

3701-32-03 General provisions and prohibitions.

- (A) No person shall do any of the following when a residential unit, child care facility, or school is involved:
- (1) Perform a lead inspection without a valid lead inspector license or valid lead risk assessor license;
 - (2) Perform a lead risk assessment, lead hazard screen risk assessment, or lead risk assessment activity without a valid lead risk assessor license;
 - (3) Perform a clearance examination following lead abatement without a valid lead inspector license, or valid lead risk assessor license;
 - (4) Perform a clearance examination following non-abatement lead activities without a valid clearance technician license, unless that person holds a valid lead inspector license or valid lead risk assessor license;
 - (5) Supervise a lead abatement project without a valid lead abatement contractor license, or valid lead abatement project designer license;
 - (6) Provide professional advice regarding lead abatement without a valid lead abatement contractor license, or valid lead abatement project designer license;
 - (7) Perform lead abatement without a valid lead abatement worker license, valid lead abatement contractor license, or valid lead abatement project designer license;
 - (8) Perform lead abatement without the on-site supervision of a lead abatement contractor or lead abatement project designer;
 - (9) Act as a lead abatement project designer without a valid lead abatement project designer license;
 - (10) Knowingly authorize or employ an individual to perform lead abatement, unless the individual who will perform the lead abatement holds a valid lead abatement contractor license, valid lead abatement project designer license, or valid lead abatement worker license;
 - (11) Perform lead-safe renovation without the appropriate training as set forth in rule 3701-32-16 of the Administrative Code;
 - (12) Have lead-safe renovation performed in lieu of having lead abatement performed on a property at which a lead-poisoned child under six years of age has been identified;
 - (13) Perform lead hazard control on a property at which a lead-poisoned child has been identified, without holding a valid lead abatement contractor license, valid lead abatement project designer license, or valid lead abatement worker license,
 - (14) Employ or authorize any person to perform lead hazard control on a property where a lead hazard control order has been issued pursuant to rule 3701-30-09 of the Administrative Code, unless that person holds a valid lead abatement

- contractor license, valid lead abatement project designer license, or valid lead abatement worker license, until the lead hazard control order has been lifted;
- (15) Perform a clearance examination on a residential unit, child care facility, or school where lead hazard control orders have been issued pursuant to rule 3701-30-09 of the Administrative Code without a valid lead risk assessor or valid lead inspector license, until the lead hazard control order has been lifted;
 - (16) Interfere with an investigation conducted by the director or a board of health in accordance with section 3742.35 of the Revised Code;
 - (17) Perform interim controls without complying with 24 C.F.R. Part 35 (2004);
 - (18) Use an encapsulation product for the purposes of lead abatement that has not been approved by the director pursuant to division (H) of section 3742.03 of the Revised Code and rule 3701-32-13 of the Administrative Code;
 - (19) Use the services of an environmental lead analytical laboratory that has not been approved by the director pursuant to section 3742.09 of the Revised Code and rule 3701-82-02 of the Administrative Code;
 - (20) Collect or analyze composite dust wipe samples;
 - (21) Provide or offer to provide analysis of lead content in air, dust, soil, paint film or other substances, for the purposes of meeting the requirements of Chapter 3742. of the Revised Code and Chapter 3701-32 of the Administrative Code unless that person is approved by the director as an environmental lead analytical laboratory or employed by an environmental lead analytical laboratory approved by the director;
 - (22) Provide or offer to provide analysis of lead content in blood, for the purpose of meeting the requirements of Chapter 3742. of the Revised Code and Chapters 3701-30 and 3701-32 of the Administrative Code unless that person is approved by the director as a clinical laboratory or employed by a clinical laboratory approved by the director;
 - (23) Perform lead training for licensing purposes without a valid approval from the director; or
 - (24) Use a chemical test kit for sampling when conducting lead inspections or lead risk assessments.
- (B) When the requirements of Chapters 3701-32 and 3701-82 of the Administrative Code conflict with the HUD guidelines, individuals who engage in lead activities or non-abatement lead activities shall comply with the requirements of Chapters 3701-32 and 3701-82 of the Administrative Code.
 - (C) The director may issue an immediate cease work order to a person licensed pursuant to this chapter if the director determines that the license holder is violating the terms or conditions of the license in a manner that endangers or materially impairs the health or well-being of an occupant of a residential unit, child care facility, or school or a person employed to perform lead activities.
 - (D) If applicable, anyone engaging in lead abatement or non-abatement shall comply with Chapter 3714. of the Revised Code and rules in Chapter 3745-400 of the

Administrative Code for construction and demolition debris; Chapter 3734. of the Revised Code and the rules adopted thereunder, including Chapters 3745-40 to 3745-62, 3745-65 to 3745-69, 3745-218, 3745-248 and 3745-270 of the Administrative Code for hazardous waste; Chapter 3745-27 of the Administrative Code for solid waste; and Chapter 3745-29 of the Administrative Code for industrial solid waste landfills.

- (E) No person shall violate any provision of Chapter 3742. of the Revised Code or this chapter of the Administrative Code.

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Certification

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Date

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