

3701-30-07 Public health lead investigations.

When the director becomes aware that an individual under six years of age has lead poisoning the director shall conduct a public health lead investigation to determine the source of the lead poisoning. When the director becomes aware that an individual between six years and sixteen years of age has lead poisoning, the director may conduct a public health lead investigation to determine the source of the lead poisoning.

- (A) For children with a blood lead level of five micrograms per deciliter or greater but less than ten micrograms per deciliter the director shall cause the completion of a comprehensive questionnaire on a form prescribed by the director. In the event the comprehensive questionnaire is completed by someone other than a public health lead investigator, the questionnaire shall be reviewed and approved by a public health lead investigator. The public health lead investigator shall complete and provide a public health lead investigation report, on a form prescribed by the director, to the child's parent or guardian along with educational materials prescribed by the director. (B) For children with a blood lead level of ten micrograms per deciliter or greater the director shall conduct an on-site investigation of a residential unit, child care facility or school. The investigation shall be performed by a public health lead investigator.
- (1) Prior to or during an on-site investigation, the public health lead investigator shall:
- (a) Review known records and reports on applicable residential units, child care facilities, or schools made by any licensed lead inspector, lead abatement contractor, lead risk assessor, lead abatement project designer, lead abatement worker, clearance technician, or someone trained in essential maintenance practices; and
 - (b) Complete a comprehensive questionnaire on a form prescribed by the director.
- (2) Based on the review of known records and reports and the completion of the comprehensive questionnaire the public health lead investigator shall do the following as appropriate:
- (a) A visual assessment of the residential unit, child care facility, or school recording findings on a form prescribed by the Director;
 - (b) X-ray fluorescence (XRF) analysis of deteriorated paint on or in:
 - (i) Interior surfaces, exterior surfaces, and common areas of the residential unit, child care facility, or school; and
 - (ii) Attached or unattached structures located within the same lot line as the residential unit, child care facility, or school, including garages, play equipment, and fences;
 - (c) Other non-property samples (e.g. glazed dinnerware, ceramic cookware, toys, folk remedies, etc.) for analysis as deemed necessary to determine a possible source of lead poisoning.

- (C) After performing the components set forth in paragraph (B) of this rule, the public health lead investigator shall continue the investigation in accordance with the following:
- (1) If the public health lead investigator is able to determine that a residential unit, child care facility or school is a possible source of lead poisoning, the public health lead investigator shall conduct a public health lead risk assessment of one or more residential units, child care facilities or schools in accordance with rule 3701-30-08 of the Administrative Code;
 - (2) If the public health lead investigator is not able to determine that a residential unit, child care facility or school is a possible source of lead poisoning, the public health lead investigator shall take targeted environmental samples, to determine if the residential unit, child care facility or school is a possible source of lead poisoning. The targeted environmental samples may include the following:
 - (a) Dust samples, for analysis, as appropriate, from the following areas including porches and other exterior living areas as defined in rule 3701-32-01 of the Administrative Code, kitchens, bedrooms, living rooms, and dining rooms;
 - (b) Soil samples, for analysis, as appropriate, from bare soil surfaces on play areas, the drip line of the residential unit, child care facility or school, and the yard; and
 - (c) First draw or flushed water samples for analysis, as appropriate, from the tap most commonly used for drinking water, infant formula, or food preparation. Water samples shall be collected in accordance with sample methods specified in paragraph (B) of rule 3745-81-86 of the Administrative Code.

If the results of the analysis of any of the targeted environmental samples exceed the hazard level as set forth in rule 3701-32-19 of the Administrative Code, the public health lead investigator may conclude that the residential unit, child care facility or school is a possible source of lead poisoning and conduct a public health lead risk assessment of the residential unit, child care facility or school in accordance with rule 3701-30-08 of the Administrative Code.

If the results of the analysis of the targeted environmental samples are below the hazard level as set forth in rule 3701-32-19 of the Administrative Code, the public health lead investigator may conclude that the residential unit, child care facility or school is not a possible source of the lead poisoning. The public health lead investigator shall then investigate any other residential unit, child care facility or school that the public health lead investigator reasonably suspects to be a possible source of lead poisoning.
 - (3) If the public health lead investigator is able to determine that essential maintenance practices have been performed in accordance with sections 3742.41 to 3742.46 of the Revised Code and all rough, pitted or porous horizontal surfaces have been covered in accordance with section 3742.41 of the Revised Code, the public health lead investigator shall presume the residential unit, child care facility or school is not the source of the lead

poisoning. The public health lead investigator shall then investigate any other residential unit, child care facility or school the public health lead investigator reasonably suspects to be a possible source of lead poisoning.

- (D) At the conclusion of the public health lead investigation, which may include one or more public health lead risk assessments conducted in accordance with rule 3701-30-08 of the Administrative Code, the public health lead investigator shall prepare and provide a report in a format prescribed by the director. The report shall contain the following information, unless it is otherwise included in a public health lead risk assessment report created pursuant to rule 3701-30-08 of the Administrative Code:
- (1) Date(s) of the public health lead investigation;
 - (2) Address, unit number, and date of construction of each residential unit, child care facility or school investigated;
 - (3) Name, address, and telephone number of the owner or manager of each residential unit, child care facility or school investigated;
 - (4) Name, license number, and signature of the public health lead investigator conducting the public health lead investigation and the name, address, and telephone number of the agency employing each public health lead investigator;
 - (5) Name, address, and telephone number of each environmental lead analytical laboratory approved pursuant to rule 3701-82-02 of the Administrative Code performing the analysis of any collected samples;
 - (6) Results of the visual assessment of each residential unit, child care facility or school investigated;
 - (7) The testing method and sampling procedure for paint analysis employed and the specific locations of each component tested for the presence of lead;
 - (8) All data collected from on-site testing, including the quality control data and, if an XRF is used, its serial number;
 - (9) For residential units the following statement displayed at the top of the report in bold letters:

Ohio law (section 5302.30 of the Revised Code) requires every person who intends to transfer any residential real property by sale, land installment contract, lease with option to purchase, exchange, or lease for a term of ninety-nine years and renewable forever, to complete and provide a copy to the prospective transferee of the applicable property disclosure forms, disclosing known hazardous conditions of the property, including lead-based paint hazards.

Federal law (24 CFR part 35 and 40 CFR part 745) requires sellers and lessors of residential units constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than six years of age resides or is expected to reside in such housing) or any zero-bedroom dwelling to disclose and provide a copy of this report to new purchasers or lessees before they become obligated under a lease or sales contract. Property owners and sellers are also required to distribute an educational pamphlet approved by the United States environmental protection agency and include standard warning

language in sales contracts or in or attached to lease contracts to ensure that parents have the information they need to protect children from lead-based paint hazards.

- (10) Background information regarding the physical characteristics and occupant use patterns that may cause lead hazard exposure to one or more children;
 - (11) Results of the lead loading analysis of dust samples, in micrograms per square foot, by location of samples recorded on a diagram of the floor plan of each residential unit, child care facility or school investigated;
 - (12) Results of the lead concentration analysis of soil samples, in parts per million, by location of sample recorded on a plot plan of each residential unit, child care facility or school investigated;
 - (13) Results of the lead concentration analysis of water samples, in parts per billion;
 - (14) Other sources of lead identified by the public health lead investigator in the child's environment; and
 - (15) Any other information required by the director.
- (E) A copy of the complete public health lead investigation report including any and all public health lead risk assessment information obtained pursuant to the public health lead investigation and required to be reported under paragraph (C) of rule 3701-30-08 of the Administrative Code shall be provided to the child's parent or guardian.

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CERTIFIED ELECTRONICALLY

Certification

11/10/2014

Date

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