing the lead hazard control do not know which residential units, common areas, or exterior areas will be selected for the random sample

(2) The minimum number of residential units, common areas, room equivalents, or exterior areas, or any combination of these areas, to be sampled shall be determined by appendix C to this rule;

(3) All randomly sampled residential units, common areas, room equivalents, or exterior areas, or any combination of these areas meet the clearance standards set forth in rule 3701-32-19 of the Administrative Code; and

(4) Each randomly sampled residential units, common areas, room equivalents, or exterior areas, or any combination of these areas has a clearance examination or clearance examinations in accordance with paragraphs (E)(1), (E)(2), and (E)(3) of this rule.

(G) When performing a clearance examination at a residential unit, child care facility or school where lead hazard control orders have been issued pursuant to rule 3701-30-09 of the Administrative Code, the lead inspector or lead risk assessor shall do all of the following:

(1) Review the lead hazard control order issued by the director to determine the clearance area. The lead inspector or lead risk assessor shall compare the work performed with the hazards listed in the lead hazard control order and ensure that all the identified lead hazards have been sufficiently controlled or eliminated. This review shall be documented in the final clearance report;

(2) Perform a visual assessment in the clearance area to identify all remaining deteriorated paint,

visible dust, paint chips, debris, residue and any remaining lead hazards. The findings shall be recorded on a form prescribed by the director. If deficiencies are found during the visual assessment:

(a) Inform the property owner, person or persons, performing the associated lead abatement so all deficiencies may be corrected;

(b) Ensure the person or persons performing the associated lead abatement eliminates all identified deficiencies in order to pass the visual assessment; and

(c) Perform additional visual assessments to assure that the deficiencies are controlled or eliminated.

(3) Following a successful visual assessment, choose sample locations and collect environmental samples at residential units, in accordance with appendix A to this rule and at child care facilities or schools, in accordance with appendix B to this rule;

(4) Perform additional clearance examinations of the residential unit or units, child care facility, or school following the procedures in paragraphs (H)(1), (H)(2) and (H)(3) of this rule, when clearance examination sample results indicate the lead loading of the dust samples are equal to or exceed the clearance examination levels set forth in rule 3701-32-19 of the Administrative Code; and

(5) Perform soil sampling at residential units, in accordance with appendix A to this rule and at child care facilities or schools, in accordance with appendix B to this rule where property that is subject to a lead hazard control order in accordance with rule 3701-30-09 of the Administrative Code is demolished and bare soil remains.

(H) The lead inspector, risk assessor or clearance technician shall prepare a clearance examination report for each clearance examination performed. The clearance examination report shall be written in a format prescribed by the director and shall comply with rule 3701-32-15 of the Administrative Code and contain the following:

(1) The address of the residential unit, child care facility or school and, if only part of a property is affected, the specific dwelling units and common areas affected;

(2) Name, address, and telephone number of the owner and manager of the residential unit, child care facility or the name, address and telephone number of the school principal;

(3) Information on the lead abatement or non-abatement activity for which the clearance examination was performed, including;

(a) Start and completion dates of the lead abatement or non-abatement activity for which the clearance examination was performed;

(b) Name, address, and telephone number of the designated lead abatement contractor or lead abatement project designer, or persons performing non-abatement activity; and

(c) A detailed written description of all lead abatement, interim controls, and paint stabilization locations where the activity was performed and suggested monitoring schedule of encapsulants, enclosures, and non-abatement lead activities to maintain sufficient control of lead hazards.

(4) The following information on the clearance examination:

(a) Date of all clearance examinations;

(b) Name, address, license number and signature of each person performing the clearance examination;

(c) For a clearance examination following lead abatement on a property under a lead hazard control order in accordance with rule 3701-30-09 of the Administrative Code: A statement indicating whether all the lead hazards identified in the lead hazard control order have been sufficiently eliminated or controlled, based on comparison of the lead hazard control order with the work performed;

(d) Findings of each visual assessment on a form prescribed by the director;

(e) A diagram of the floor plan of the residential unit, child care facility or school illustrating the location of each environmental sample collected;

(f) Sample location and result of each dust sample analysis in micrograms per square foot;

(g) Sample location and result of each soil sample analysis in parts per million or per cent lead by weight;

(h) Sample location, type, and result of each water sample analysis in parts per billion; and

(i) Name, address, telephone and approval number of each lead analytical laboratory conducting the analysis of any environmental sample and a copy of the laboratory results.