

Notice of Agency Rulemaking Proposal

AGENCY: Department of Health and Human Services, Maine Center for Disease Control and Prevention

CHAPTER NUMBER AND TITLE: 10-144 CMR ch. 292 - Rules Relating to The Lead Poisoning Control Act

TYPE OF RULE (*check one*): Routine Technical Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY: The Department is proposing this rule change to permanently implement revised federal standards for dust-lead hazards to identify and abate lead-based substances in dwellings and child-occupied facilities, decreasing the risk of exposure to environmental lead hazards and child lead poisoning. The proposed rule change is consistent with the current 10-144 CMR chapter 292 adopted on an emergency basis to amend the definition of “lead-contaminated dust” to align with the U.S. Environmental Protection Agency (EPA) dust-lead hazard standards, effective January 2020. This rule proposes to use the EPA’s lower standards (10 µg/ft² on floors and 100 µg/ft² on window sills, as specified in 40 CFR §745.65) for on-going environmental inspections to identify the presence of environmental lead hazards that must be removed in accordance with the Maine’s Lead Poisoning Control Act (22 MRS Ch. 252).

Date, time and location of PUBLIC HEARING (*if any*): None scheduled.

COMMENT DEADLINE: June 26, 2020

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, email*):

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CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): None anticipated

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §§1320, 1320-A, and 1323

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): 40 CFR §745.65

AGENCY WEBSITE: <http://www.maine.gov/dhhs/mecdc/rules/>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: tera.pare@maine.gov