Chapter 2

Standards and Legislation on Lead Hazards and Exposure

Contents

In Brief: Summary of the Federal and State Environmental Standards for Lead ................. 2.2
Introduction .................................................................................................................................. 2.4
Federal Agency Stakeholders in Childhood Lead Poisoning Prevention ............................ 2.4
Federal Standards for Lead ........................................................................................................... 2.6
Federal Legislation on Lead Hazard Reduction ......................................................................... 2.8
Wisconsin Statutes and Administrative Codes ...................................................................... 2.9
  Department of Health Services .............................................................................................. 2.9
  Department of Children and Families .................................................................................. 2.11
  Department of Agriculture, Trade and Consumer Protection ........................................... 2.12
  Department of Natural Resources ......................................................................................... 2.12
### FEDERAL STANDARDS

<table>
<thead>
<tr>
<th>Agency</th>
<th>Focus</th>
<th>Level**</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDC</td>
<td>Children’s Blood</td>
<td>5 mcg/dL (In 2012, CDC called this a reference level)</td>
</tr>
<tr>
<td>CPSC</td>
<td>Paint and surface coatings</td>
<td>90 ppm (0.009%)</td>
</tr>
<tr>
<td></td>
<td>Children’s products</td>
<td>90 ppm (surface coatings)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 ppm (accessible parts)</td>
</tr>
<tr>
<td>EPA</td>
<td>Air</td>
<td>1.5 mcg/m³ for general population, as a 24-hour time-weighted average.</td>
</tr>
<tr>
<td>OSHA</td>
<td>Air</td>
<td>30 mcg/m³ is an action level requiring employers to take action for workers exposed as an 8-hour time-weighted average.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>50 mcg/m³ is the maximum permissible exposure level for workers exposed as an 8-hour time-weighted average.</td>
</tr>
<tr>
<td>EPA</td>
<td>Water</td>
<td>15 ppb</td>
</tr>
<tr>
<td>EPA/HUD</td>
<td>Lead in paint</td>
<td>5000 ppm or 1.0 mg/cm²</td>
</tr>
<tr>
<td></td>
<td>Floors (dust)</td>
<td>40 micrograms per square foot (mcg/ft²)</td>
</tr>
<tr>
<td></td>
<td>Window sills (dust)</td>
<td>250 mcg/ft²</td>
</tr>
<tr>
<td></td>
<td>Window troughs (dust)</td>
<td>400 mcg/ft² clearance only</td>
</tr>
<tr>
<td></td>
<td>Lead in soil in play areas</td>
<td>400 ppm</td>
</tr>
<tr>
<td></td>
<td>Lead in soil in non-play areas of residential yards</td>
<td>1200 ppm</td>
</tr>
<tr>
<td></td>
<td>Lead Paint Hazards</td>
<td>Lead-based paint that is either deteriorating or present on friction, impact or accessible surfaces or lead in dust or soil higher than the federal standards (shown above)</td>
</tr>
<tr>
<td>FDA</td>
<td>Bottled water</td>
<td>5 ppb</td>
</tr>
<tr>
<td></td>
<td>Juice</td>
<td>50 ppb</td>
</tr>
<tr>
<td></td>
<td>Candy</td>
<td>100 ppb</td>
</tr>
<tr>
<td></td>
<td>Dishware</td>
<td>Varies by type of dishware</td>
</tr>
<tr>
<td>OSHA</td>
<td>Worker’s Blood Lead Levels</td>
<td>50 mcg/dL – medical removal from exposure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>40 mcg/dL – increased monitoring</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Less than 40 mcg/dL – return to work</td>
</tr>
</tbody>
</table>

*Agency: CDC = Centers for Disease Control and Prevention, CPSC = Consumer Product Safety Commission, EPA = Environmental Protection Agency, OSHA = Occupational Safety and Health Administration, HUD = Housing and Urban Development

**Level: mcg/dL = micrograms per deciliter, mcg/m³ = micrograms per cubic meter, ppm = parts per million, ppb = parts per billion, mcg/ft² = micrograms per square foot, mg/cm² = milligrams/square centimeter
# WISCONSIN STATE REGULATIONS

<table>
<thead>
<tr>
<th>Statute/Code*</th>
<th>Focus</th>
<th>Level**</th>
</tr>
</thead>
<tbody>
<tr>
<td>DHS 254</td>
<td>Children’s Blood Lead in Paint</td>
<td>5-19 mcg/dL – high risk exposure (254.156 requires Wisconsin to adopt CDC definitions of lead poisoning or lead exposure.) 20 mcg/dL or repeat levels of 15-19 mcg/dL at least 90 days apart = elevated blood lead level requiring investigation. 0.7 mg/cm² dry paint; 600 ppm (0.06%) wet paint</td>
</tr>
<tr>
<td>DHS 163</td>
<td>Certified Contractors</td>
<td>Activities involving lead-based paint are done safely without creating or increasing lead hazards.</td>
</tr>
<tr>
<td>DHS 181</td>
<td>Reporting of Blood Lead Tests</td>
<td>Rules ensure the timely reporting to the DHS of all tests made to determine the blood lead level of a person.</td>
</tr>
<tr>
<td>DHS 182</td>
<td>Lead Poisoning Prevention Grants</td>
<td>Establish criteria and procedures for the award of annual general purpose revenue project grants to local health departments for work to prevent lead poisoning or exposure to lead.</td>
</tr>
<tr>
<td>DHS 157</td>
<td>Radiation Protection</td>
<td>Regulates use of X-ray Fluorescence (XRF) devices by a certified professional in a lead hazard investigation or risk assessment.</td>
</tr>
<tr>
<td>DHS 134</td>
<td>Facilities Serving People with Developmental Disabilities</td>
<td>Physical environment, ceilings and walls kept clean and in good repair. Interior and exterior of the buildings painted or stained as needed to protect the surfaces. Loose, cracked or peeling wallpaper or paint replaced or repaired. Use lead-free paint inside the facility and remove or cover any surfaces containing lead-based paint that are accessible to residents.</td>
</tr>
<tr>
<td>DCF 202, 250-252</td>
<td>Child Care Facilities/ Day Camps</td>
<td>No chipping and peeling paint; free of hazards. No recalled products. Notification before any remodeling activity begins.</td>
</tr>
<tr>
<td>DCF 56</td>
<td>Foster Care Homes</td>
<td>Maintained in state of good repair: Unsafe building parts shall be promptly repaired.</td>
</tr>
<tr>
<td>ATCP 134</td>
<td>Residential Rental Code</td>
<td>Property owner shall disclose any condition of the dwelling which constitutes a health hazard.</td>
</tr>
<tr>
<td>ATCP 704</td>
<td>Landlord and Tenant Code</td>
<td>Conditions under which a tenant may move without incurring liability due to untenantability, including health hazards.</td>
</tr>
<tr>
<td>ATCP 709</td>
<td>Disclosure by Owners</td>
<td>Disclosure of lead in real estate for sale in Wisconsin.</td>
</tr>
<tr>
<td>DNR</td>
<td>Drinking Water</td>
<td>Must be less than 15 ppb.</td>
</tr>
</tbody>
</table>

*Statute/Code: DHS = Department of Health Services, DCF = Department of Children and Families, ATCP = Agriculture, Trade and Consumer Protection, DNR = Department of Natural Resources

**Level: mcg/dL = micrograms per deciliter, mcg/m³ = micrograms per cubic meter, ppm = parts per million, ppb = parts per billion, mcg/ft² = micrograms per square foot, mg/cm² = milligrams/centimeter squared
Introduction

A number of federal and state regulations and laws provide the infrastructure within which lead hazard reduction and childhood lead poisoning prevention activities operate. At the national level, the U.S. Centers for Disease Control and Prevention, Consumer Product Safety Commission, Department of Housing and Urban Development, Environmental Protection Agency, Food and Drug Administration, and the Occupational Safety and Health Administration all play roles in regulating the presence of lead in our environments. The roles these agencies play and the areas they regulate are described in this chapter.

At the state level, Wisconsin Statutes and Administrative Codes, through the Department of Health Services, Department of Agriculture, Trade and Consumer Protection, Department of Children and Families and Department of Natural Resources, strengthen federal legislation and assist Wisconsin citizens in protecting themselves against lead hazards.

Federal Agency Stakeholders in Childhood Lead Poisoning Prevention

Centers for Disease Control and Prevention (CDC) – Since 1991, most of the activities of the Wisconsin Childhood Lead Poisoning Prevention Programs (WCLPPP) have been supported with funding from the CDC. The CDC CLPP website En Español is extremely useful for data and other resources.

- Strategic elimination plan
- Primary prevention
- Case coordination/plan of care
- Strategic partnerships
- Surveillance
- Policy

The CDC CLPP website En Español is extremely useful for data and other resources.

Consumer Product Safety Commission – The CPSC is the federal regulatory body tasked with protecting children and families from unreasonable risks of injuries associated with consumer products. To achieve the CPSC’s broad mission of protecting the public against unreasonable risks of injury from consumer products, the Commission focuses on public education, safety standards activities, regulation, and enforcement. CPSC was instrumental in identifying products meant for children that contained dangerous levels of lead, including toys, apparel, furniture, jewelry, foods, lunchboxes, sidewalk chalk, ceremonial products and home remedies, to name a few. Many of these products are imported or brought to the U.S. from foreign countries. The CPSC has done a lot of work with these countries to promote safe manufacturing practices and the number of products recalled for containing lead has decreased significantly. They maintain a website with a searchable database for products that contain lead and other harmful metals in consumer products.

Chapter 2.4
Housing and Urban Development – Grants from the HUD Office of Healthy Homes and Lead Hazard Control have funded Wisconsin’s Lead Hazard Reduction (LHR) Program through various state agencies including: (1) Department of Commerce, Division of Housing; (2) Department of Administration, Low-Income Weatherization Programs; and (3) DHS, Division of Public Health (DPH). The grants are distributed through partnerships with local public health agencies and community-based organizations. Several Wisconsin communities have also sought and received grants from HUD for lead hazard reduction: the cities of Milwaukee, Racine, Sheboygan, and Waukesha and counties of Kenosha and Rock, and the Social Development Commission in Milwaukee.

HUD grants require regular reporting on the appropriate use of funds, public education, training lead workers and contractors, identification of lead hazards, number of low to moderate income families (including children) enrolled in the program, and number of dwelling units with lead hazards corrected.

Environmental Protection Agency – The EPA regulates real estate disclosure of the presence of lead in housing in the case of sales transactions and signing rental contracts or leases. EPA also regulates renovation, repair and painting activities in dwellings built before 1978. The EPA provides funding to the Asbestos and Lead Certification Unit in the Bureau of Environmental and Occupational Health, DPH, DHS, to oversee the training and certification of all lead disciplines including inspectors, hazard investigators, risk assessors, sampling technicians, lead abatement workers, lead abatement supervisors and lead-safe renovators. More details below.

Lead Safe Renovators are the largest group of state-certified lead workers in Wisconsin. The Wisconsin Lead-Safe Renovator program regulates training and certification of lead workers to assure that:

1. Training providers are accredited before offering lead-safe renovation training.
2. Renovation, repair and painting activities in older homes are done safely.
3. Renovation work practices and standards follow federal and state law and regulations.

The EPA website is a good resource and has information in both English and Spanish.

The National Lead Information Center (NLIC; 1-800-424-LEAD) operates under contract with the EPA, with funding from EPA and HUD, to provide the general public and professionals with information about lead, lead hazards, and their prevention.

Food and Drug Administration – The FDA regulates the presence of lead in food, cosmetics, and other products such as dishware. The FDA website has a searchable database for products recalled due to dangerous levels of lead. The website also provides information about a rapid lead screening test using a Lead Care II Blood Lead Test system.
Occupational Safety and Health Administration – OSHA’s mission is to assure safe and healthful workplaces by setting and enforcing standards, and by providing training, outreach, education and assistance. Employers must comply with all applicable OSHA standards. Employers must also comply with the General Duty Clause of the OSHA Act, which requires employers to keep their workplace free of serious recognized hazards (see Occupational Safety and Health Administration\En Español).

Federal Standards for Lead

Paint Standards
In 2010, the Consumer Product Safety Commission limited the lead in residential paint to 0.009 percent (90 ppm by dry weight). Paint for bridges, marine, and other use may contain greater amounts of lead.

In Wisconsin, “lead-bearing paint” is defined as any paint or other surface coating material containing more than 0.06 percent lead by weight in liquid paint (concentration of lead by weight). (This is the same as the 1977 CPSC limit of 600 ppm of lead in paint.) Wisconsin also defines “lead-bearing paint” as more than 0.7 milligram of lead per square centimeter in the dried film of applied paint. This standard is used when the investigator measures the lead with an x-ray fluorescence (XRF) instrument (Wis. Stat. 254.11(8)). The results of lead tests measured by XRF are expressed as weight of lead per area tested (often called “loading”). When investigators measure lead per weight of sample, these results are called “concentration,” or sometimes “percent.”

Air Standards
Environmental standards for lead in the air are set to protect the most susceptible individual in the general population. They are stricter than occupational exposure limits, which are generally set to accommodate healthy people working an eight-hour workday. The EPA regulatory standard for lead in the air is <1.5 mcg/m³ averaged over a calendar quarter.

Drinking Water Standards
The EPA is required to set drinking water standards at two levels of protection:

- The maximum contaminant level goals (MCLGs) are determined to be safe for toxicological and biomedical considerations. The EPA has set this level at zero for lead.
- The action level defines when intervention is required to lower the level in drinking water. The action level for lead is when more than 10 percent of tap water samples are >15 ppb. For further information, call the U.S. EPA Safe Drinking Water Hotline at 1-800-426-4791.

The Wisconsin DNR has adopted the federal action level of 15 ppb for lead, and works with communities to reduce lead in the water through central treatment of their water system. System-wide efforts can be designed to reduce the actual corrosivity of the water, coat the piping with an additive, which acts as a barrier between the pipe and the water, or replace the lead pipes (DNR, 1992).

Plumbing and well components are major contributors to lead in drinking water. The Wisconsin Well Code prohibits the use of lead in any well or pump component. In 1972, Wisconsin banned lead service lines. In 1984, Wisconsin banned lead solder and lead-containing fluxes used in water supply systems. In 1986, the U.S. Congress voted to restrict lead in solder and flux to less
than 0.2 percent lead, to restrict lead in pipes and pipe fittings to less than 8 percent lead, and required states to enforce this law.

**Food Standards**
Regulating lead contamination in food is the responsibility of the FDA. The FDA has issued the following restrictions on lead content in the various items (see Table 2.1):

**Table 2.1. Regulation Limit of Lead in Food Items**

<table>
<thead>
<tr>
<th>Food Type</th>
<th>Regulated Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bottled water</td>
<td>5 ppb</td>
</tr>
<tr>
<td>Juice</td>
<td>50 ppb</td>
</tr>
<tr>
<td>Candy</td>
<td>100 ppb</td>
</tr>
<tr>
<td>Dishware</td>
<td>Varies by type of dishware</td>
</tr>
</tbody>
</table>

According to a 1988 Agency for Toxic Substances and Disease Registry (ATSDR) report, the FDA had estimated that about 20 percent of all dietary lead came from canned food, primarily from lead solder in cans. Following a voluntary decline in use by the U.S. Canned Foods Industry, the FDA banned lead soldered cans in 1995. In 1996, food in lead soldered cans was banned from shelves of U.S. groceries. **Imported canned foods may still contain lead.**

The FDA established guidelines for the amount of lead allowed to leach from ceramic pottery. These levels depend on how frequently the dish is used, the type and temperature of the food it holds, and how long the food is kept in contact with the piece. For example, the most stringent guideline is 0.5 ppm for cups, mugs and pitchers because they are more likely to hold acidic foods such as juice and coffee for longer periods of time. **Ceramics and pottery may still be potential sources of dangerously high levels of lead if imported from a country where lead is not closely regulated.** See FDA website for **FDA guidance for lead on ceramic dishes.**

**Workplace Standards**
Maximum allowable levels of lead in the air and blood of people in the workplace, as well as employer responsibilities, are set by OSHA:

- The maximum permissible exposure limit (PEL) of lead in workroom air is at 50 mcg/m$^3$ averaged over an eight-hour workday.
- For workers exposed to air concentrations $> 30$ mcg/m$^3$ for more than 30 days per year, OSHA mandates regular blood lead levels (BLLs) be drawn. If a BLL is found to be $> 40$ mcg/dL, the worker must be notified in writing and provided with a medical examination. If a worker's BLL reaches 60 mcg/dL (or averages 50 mcg/dL or more), the employer is obligated to remove the employee from excessive exposure, with maintenance of seniority and pay until the employee's BLL falls below 40 mcg/dL. A copy of the lead standards can be obtained by calling your regional OSHA office or the program manager of the **Adult Blood Lead Epidemiology and Surveillance Program** in the Bureau of Environmental and Occupational Health (608-264-9829).
Federal Legislation on Lead Hazard Reduction

**TITLE X – Residential Lead-Based Paint Hazard Reduction Act**

In October 1992, the [Residential Lead-Based Paint Hazard Reduction Act](P.L. 102-550), commonly known as Title X, became law. Title X was the most comprehensive and significant federal legislation on lead poisoning in over 20 years. It defined lead-based paint (LBP) hazards and established a framework to evaluate and control LBP hazards. Title X required EPA to set regulatory standards defining lead hazards and reduce the risk of lead exposure from renovation and remodeling projects, required OSHA to issue a lead standard to protect construction workers from lead exposure, tasked HUD to make the federal government act as a model landlord, set standards for federally assisted housing, and promoted lead hazard reduction in private housing through disclosure, public education and expanded federal resources. Some key provisions of Title X are described below.

### Title X Provisions: Pre-1978 Housing

- The federal government is required to act as both a model landlord and model banker. Title X includes a series of requirements covering disposition of federally owned property, as well as inspection, risk assessment, hazard reduction, and abatement activities for federally assisted housing. If families of lead-poisoned children reside in federally owned housing, the landlord to be contacted for lead hazard reduction is the federal government. Similarly, any private housing that receives federal financial assistance must meet certain standards to ensure the safety of occupants.

- Disclosure of known lead hazards. As a result of Title X, all persons selling or leasing residential housing built before 1978 must:
  - Provide purchasers and renters with a federally approved pamphlet, *Protect Your Family From Lead in Your Home*;
  - Disclose the presence of any available records or knowledge of LBP or LBP hazards to prospective purchasers and renters;
  - Provide purchasers a 10-day opportunity to get a lead hazard inspection;
  - Include certain disclosure and acknowledgment language in sales and leasing contracts; and
  - Requires all agents involved in these transactions to make sure that the seller or landlord complies with the law.

### Title X Provisions: Worker Training & Public Information

- *Lead: Requirements for Lead-Based Paint Activities in Target Housing and Child Occupied Facilities*, EPA, August, 1996. This rule specifies requirements for: (1) accredited training programs; (2) certification/licensing of paint contractors, workers, supervisors, inspectors, and planners working with LBP; and (3) all risk assessments, inspections, and abatement activities in target housing to be performed by certified contractors. Target housing means any dwelling built before 1978 (except those without a bedroom unless inhabited by a child under 6 years of age, and dwellings built for the elderly or persons with disabilities).

- HUD published “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing,” in 1995 and revised these guidelines in 2012. The guidelines set standards for evaluating and controlling lead hazards in private housing.
Title X Provisions: Infrastructure Building

- To promote capacity building for sustained lead hazard reduction in a community, agencies that receive housing funds from HUD must follow rules to protect occupants from lead. In 1999, HUD issued a comprehensive lead safe housing rule governing programs that use federal funds for housing purposes. For example, Section 8, Tenant-based Rental Assistance, requires landlords to maintain all coatings in intact condition. Similarly, federally funded housing rehabilitation programs that disturb painted surfaces must meet strict lead dust clearance standards before re-occupancy.

- State and local governments must develop a Comprehensive Housing Affordability Strategy (CHAS) as a prerequisite before receiving federal housing or community development funds. Title X requires that the CHAS include an estimate of the number of housing units containing LBP hazards that are occupied by low-income families, and that the CHAS outline the actions being taken or proposed to reduce these hazards.

- In 2008, EPA issued the Renovation, Repair and Painting rule and in 2011, EPA revised the rule. This rule aims to protect the public from lead-based paint hazards associated with renovation, repair and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be EPA-certified.

Under this rule, beginning in April 2010, firms performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and kindergartens built before 1978 must be EPA or state-certified and must use certified renovators who follow specific work practices to prevent lead contamination. This includes in-house maintenance staff and many types of outside contractors. In order to become certified renovators, individuals must take training from an EPA-accredited training provider.

Wisconsin Statutes and Administrative Codes

Department of Health Services

Wis. Stat. Chapter 254: Environmental Health. This statute covers roles, responsibilities and duties in addressing human health hazards in the environment. Sections 254.11 – 254.178 are specific to the diagnosis and treatment of lead poisoning and to the reduction of lead hazards. This statute was amended in 1999 to enhance incentive and protection for owners who wish to identify and treat lead hazards on their properties. Key provisions of this statute include:

- All blood lead results indicating lead poisoning for any person must be reported to DHS. All blood lead test results of children < 6 years of age are to be reported to DHS. Wis. Stat. 254.13(1).
- Written reports of all environmental investigations are to be prepared, filed, and made available to the public. Wis. Stat. 254.166(1).
- Local health departments acting under contract with DHS shall conduct environmental investigations in dwellings with children < 6 years of age who have elevated blood lead
levels (EBLLs), defined as a blood lead level >20 mcg/dL by venous sample or 2 venous BLLs >15 mcg/dL drawn at least 90 days apart. Wis. Stat. 254.166(1).

- Owners of dwellings where lead hazards have been identified are required to comply with orders to correct lead hazards. Wis. Stat. 254.166(2m).
- Allows local health officers to order the abatement or removal of human health hazards, including lead, whether a resident has an elevated blood lead level or not. The health department may recover the cost of the abatement by placing a special tax on the property to be paid to the municipal treasurer in the community where the hazard was abated via local property tax assessment. Wis. Stat. 254.59(2).
- Counties, cities or towns with health departments may enact ordinances concerning abatement or removal of health hazards. Wis. Stat. 254.59(7).
- Local health departments may declare housing that is dilapidated, unsafe or unsanitary to be a human health hazard. Wis. Stat. 254.593.

- **Wisconsin Administrative Code (Wis. Admin. Code) DHS 163: Certification for the Identification, Removal and Reduction of Lead-Based Paint Hazards.** This rule ensures that activities involving lead-based paint are done safely without creating or increasing lead hazards. The rule provides standards for the training and certification of all doing such work in Wisconsin, and include:
  - Work practice standards for the various disciplines and activities of investigation lead hazards, including lead inspections, lead hazard screens, lead risk assessments, lead hazard reduction activities, lead-safe renovation, clearance, and collection and laboratory analysis of samples. Wis. Admin. Code 163.14.

- **Wis. Admin. Code DHS 181: Reporting of Blood Lead Test Results.** This rule ensures the timely reporting to DHS of all tests made to determine the blood lead level of a person. The rule addresses the statutory requirements for reporting of all blood lead tests done on Wisconsin residents, and the establishment of a public health surveillance system. It details the information that must be reported to DHS, the timetable for reporting, and the reporting responsibilities of providers.

- **Wis. Admin. Code DHS 182: Lead Poisoning or Lead Exposure Prevention Grants.** This rule establishes criteria and procedures for DHS to use for annual general purpose revenue project grants to local health departments (LHDs) or non-profits working in collaboration with LHDs on projects to prevent lead poisoning or exposure to lead.

- **Wis. Admin. Code DHS 157: Radiation Protection.** This rule regulates the use and storage of x-ray fluorescence (XRF) devices by certified professionals. The following subchapters of DHS 157 pertain to XRF devices: I, III, X – XIII.

- **Wis. Admin. Code DHS 134: Facilities Serving People with Developmental Disabilities.** This rule requires that in the physical environment, ceilings and walls shall be kept clean and in good repair. The interior and exterior of the buildings shall be painted or stained as needed to protect the surfaces. Loose, cracked or peeling wallpaper or paint shall be replaced or
repaired. A facility shall use lead-free paint inside the facility and shall remove or cover any surfaces containing lead-based paint that are accessible to residents.

Department of Children and Families

- **Wis. Admin. Code DCF 250: Family Child Care Centers.** This rule requires that the physical environment have protective measures to avoid lead exposure while in the child care facility. No recalled products can be available to children. No deteriorated or flaking paint may be present and no lead-based paint may be used on the premises. In addition, under DCF rules, the child care provider must notify their DCF inspector in advance if any renovation of the property is planned.

- **Wis. Admin. Code DCF 251: Group Child Care Centers.** This rule requires that sanitation of the physical environment include protective measures to avoid lead exposure while in the child care facility. No recalled products can be available to children. No deteriorated or flaking paint may be present and no lead-based paint may be used on the premises. In addition, if any renovation of the property is being planned, DCF must be notified in advance because the Wisconsin Lead-Safe Renovation Rule applies to any building built before 1978.

- **Wis. Admin. Code DCF 252: Day Camps for Children and Day Care Programs Established by School Boards.** This rule requires that the base camp and facilities have protective measures to avoid childhood lead exposure. No recalled products can be available to children. No deteriorated or flaking paint may be present and no lead-based paint may be used on the premises. In addition, before any renovation of a pre-1978 dwelling used for child care is conducted, the child care provider must notify their DCF inspector in advance.

- **Wis. Admin. Code DCF 202: Child Care Certification.** This rule requires that small in-home child care premises shall be free of hazards, including recalled products, and not have any chipping or peeling paint on exterior or interior surfaces.

- **Wis. Admin. Code DCF 56: Foster Home Care for Children.** This rule requires that the property on which the foster home is situated, including all other buildings and structures on that property, shall be maintained in a state of good repair and in a sanitary condition so that it is safe for the occupants and their health is safeguarded.
Department of Agriculture, Trade and Consumer Protection

- **Wis. Stat. Chapter 704: Landlord and Tenant.** Describes the conditions under which a tenant may move without incurring liability due to untenantability, including conditions that are hazardous to health.

- **Wis. Stat. Chapter 709: Disclosures by Owners of Residential Real Estate.** In addition to the Federal Disclosure requirements, this act specifies the disclosure of lead in real estate for sale in Wisconsin.

- **Wis. Admin. Code ATCP 134: Residential Rental Practices.** This rule outlines the requirements for a property owner to disclose any condition of the dwelling that constitutes a health hazard.

- **Wis. Stat. Chapter 704: Landlord and Tenant.** Describes the conditions under which a tenant may move without incurring liability due to untenantability, including conditions that are hazardous to health.

Department of Natural Resources

- **Wis. Stat. Chapter 809: Safe Drinking Water.** Describes general requirements for the control of lead in drinking water, such as monitoring and analysis, lead service line replacement and public education.