



The City of



Environmental Services

FACT SHEET

## Lead Hazard Prevention & Control Ordinance Permit Fee

This fact sheet provides a summary of lead-safe work practice regulations in the City of San Diego. It includes a fee table that describes what type of permitted projects will incur a \$31 regulatory fee upon issuance of a permit. The fee proceeds are used for education and enforcement of the Lead Hazard Prevention & Control Ordinance.

Many buildings, houses, and apartments built before 1979 have paint that contain high levels of lead (called lead-based paint). Lead from paint, paint chips, contaminated dust and contaminated soil can pose serious health hazards to construction workers and the people that occupy the structure, especially children. Studies have shown that lead damages the brain, nerves, and kidneys. This damage can be permanent.

Lead-based paint is not a hazard if it's in good condition, is not being disturbed, and is not deteriorated due to impact or friction surfaces like windows, doors or cabinet doors. Renovation or demolition work impacting lead-based paint can generate dangerous levels of lead dust. When lead-based paint is dry scraped, dry sanded, heated, impacted or removed by other mechanical means, it can contaminate the workers and the dust and soil of the surrounding work area.

### I. Summary of Lead Hazard Prevention & Control Ordinance

Some of the key elements of the Lead Hazard Prevention and Control Ordinance are listed below. This summary does not contain an exhaustive listing of the ordinance requirements.

#### A. Applicability

San Diego Municipal Code §54.1000-54.1015 applies to anyone disturbing painted surfaces in pre-1979 structures (or steel structures of any age) in the City where the paint is either untested or the paint has been tested and the level of lead in the paint is determined to be at or above 1,000 ppm or .5 mg/cm<sup>2</sup>, and is disturbed, demolished or removed.

#### B. General Work Practice Requirements

Lead safe work practices outlined in the ordinance include, but are not limited to:

- Worker and occupant protection measures, and proper containment of lead dust;
- Distribution of the "Renovate Right" brochure to residents;
- May require residents to be relocated unless certain thresholds are met.
- A visual inspection after job completion and clean up activity documented on City Form ES-127;
- May require clearance by a CA Certified Lead Inspector/Assessor or Project Monitor (PM)





All lead related work must take place within a regulated area designed to eliminate the migration of dust, soil or debris outside of the work area. When using heavy equipment for demolition, scraping any loose or flaky paint not firmly adhered to the substrate prior to demolition, continuous wet misting of surfaces that will be disturbed, and a layer of plastic 10 feet beyond the work area can all reduce work site contamination.

### C. Clearance Inspection Requirements

Appendix A of the City ordinance requires a clearance inspection by a CA Certified Lead Inspector/Assessor (I/A) or Project Monitor (PM) where known lead-based paint at or above 5,000 ppm or 1.0 mg/cm<sup>2</sup> or presumed (untested) lead-based paint is present in the following situations:

- Any window treatment (removal of window sash) or window replacement unless the work is conducted entirely from the exterior and proper containment is established on the interior;
- Over 2 square feet (SF) of interior paint is being disturbed, demolished or removed per room; and/or
- Over 10 SF of exterior paint is being disturbed, demolished or removed per structure.

### D. Environmental Protection Agency (EPA) Renovation, Repair, and Painting (RRP) Rule

The City of San Diego also enforces the EPA's RRP Rule, which regulates work that is performed for compensation in pre-1978 homes, child care facilities, and schools when known or assumed lead-based paint is present. The firm performing the work shall have a current EPA RRP firm certification and an EPA RRP Certified Renovator must be assigned to work in the following situations:

- Any window or door replacement project;
- Over 6 SF of interior paint is being disturbed, demolished or removed per room;
- Over 20 SF of exterior paint is being disturbed, demolished or removed per structure.
- Any amount of demolition where the substrate (building material or architectural component) is broken or disturbed.

Note: Demolition of an entire property is not a renovation for RRP purposes.

## II. Fee Table

A \$31 cost recovery fee is applied to permits that include specific work tasks in pre-1979 structures as below. The fee supports education and enforcement of practices required by the lead ordinance.

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| • Carport Construction                   | • Stairs Construction                                  |
| • Demolition                             | • Storage Rack Construction 6-feet and higher          |
| • Partition - Commercial, Interior       | • Stucco and Siding, Stone or Brick Veneer application |
| • Partition - Residential, Interior      | • Office and Other Tenant Improvements                 |
| • Roof Structure Replacement             | • Retail Tenant Improvements                           |
| • Remodel or Room Addition (Residential) | • Window/Door Installation/Replacement                 |
| • Skylight Construction                  |  |

For additional information, please visit [www.sdhealthyhomes.org](http://www.sdhealthyhomes.org) or e-mail [lead-safe@sanidiego.gov](mailto:lead-safe@sanidiego.gov).

