



# Guidance When Addressing Lead Hazards and Seeking Reimbursement of Federal Funds

The Health Hazards Control Unit (HHCU) is providing the following guidance to assist NC public schools and licensed child care facilities built before February 28, 1978, when a lead hazard (paint, soil or dust) has been identified through the Clean Classrooms for Carolina Kids program.

## Interim Controls

If a lead-based paint, soil or dust hazard has been identified by an NC-Certified Lead Risk Assessor the facility owner or responsible individual is required to restrict access to the area. The owner or responsible individual must ensure children are not at risk of coming into direct contact with the lead hazard until other measures are taken.

The owner or responsible individual must also complete the NC ARPA (American Rescue Plan Act) - Interim Lead-Based Paint Occupant Protection Plan (OPP) and submit it for review at [ARPA-Reimbursement@dhhs.nc.gov](mailto:ARPA-Reimbursement@dhhs.nc.gov). If an NC-Certified Lead Supervisor or Lead Designer is contracted to complete the Interim Lead-Based Paint OPP, then this cost is reimbursable. ([Interim Occupant Protection Plan](#))

The NC ARPA Interim Lead-Based Paint OPP plan is flexible and allows the owner or responsible individual to take immediate action to ensure children are not at risk of coming into direct contact with the lead hazard until other measures are taken. Interim controls mean a set of measures used to temporarily reduce exposure to lead hazards. These measures can include activities like specialize cleaning, paint stabilization, minor repairs and maintenance. When disturbing lead paint or other surface coatings, minor repairs do require the use of OSHA lead trained individuals according to 29 CFR 1926.62 Lead in Construction Standard but do not require the use of an NC-Certified Lead Abatement Supervisor or an NC-Certified Lead Renovator. Keep in mind that items listed on the OPP are not reimbursable.

## Lead Abatement

The owner or responsible individual can also choose to address the identified lead hazard using a lead abatement method(s). It is important for the owner or responsible individual to understand what is required if lead abatement is performed after submitting the NC ARPA - Lead-Based Paint Occupant Protection Plan. Lead abatement is when you intend to use any measure designed to permanently eliminate lead hazards. Abatement methods include enclosure, encapsulation, replacement, paint removal and permanently covering soil. These methods should last at least 20 years.

**ENCLOSURE** is the use of rigid, durable construction materials that are mechanically fastened to the substrate in order to act as a physical barrier.

**ENCAPSULATION** is the use of a very specific product that forms a solid barrier between the lead-based paint and the environment. This process requires extensive surface preparation and requires a test patch to determine if the encapsulant being used will adhere to the substrate. The product is

applied rather thick and forms an elastomeric membrane. Encapsulation products cannot be used on friction or impact surfaces. Paint is not an encapsulant.

**REPLACEMENT** means physically replacing the old painted component (component removal) with a new component that does not have lead containing greater than 90 ppm.

**PAINT REMOVAL** is performed with the use of chemical strippers that are either acidic or caustic. The intent would be to remove all the lead-based paint before repainting. It is important to neutralize the substrate before applying new paint to ensure all chemical residue has been removed. Mechanical devices can also be used to remove lead-based paint, but additional work practices and controls must be used.

**PERMANENT SOIL COVERING** can be conducted by removing the lead containing soil altogether or covering the soil with asphalt or concrete.

Regardless of which lead abatement method is chosen, the owner or responsible individual must use NC-Certified Lead Abatement individuals who work for an NC-Certified Lead Abatement Firm and a final clearance must be performed by an NC-Certified Lead Risk Assessor. A lead abatement permit application is required to be submitted to the HHCU 10 working days before lead abatement activities begin.

[Lead Abatement Permit](#)

[NC ARPA Lead Abatement Notification](#)

To find NC-Certified Lead Abatement individuals or additional information visit the following web address at: <https://epi.dph.ncdhhs.gov/lead/lhmp.html>

## Lead Renovation, Repair and Painting

The owner or responsible individual can also choose to address the identified lead hazard(s) when performing renovation activities. Renovation means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces. If renovation, repair or painting activities are used after submitting the NC-ARPA - Lead-Based Paint Occupant Protection Plan, then the owner or responsible individual should know that lead abatement activities are not being used. Instead, the owner or responsible individual should understand that the hazards will be minimized temporarily but will not be permanently eliminated. Activities exceeding 6 or more square feet of a lead painted surface in an interior room or 20 or more square feet of a lead painted surface on the exterior are considered regulated activities.

The disturbance to a painted surface can occur any time a component is replaced or repaired and will require the use of an NC-Certified Lead Renovator who works for an NC-Certified Lead Renovation Firm. These activities require a final clearance be performed by a company who employs an NC-Certified Lead Risk Assessor. An NC-ARPA Lead Abatement or Lead Renovation, Repair and Painting Notification is required 10 calendar days before lead RRP activities begin.

[NC ARPA Lead Renovation Repair and Painting Notification](#)

To find Certified Lead Renovation Firms or additional information visit the following web address at: <https://epi.dph.ncdhhs.gov/lead/lhmp.html>



## Reimbursement

If a lead hazard has been identified by an NC-Certified Lead Risk Assessor, then a public school or licensed child care facility may choose to use interim controls, lead abatement or lead renovation, repair and painting activities. Only lead abatement or lead renovation, repair and painting activities may be reimbursed using ARPA federal funds and the Health Hazards Control Unit is the agency responsible for administering the ARPA Reimbursement Program. Reimbursement can also include new replacement materials containing less than 90 ppm documented by providing a safety data sheet or material specification. Keep in mind that replacement materials only include items associated with the lead hazard and not additional materials or other areas that are not associated with the identified lead-related work.

Public schools may receive up to 2/3 reimbursement for eligible expenses, and licensed child care facilities may receive up to 100% for eligible expenses. To seek reimbursement a public school or licensed child care facility must first pay for all expenses and then apply through the ARPA Reimbursement Program. The funding for this reimbursement program is only available until December 31, 2026, or until funding is depleted.

To learn more about the ARPA Reimbursement Program visit the following web address:

[ARPA - Asbestos and Lead-Based Paint Reimbursement Program](#)

For specific questions email the ARPA Team at: [ARPA-Reimbursement@dhhs.nc.gov](mailto:ARPA-Reimbursement@dhhs.nc.gov)

