



JANET T. MILLS
GOVERNOR



MELANIE LOYZIM
COMMISSIONER

Memorandum

To: Board of Environmental Protection

From: John Bucci, Manager, Lead and Asbestos Field Services Unit

Date: September 16, 2021

Re: Chapter 424: Lead Management Regulations

The Department is recommending that the Board adopt the proposed 06-096 C.M.R. Chapter 424 Lead Management Regulations. This rule establishes standards and regulated work practices for lead remediation and lead abatements in residential and child occupied dwellings.

This rulemaking was initiated by the Board's posting of the Department's proposed repeal and replace for a thirty-day written public comment period beginning on June 2, 2021 and closing on July 2, 2021. The comment period closed with one comment having been received and no requests for a public hearing. In response to the comment, no changes to the draft rule were made.

This rulemaking was proposed in response to changes in EPA requirements for how lead hazards are cleared as part of EPA's efforts to reduce childhood lead exposure. These changes resulted in changes to work practice sections of Chapter 424, and lower the threshold of lead abatement clearance standards used by contractors licensed to perform State mandated lead abatement work. The Department's Chapter 424 Definitions and Work practice sections were amended to reflect these changes. The proposed rule also changes the soil hazards section and the hazard handling sections of Chapter 424. In addition, definitions were better aligned with EPA definitions.

The Department has made several minor typographic and formatting corrections. Also, to better align the rule with federal regulations, one instance of the word "permanent" was deleted from the definition of "residential dwelling unit."

The following materials are enclosed with this memorandum:

- Clean copy of rule with all proposed changes incorporated
- Basis Statement and Response to Comments

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PRESQUE ISLE, MAINE 04769
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Regulatory Framework:

General statutory authority for Chapter 424 is provided by 38 M.R.S. § 1295.

Requested Action:

The Department recommends that the Board adopt the proposed rule with the changes discussed above.