

## CLEARANCE EXAMINATION AND REPORT REQUIREMENTS

### LEAD-BASED PAINT HAZARD ABATEMENT 20 DCMR § 3316

- 3316.10 Except when an entire building has been razed, the issuance of an abatement permit pursuant to §3316.4 triggers a requirement that the individual or business entity to whom the permit was issued **submit to DOEE a clearance report** no later than seven (7) business days after completion of the permit-related activities, to close out the permit, as follows:
- (a) A **clearance examination** shall be performed no sooner than one (1) hour and no later than three (3) business days after the completion of the abatement activities, and shall be repeated until the clearance examination is passed and a clearance report is issued;
  - (b) The clearance examination may be performed by a **risk assessor** or by a **lead-based paint inspector**, unless DOEE has required that the clearance examination be performed by a risk assessor;
  - (c) In the case of work that occurs on a floor in a multifamily property that also contains an occupied unit, the **clearance examination** shall consist of:
    - (1) A **visual inspection** of the common area on each such floor to confirm that no visible paint debris is present between the front door of each unit where such work is undertaken and the entry door of any occupied unit on such floor; and
    - (2) **Dust sampling** in the common area on each such floor, within two feet (2 ft.) from the entry door of each unit where such work is undertaken, and within two feet (2 ft.) from the entry door of either all occupied units on such floor, or at least three (3) of the occupied units, whichever is fewer, provided that the risk assessor selects those units most likely to have been affected by dust migration resulting from the work;
  - (d) **Notice to DOEE** that a dust test will be performed shall be provided whenever the dust test is related to a clearance examination resulting from an Order to Eliminate Lead-Based Paint Hazards, and shall be provided to DOEE by fax, in person, or via the DOEE website, on a DOEE-specified form, submitted to DOEE at least twenty-four (24) hours prior to conducting the dust test, or as soon as practicable, whichever is sooner;
  - (e) Each environmental sample taken during a clearance examination **shall be analyzed** by an appropriately accredited lab, and the total samples submitted to the lab shall include as a quality assurance measure **one (1) blank sample** for lab analysis for each permit issued pursuant to § 3316.4; and
  - (f) No other raze or demolition activity shall be undertaken at the property in question until a clearance report has been issued and submitted to DOEE, except that demolition activities on floors where no occupied units are located may continue in the interim.

**3316.11** The issuance of an abatement permit in all cases other than a permit issued pursuant to §3316.4 triggers a requirement that the individual or business entity to whom the permit was issued **submit to DOEE a clearance report** no later than seven (7) business days after completion of the abatement activities, to close out the permit, as follows:

- (a) A **clearance examination** shall be performed no sooner than one (1) hour and no later than three (3) business days after the completion of the abatement activities, and shall be repeated until the clearance examination is passed and a clearance report is issued;
- (b) If there is no Order to Eliminate Lead-Based Paint Hazards, the clearance examination may be performed by a **dust sampling technician**, a **lead-based paint inspector**, or by a **risk assessor**, whether or not employed by the owner;
- (c) If there is no Order to Eliminate Lead-Based Paint Hazards, the **clearance examination** shall consist of:
  - (1) A **visual inspection** of each work area, to ensure **paint is in intact** condition;
  - (2) A **visual inspection** of each work area, to ensure there is **no visible dust or debris**;
  - (3) **Dust sampling** in each room that contains a work area, on the following surfaces in each sampled room:
    - (A) One (1) floor sample; and
    - (B) For rooms that contain a window, one (1) window sill or one (1) window well sample;
  - (4) Whenever a work area is located on the **exterior** of a property, and whenever a work area involves a **window or a door** that opens to the exterior of a property, a **dust sample** on any concrete or other rough exterior horizontal surface within the work area(s); and
  - (5) **Soil sampling** if any abatement activity included lead-contaminated bare soil remediation, or if exterior work to eliminate a lead-based paint hazard was performed within ten feet (10 ft.) of a bare soil area, provided such sampling occurs on the same property;
- (d) Each environmental sample taken during a clearance examination **shall be analyzed** by an appropriately accredited lab and shall include as a quality assurance measure one (1) blank sample for lab analysis for each unit or property subject to the clearance examination, or in the case of a clearance examination that spans more than one (1) day, one (1) blank sample for lab analysis per day for each property subject to the clearance examination; and
- (e) Each clearance report shall contain a copy of the current DOEE-issued **certification** card belonging to the individual that conducted the clearance examination and the **date** the clearance report was issued.

**MAKE SURE YOUR CLEARANCE REPORT INCLUDES THE FOLLOWING:**

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| <ol style="list-style-type: none"> <li>1. Property address and specific units or areas identified</li> <li>2. Name, address, signature, and District of Columbia certification number of each person involved in the clearance examination</li> <li>3. Name and identification number of each laboratory conducting the analysis</li> <li>4. Date of clearance examination</li> <li>5. Results of the visual assessment for the presence of deteriorated paint and visible dust, debris, residue, or paint chips</li> <li>6. Result of the analysis of dust samples in micrograms per square foot (<math>\mu\text{g}/\text{ft}^2</math>) by location of samples</li> </ol> | <ol style="list-style-type: none"> <li>7. Name and address of each firm and supervisor involved in lead-hazard reduction activity</li> <li>8. Start and completion date of the lead hazard reduction activity</li> <li>9. Detailed written description of the lead hazard reduction activity including the methods used</li> <li>10. Location of exterior surfaces, interior rooms, common areas and/or component where the hazard reduction occurred</li> <li>11. Indicate if the unit passed or failed</li> <li>12. Any recommended monitoring requirement</li> </ol> |
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