SECTION 02 83 33.13
LEAD-BASED PAINT REMOVAL AND DISPOSAL

SPEC WRITER NOTE: Delete text between // // not applicable to project. Edit remaining text to suit project.

PART 1 - GENERAL

1.1 SUMMARY

A. Section Includes:

SPEC WRITER NOTE: When available, attach existing conditions report identifying locations and extent of lead-based paint. OSHA does not recognize the EPA/HUD definition of lead-based paint. If lead is present, the requirements of OSHA 29 CFR 1926.62 Lead in Construction applies. Many States make a distinction between actual lead abatement versus renovation that disturbs lead. Determine if this work is general lead abatement or involves target housing and child occupied facilities (i.e. Daycare). On June 21, 2019, EPA announced tighter standards for lead in dust on floors and window sills. They apply to pre-1978 housing and child occupied facilities. The new final rule reduces the standard from 40 µg/ft^2 and 250 µg/ft^2 to 10 µg/ft^2 and 100 µg/ft^2 on floors and window sills, respectively. Verify that State and Local requirements are not more stringent.

1. Removing and disposal of lead-based paint (LBP) at // interior // and // exterior // locations // indicated in existing conditions report //.

1.2 RELATED WORK

SPEC WRITER NOTE: Update and retain references only when specified elsewhere in this section.

A. Section 02 82 11, TRADITIONAL ASBESTOS ABATEMENT: Hazardous Material Abatement.

B. Section 02 41 00, DEMOLITION: Demolition Disturbing Lead-Based Paint.

C. Section 09 91 00, PAINTING: Surface Preparation Disturbing Lead-Based Paint.

1.3 DEFINITIONS

A. Action Level: Employee exposure, without regard to use of respirator, to an airborne lead concentration of 30 micrograms(µ) per cubic meter (m^3) of air determined as an 8-hour Time-Weighted Average (TWA). As used in this section, ”30 micrograms per cubic meter of air" refers to OSHA 29 CFR 1926.62 Lead in Construction Action Level (AL).

B. Area Monitoring: Sampling of lead concentrations within lead control area and inside physical boundaries which are representative of airborne lead concentrations which may reach breathing zone of personnel potentially exposed to lead.

C. Breathing Zone: Area within hemisphere, forward of shoulders, with 150 mm to 225 mm (6 to 9 inches) radius and center at nose or mouth of employee.

D. Certified Industrial Hygienist (CIH): As used in this section, refers to an Industrial Hygienist Certified in the Comprehensive Practice of Industrial Hygiene by the American Board of Industrial Hygiene and Board for Global EHS Credentialing, employed by Contractor.

E. Change Rooms and Shower Facilities: Rooms within designated physical boundary around lead control area equipped with separate storage facilities for clean protective work clothing and equipment and for street clothes which prevents cross contamination.

F. Competent Person: Person capable of identifying lead hazards in work area and authorized by contractor to take corrective action. Meets the OSHA definition of Competent Person.

G. Decontamination Room: Room for removal of contaminated personal protective equipment (PPE).

H. Eight-Hour Time Weighted Average (TWA): Airborne concentration of lead averaged over 8-hour workday to which an employee is exposed.

I. High Efficiency Particulate Air (HEPA) Filter Equipment:
HEPA filtered vacuuming equipment with UL 586 filter system capable of collecting and retaining lead-contaminated paint dust. HEPA filter means 99.97 percent efficient against 0.3 micron (0.012 mil) size particles.

J. Lead: Metallic lead, inorganic lead compounds, and organic lead soaps. Excluded from this definition are other organic lead compounds.

K. Lead Control Area: Enclosed area or structure with full containment to prevent spreading lead dust, paint chips, and debris from lead-based

paint removal operations. Lead control area is isolated by physical boundaries to prevent unauthorized entry of personnel.

L. Lead Permissible Exposure Limit (PEL): Fifty micrograms per cubic meter of air (50 µg/m^3) determined as an 8-hour TWA as determined by 29 CFR Part 1926.62. When employee is exposed for more than 8-hours per work day, determine PEL by the following formula. PEL micrograms/cubic meter (parts per million) of air = 400/No. of hrs. worked per day.

M. Personnel Monitoring: Sampling of lead concentrations within employee breathing zone to determine 8-hour time weighted average concentration according to 29 CFR Part 1926.62. Take samples that are representative of the various employee's work tasks.

N. Physical Boundary: Area physically roped or partitioned off around enclosed lead control area to limit unauthorized entry of personnel. As used in this section, "inside boundary" shall mean same as "outside lead control area."

1.4 APPLICABLE PUBLICATIONS

A. Comply with references to extent specified in this section.

B. American National Standards Institute (ANSI):

Z9.2-2018.....Fundamentals Governing the Design & Operation of Local Exhaust Ventilation Systems.

C. Code of Federal Regulations (CFR):

29 CFR Part 1910.....Occupational Safety and Health Standards.

29 CFR Part 1926.....Safety and Health Regulations for Construction.

40 CFR Part 260.....Hazardous Waste Management System: General.

40 CFR Part 261.....Identification and Listing of Hazardous Waste.

40 CFR Part 262.....Standards Applicable to Generators of Hazardous Waste.

40 CFR Part 263.....Standards Applicable to Transporters of Hazardous Waste.

40 CFR Part 264.....Standards for Owners and Operations of Hazardous Waste Treatment, Storage, and Disposal Facilities.

40 CFR Part 265.....Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities.

40 CFR Part 268.....Land Disposal Restrictions.

49 CFR Part 172.....Hazardous Material Table, Special Provisions, Hazardous Material Communications, Emergency

Response Information, and Training Requirements, and Security Plans.

49 CFR Part 178.....Specifications for Packaging.

D. Underwriters Laboratories (UL):

586-09.....High-Efficiency, Particulate, Air Filter Units.

1.5 PRE-REMOVAL MEETINGS

A. Conduct pre-removal meeting // at project site // minimum 30 days before beginning Work of this section.

SPEC WRITER NOTE: Edit participant list to ensure entities influencing outcome attend.

1. Required Participants:
   a. Contracting Officer's Representative.
   b. Certified Industrial Hygienist.
   c. // Architect/Engineer. //
   d. // Inspection and Testing Agency. //
   e. Contractor.
   f. Paint removal contractor.
   g. Other installers responsible for finishing resulting surfaces.

SPEC WRITER NOTE: Edit meeting agenda to incorporate project specific topics.

2. Meeting Agenda: Distribute agenda to participants minimum 3 days before meeting.
   a. Respiratory protection program.
   b. Hazard communication program.
   c. Hazardous waste management plan.
   d. Safety and health regulation compliance.
   e. Employee training.
   f. Removal schedule.
   g. Removal sequence.
   h. Preparatory work.
   i. Protection before, during, and after removal.
   j. Removal.
   k. Inspecting and testing.
   l. Other items affecting successful completion.
3. Document and distribute meeting minutes to participants to record decisions affecting installation.

1.6 SUBMITTALS

A. Submittal Procedures: Section 01 33 23, SHOP DRAWINGS, PRODUCT DATA, AND SAMPLES.

B. Manufacturer's Literature and Data:

1. Description of each product.
   a. Paint removal products.
   b. Vacuum filters.
   c. Respirators.
2. Safety Data Sheet for each paint removal product.
3. Installation instructions.
   a. Paint removal products.

C. Test Reports: Submit testing laboratory reports.

1. Submit air monitoring results within three working days, signed by testing laboratory employee performing air monitoring, employee analyzing sample, and CIH.

D. Certificates: Certify completed lead training.

1. Submit certificate for each employee signed and dated by CIH and employee stating employee was trained.

E. Qualifications: Substantiate qualifications comply with specifications.

1. Paint removal contractor.
2. Testing laboratory.
   a. Name, address, and telephone number.
   b. Current evidence of participation in American Industrial Hygiene Association (AIHA) Laboratory Accreditation Program (LAP), LLC, Environmental Lead Laboratory Accreditation Program (ELLAP).
   c. Copy of current AIHA accreditation certificate.
3. Industrial hygienist.
   a. Name, address, and telephone number.
   b. Resume showing previous experience.
   c. Copy of current ABIH CIH certification.
4. Paint disposal facility.
   a. Name, address, and telephone number.
   b. Current license or authorization to receive and dispose lead contaminated waste.

F. Record Documents:

SPEC WRITER NOTE: Include manifest and disposal facility records when Contractor disposes hazardous waste.

1. Completed and signed hazardous waste manifest from waste transporter.
2. Toxicity Characteristic Leaching Procedure (TCLP) test results to determine if waste is hazardous.
3. Paint disposal facility receipts and disposition reports.
4. Certification of medical examinations.
5. Medical Opinion that employee is qualified to wear a respirator, that employees has been trained and fit tested for the respirator.
6. Employee training certification.

1.7 QUALITY ASSURANCE

A. Safety and Health Regulation Compliance:

1. Comply with laws, ordinances, rules, and regulations of Federal, State, and Local authorities having jurisdiction regarding removing, handling, storing, transporting, and disposing lead waste materials.
   a. Comply with applicable requirements of 29 CFR Part 1926.62.
   b. Notify Contracting Officer's Representative and request resolution of conflicts between regulations and specified requirements before starting work.
2. Comply with the following local laws, ordinances, criteria, rules and regulations regarding removing, handling, storing, transporting, and disposing lead-contaminated materials:

SPEC WRITER NOTE: Insert applicable state, regional, and local laws, regulations, and statutes. Determine if this project involves target housing or child occupied facilities.

   a. // //
   b. // //
   c. // //

B. Paint Removal Contractor: Experienced contractor, registered or licensed by applicable state agency regulating lead-based paint removal.

C. Testing Laboratory: State certified independent testing laboratory experienced in airborne lead monitoring, testing, and reporting.

1. Successful participant in American Industrial Hygiene Association (AIHA) Laboratory Accreditation Program (LAP), LLC, Environmental Lead Laboratory Accreditation Program (ELLAP).

D. Certified Industrial Hygienist: Certified as CIH by American Board of Industrial Hygiene in comprehensive practice and responsible for:
   1. Certify Training.
   2. Review and approve lead-based paint removal plan for conformance to applicable referenced standards.
   3. Inspect lead-based paint removal work for conformance with approved plan.
   4. Direct monitoring.
   5. Ensure work is performed according to specifications.
   6. Ensure personnel and environment hazardous exposures are adequately controlled.

E. Paint Disposal Facility: State certified disposal facility qualified to receive and dispose lead-based paint.

F. Lead-based Paint Removal Plan:
   1. Submit detailed, site-specific plan describing lead-based paint removal procedures.
   2. Include sketch showing location, size, and details of lead control areas, decontamination rooms, change rooms, shower facilities, and mechanical ventilation system.
   3. Include eating, drinking, and restroom procedures, interface of trades, work sequencing, collected wastewater and paint debris disposal plan, air sampling plan, respirators, protective equipment, and detailed description of containment methods ensuring airborne lead concentrations do not exceed action level outside lead control area.
      a. Eating, drinking, and smoking are not acceptable within lead control area.
   4. Include air sampling, training and strategy, sampling methodology, frequency, duration, and qualifications of air monitoring personnel.

G. Respiratory Protection Program: Establish and implement program required by 29 CFR Part 1910.134 and 29 CFR Part 1926.62.
   1. Provide each employee negative pressure or other appropriate respirator.
      a. Respirator fit each employee's respirator at initial fitting and at least annually thereafter, as required by 29 CFR Part 1910.134 Respiratory Protection.

H. Hazard Communication Program: Establish and implement program required by 29 CFR Part 1910.1200 which is the same as 29 CFR 1926.59.

I. Hazardous Waste Management Plan: Establish and implement plan according to applicable requirements of Federal, State, and Local hazardous waste regulations including the following:

1. Identification of hazardous wastes associated with work.
2. Estimated quantities of generated and disposed waste.
3. Names and qualifications of each contractor transporting, storing, treating, and disposing wastes. Include facility location and 24-hour point of contact. Provide two copies of // EPA // State // and // Local // hazardous waste // permit applications // permits // and // EPA Identification numbers //.
4. Names and qualifications (experience and training) of personnel working on-site with hazardous wastes.
5. List of required waste handling equipment including cleaning, volume reduction, and transport equipment.
6. Spill prevention, containment, and cleanup contingency implementation measures.
7. Work plan and schedule for waste containment, removal, and disposal with daily waste cleaned up and containerization.
8. Hazardous waste disposal cost.

1.8 WARRANTY

SPEC WRITER NOTE: Always retain construction warranty. FAR includes Contractor's one year labor and material warranty.

A. Construction Warranty: FAR clause 52.246-21, "Warranty of Construction."

PART 2 - PRODUCTS

2.1 PAINT REMOVAL PRODUCTS

A. Chemical Stripper: Biodegradable, non-toxic, capable of removing existing paint layers in one application, and acceptable to CIH.

2.2 ACCESSORIES

A. Waste Collection Drums: 49 CFR Part 178; Type 1A2, steel, removable head, 200 L (55 gal.) capacity, capable of containing waste without loss.

B. Vacuum Cleaner: HEPA filtered type.

C. Scrapers:

1. Metal type for use on metal, concrete, and masonry surfaces.

2. Plastic type for use on wood, plaster, gypsum board, and other surfaces.

D. Rinse Water: Potable.

E. Cleaning Cloths: Cotton.

PART 3 - EXECUTION

3.1 EXAMINATION

A. Before exposure to lead-contaminated dust, provide workers with comprehensive medical examination required by 29 CFR Part 1926.62 (j) Medical Surveillance.

B. Maintain complete and accurate employee medical records according to 29 CFR Part 1910.1020.

C. Train each employee performing paint removal, disposal, and air sampling operations according to 29 CFR Part 1926.62.

1. Certify training is completed before employee is permitted to work on project and enter lead control area.

3.2 PREPARATION

A. Protect existing work indicated to remain.

1. Perform paint removal work without damaging and contaminating adjacent work.

2. Restore damage and contamination to original condition.

B. Notify Contracting Officer // 20 // // days before starting paint removal work.

C. Lead Control Area Requirements:

1. Establish lead control area by completely enclosing lead-based paint removal work area with // containment screens // //.

2. Contain removal operations using negative pressure full containment system with minimum one change room and HEPA filtered exhaust.

D. Boundary Requirements: Provide physical boundaries around lead control area by roping off area // designated on drawings // or providing curtains, portable partitions or other enclosures to ensure that airborne lead concentrations do not meet or exceed action level outside of lead control area.

E. Heating, Ventilating and Air Conditioning (HVAC) Systems: Shut down, lock out, and isolate HVAC systems supplying exhausting, and passing through lead control areas. Seal HVAC inlets and outlet within lead control area with 6-mil plastic sheet and tape. Tape seal seams in HVAC components passing through lead control area.

F. Change Room and Shower Facilities: Provide clean change rooms and shower facilities within physical boundary around lead control area according to 29 CFR Part 1926.62.

G. Mechanical Ventilation System:

1. Provide ventilation system to control personnel exposure to lead using HEPA equipped negative air machines.
2. Design, construct, install, and maintain HEPA filtered fixed local exhaust ventilation system according to ANSI Z9.2 and approved by CIH.
3. Exhaust ventilation air to exterior wherever possible.
4. When exhaust ventilation air must be recirculated into work area, provide HEPA filter with reliable back-up filter and controls to monitor lead concentration in return air and to bypass recirculation system automatically when system fails.

H. Personnel Protection: Provide and use required protective clothing and equipment within lead control area.

I. Warning Signs: Provide warning signs complying with 29 CFR Part 1926.62 at lead control area approaches. Locate signs so personnel read signs and take necessary precautions before entering lead control area.

3.3 WORK PROCEDURES

A. Remove lead-based paint according to approved lead-based paint removal plan.

1. Perform work only in presence of CIH or Industrial Hygienist (IH) Technician under direction of CIH ensuring continuous inspection of work in progress and direction of air monitoring activities.
2. Handle, store, transport, and dispose lead or and lead contaminated waste according to 40 CFR Part 260, 40 CFR Part 261, 40 CFR Part 262, 40 CFR Part 263, 40 CFR Part 264, and 40 CFR Part 265. Comply with land disposal restriction notification requirements as required by 40 CFR Part 268.

B. Use procedures and equipment required to limit occupational and environmental lead exposure when lead-based paint is removed according to 29 CFR Part 1926.62.

C. Dispose removed paint and waste according to Environmental Protection Agency (EPA), federal, state, and local requirements.

D. Personnel Exiting Procedures:

1. When personnel exit lead control area, comply with the following procedures:

a. Vacuum exposed clothing surfaces.

b. Remove protective clothing and equipment in decontamination room. Place clothing in approved impermeable disposal bag.

c. Shower.

d. Dress in clean clothes before leaving lead control area.

E. Monitoring - General:

1. Monitor airborne lead concentrations according to 29 CFR Part 1910.1025by testing laboratory as directed by CIH.
2. Take personal air monitoring samples on employees anticipated to have greatest exposure risk as determined by CIH. Additionally, take air monitoring samples on minimum 25 percent of work crew or minimum of two employees, whichever is greater, during each work shift.
3. Submit results of air monitoring samples, signed by CIH, within // 16 // 24 // // hours after taking air samples. Notify Contracting Officer's Representative immediately of lead exposure at or exceeding action level outside of lead control area.

F. Monitoring During Paint Removal:

1. Perform personal and area monitoring during entire paint removal operation.
2. Conduct area monitoring at physical boundary daily for each work shift to ensure unprotected personnel are not exposed above action level anytime.
3. For outdoor operations, take at least one sample on each shift leeward of lead control area. When adjacent areas are contaminated, clean area of contamination and have CIH visually inspect and certify lead contamination is cleaned.
4. Stop work when outside boundary lead levels meet or exceed action level. Notify Contracting Officer's Representative, immediately.
5. Correct conditions causing increased lead concentration as directed by CIH.
6. Review sampling data collected during work stoppage to determine if conditions require additional work method modifications as determined by CIH.
7. Resume paint removal when approved by CIH.

3.4 LEAD-BASED PAINT REMOVAL

A. Remove paint within areas indicated on drawings completely exposing substrate. Minimize damage to substrate.

B. Comply with paint removal processes described lead paint removal plan.

C. Lead-Based Paint Removal: Select processes for each application to minimize work area lead contamination and waste.

3.5 SUBSTRATE SURFACE PREPARATION

SPEC WRITER NOTE: Use if paint removal is from metal or concrete surfaces.

A. Protect substrates from deterioration and contamination until refinished.
   1. Protect metal substrates from flash rusting.

B. Prepare and paint substrates according to Section 09 91 00, PAINTING.

3.6 FIELD QUALITY CONTROL

SPEC WRITER NOTE: Section 01 45 29, TESTING LABORATORY SERVICES includes VA provided testing for large projects and contractor provided testing for small projects. Coordinate testing responsibility.

A. Field Tests: Performed by testing laboratory specified in Section 01 45 29, TESTING LABORATORY SERVICES.

B. Perform sampling and testing for:
   1. Air monitoring.
   2. Lead-Based Paint.

3.7 CLEANING AND DISPOSAL

SPEC WRITER NOTE: Verify with Industrial Hygienist if wet mopping work area surfaces is necessary.

A. Cleaning:
   1. Maintain lead control area surfaces free of accumulating paint chips and dust. Confine dust, debris, and waste to work area.
   2. HEPA vacuum clean and wet wipe with detergent solution work area daily, at end of each shift, and when paint removal operation is complete.

B. CIH Certification: Certify in writing that inside and outside lead control area air monitoring samples are less than action level, employee respiratory protection was adequate, the work was performed according to 29 CFR Part 1926.62, and no visible accumulations of lead-based paint and dust remain on worksite.
   1. Do not remove lead control area or roped-off boundary and warning signs before Contracting Officer's Representative's receipt of CIH's certification.
   2. Re-clean areas showing dust or residual paint chips.

C. Testing: Where indicated and when directed by Contracting Officer's Representative, test lead-based paint residue and used abrasive according to 40 CFR Part 261 for hazardous waste.

D. Waste Collection:

1. Collect lead-contaminated materials including waste, scrap, debris, bags, containers, equipment, and clothing, which may produce airborne lead contamination.
2. Place lead contaminated materials in waste disposal drums. Label each drum identifying waste type according to 49 CFR Part 172 and date waste materials were first put into drum. Obtain and complete the Uniform Hazardous Waste Manifest forms. Comply with land disposal restriction notification requirements required by 40 CFR Part 268:
3. Coordinate temporary storage location on project site with Contracting Officer's Representative.

SPEC WRITER NOTES: Use following waste disposal paragraph when Government disposes hazardous waste.

E. Waste Disposal:

1. Minimum 14 days before delivery, notify Contracting Officer's Representative who will arrange for job site inspection of drums and manifests by // paint disposal facility personnel // _____ //.
2. Contracting Officer's Representative will arrange hazardous wastes removal, transport and delivery to // paint disposal facility // _____ // to ensure drums do not remain on project site longer than 90 calendar days from drum label date.

SPEC WRITER NOTES:
1. Use following waste disposal paragraph when Contractor disposes hazardous waste.
2. Research state, regional, and local laws, regulations, and statutes and revise the specifications accordingly.

F. Waste Disposal:

1. Do not store hazardous waste drums in temporary storage location longer than 90 calendar days from drum label date.
2. Remove, transport, and deliver drums to paint disposal facility.
   a. Obtain signed receipt including date, time, quantity, and description of materials received according to 40 CFR Part 262.

b. Obtain final report of materials disposition after disposal completion.

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