



Ohio Administrative Code

Rule 3701-30-08 Public health lead risk assessment.

Effective: November 20, 2014

(A) When the director determines that a residential unit, child care facility, or school is a possible source of the child's lead poisoning, the director shall conduct a public health lead risk assessment of that property in accordance with paragraphs (G)(1) to (G)(9) of rule 3701-32-07 of the Administrative Code. If a public health lead investigator completed one or more of the components of the public health lead risk assessment when conducting a public health lead investigation in accordance with rule 3701-30-07 of the Administrative Code within the previous twenty-eight calendar days, the public health lead investigator is not required to repeat those components.

(B) The public health lead investigation and public health lead risk assessment may be completed in the same day. Prior to or within three calendar days of a public health lead risk assessment, the public health lead investigator shall send written notice to the owner or manager of a property where a public health lead risk assessment is to be or has been conducted. The notice shall be sent by regular mail or hand-delivered and state that the property is suspected of being a possible source of a child's lead poisoning and the date the public health lead risk assessment will be or has been conducted.

(C) At the conclusion of the public health lead risk assessment, the public health lead investigator shall prepare a report for each residential unit, child care facility or school where a public health lead risk assessment was conducted. The report shall be written in a format prescribed by the director. The report shall contain the following, as applicable:

- (1) Date of the public health lead risk assessment;
- (2) Address, unit number, and date of construction of each residential unit, child care facility or school assessed;
- (3) Name, address, and telephone number of the owner or manager of each residential unit, child care facility or school assessed;



- (4) Name, license number, and signature of the public health lead investigator conducting the public health lead risk assessment and the name, address, and telephone number of the agency employing each public health lead investigator;
- (5) Name, address, and telephone number of each environmental lead analytical laboratory approved pursuant to rule 3701-82-02 of the Administrative Code performing the analysis of any collected environmental samples;
- (6) Results of the visual assessment of each residential unit, child care facility or school assessed;
- (7) The testing method and sampling procedure for paint analysis employed and the specific locations of each component tested for the presence of lead;
- (8) All data collected from on-site testing, including quality control data and if an XRF is used, its serial number;
- (9) For residential units, the following statement displayed at the top of the report in bold letters:

Ohio law (section 5302.30 of the Revised Code) requires every person who intends to transfer any residential real property by sale, land installment contract, lease with option to purchase, exchange, or lease for a term of ninety-nine years and renewable forever, to complete and provide a copy to the prospective transferee of the applicable property disclosure forms, disclosing known hazardous conditions of the property, including lead-based paint hazards.

Federal law (24 CFR part 35 and 40 CFR part 745) requires sellers and lessors of residential units constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than six years of age resides or is expected to reside in such housing) or any zero-bedroom dwelling to disclose and provide a copy of this report to new purchasers or lessees before they become obligated under a lease or sales contract. Property owners and sellers are also required to distribute an educational pamphlet approved by the United States environmental protection agency and include standard warning language in sales contracts or in or attached to lease contracts to ensure that parents have the information they need to protect children from lead-based paint hazards.



(10) Background information regarding the physical characteristics and occupant use patterns that may cause lead hazard exposure to one or more children;

(11) Results of the lead loading analysis of dust samples, in micrograms per square foot, a copy of the lab report, and a diagram of the floor plan of each residential unit, child care facility or school assessed illustrating the sample locations;

(12) Results of the lead concentration analysis of soil samples, in parts per million, a copy of the lab report, and a diagram of each residential unit, child care facility or school assessed illustrating the sample locations;

(13) Results of the lead concentration analysis of water samples, in parts per billion and a copy of the lab report;

(14) A description of the location and type of identified lead hazards; and

(15) A description of recommended control options for each identified lead hazard as outlined in rule 3701-30-10 of the Administrative Code.

(16) A copy of the performance characteristics sheet for the x-ray fluorescence (XRF) instrument utilized for paint analysis.

(D) The report shall be sent by certified mail return receipt requested or hand delivered to all relevant property owners or managers within fourteen calendar days of receipt of laboratory test results.