

EPA's Dust-Lead Standards and State/HUD Implementation

2025 National Lead and Healthy Housing Conference
August 5, 2025 in Kansas City, Missouri

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Timeline for the Standard



Compliance Dates Vary

- Depends on EPA's delegated authority to state/tribe/territory
 - **January 12, 2026:** AK, AZ, FL, ID, MT, NV, NM, NY, SC, SD, WY, American Samoa, Guam, Northern Mariana Islands, and the U.S. Virgin Islands, as well as most tribal lands
 - **Before January 11, 2027:** Other 39 states, 4 tribes, Puerto Rico, and Washington, DC
 - **NOTE:** Check state law/rules, it could be as soon as January 12, 2026
- No retroactive requirements

Dust-Lead Standard

- Key term is now “**dust-lead action level**”
 - Replaces “abatement clearance level” for dust lead
- “Action level” approach:
 - Recognizes any exposure poses a hazard but that some levels are high enough to warrant action
 - Aligns with drinking water, food, and workplace
 - May be used for paint, soil, and blood lead
- Dust-lead action levels
 - Same as dust-lead hazard standard from 1/13/25 to 1/12/26
 - 10 $\mu\text{g}/\text{ft}^2$ on floors and 100 $\mu\text{g}/\text{ft}^2$ on sills (plus 400 $\mu\text{g}/\text{ft}^2$ in troughs)
 - On 1/13/26, hazard standard will be any reportable level by EPA-recognized lab and action levels will drop to
 - 5 $\mu\text{g}/\text{ft}^2$ for floors
 - 40 $\mu\text{g}/\text{ft}^2$ for window sills
 - 100 $\mu\text{g}/\text{ft}^2$ for window troughs



For Those Keeping Track

2001 LBP Hazards Rule		
µg/ft ²	DLHS	DLCL
Floors	40	40
Sills	250	250
Troughs	no standard	400

2019 Rule
DLHS
10
100
no standard

2021 Rule
DLCL
10
100
400

2024 Final Rule	
DLRL/DLHS	DLAL
Any reportable level by an EPA- recognized laboratory	5
	40
no standard	100

- DLHS = Dust-Lead **Hazard Standard**
- DLCL = Dust-Lead **Clearance Level**
- DLRL = Dust-Lead **Reporting Level**
- DLAL = Dust-Lead **Action Level**

DLRL = DLHS after
January 12, 2026

Important Modifications

National Lead Lab Accreditation Program (NLLAP)

- Labs must establish a reporting level no more than 80% of the dust-lead action level (relaxed from 50%)
- Lab must report “less than” or “< ” if lead is below reporting level
- Floor wipes: Labs likely to report “< 4 $\mu\text{g}/\text{ft}^2$ ” but number could be lower, especially when > 1 ft^2 wiped

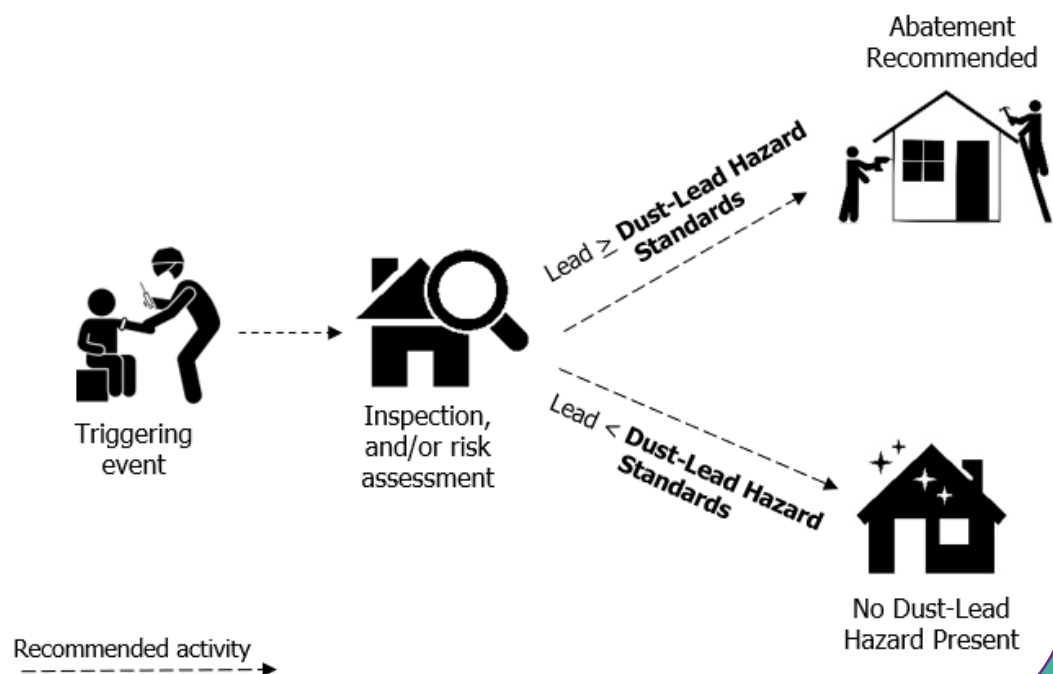


Fixed definitions

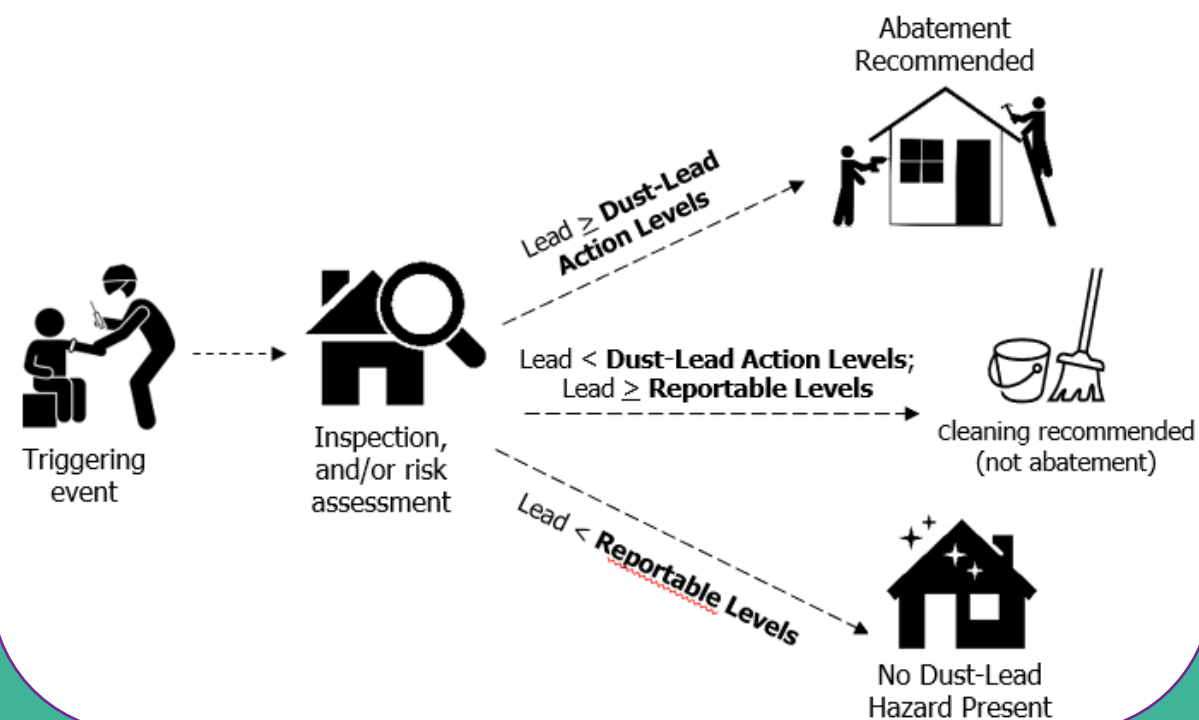
- Changed to “under age 6” from “6 or under” to match CDC and HUD terms
- Changed “target housing” to include zero-bedroom dwellings where “any child who is less than 6 years of age resides or is expected to reside in such housing”

EPA's Framing

Previous/Coupled Approach



Any Reportable Level/Decoupled Approach



Trickiest Part

- “Dust lead hazard” term will still be in rules at 40 CFR §§ 745.65 and 745.223
- If dust-lead levels are above reporting level, people will be told that “a dust lead hazard is present” even if below the action level
- If abatement conducted, “dust lead hazards” must be reduced to below the “dust lead action level,” not the reportable level



Abatement Report – New Mandatory Language

If dust-lead levels are between reporting level and action level:

“Although the completed abatement project achieved dust-lead below action levels, some dust-lead hazards remain because any reportable level of dust-lead is considered a dust-lead hazard by the U.S. Environmental Protection Agency in a residential dwelling or child-occupied facility. In order for abatement work to be considered complete under EPA regulations, dust-lead levels must be below the action levels, which are established based on reliability, effectiveness and safety.”

“To continue to reduce lead exposure from dust, the EPA pamphlet entitled Protect Your Family From Lead in Your Home includes recommendations such as: using a vacuum with a high-efficiency particulate air (HEPA) filter on furniture and other items returned to the work area, and regularly cleaning hard surfaces with a damp cloth or sponge and a general all-purpose cleaner. For more information on how to continue to reduce lead exposure, see Protect Your Family From Lead in Your Home.”

Economic Analysis Benefits

Events Affected Per year Nationally	
Housing units and COFs	328,000 to 413,000
Individuals Affected Per Year Nationally	
Children 0-5 years old (IQ benefits)	178,000 to 326,000
Children 0-15 years old (ADHD benefits)	261,000 to 484,000
Adults 40-79 years old (cardiovascular mortality benefits)	246,000 to 288,000
Annual Benefits Nationally (\$ millions, 2% discount rate)	
IQ benefits	\$831 to \$3,105
ADHD benefits	\$129 to \$274
Cardiovascular mortality benefits	\$614 to \$6,936
Total Benefits	\$1,574 to \$10,315

Costs and Net Benefits

Annual Costs Nationally (\$ millions, 2% discount rate)	
Cost of proposed rule	\$536 to \$784
Cost of final rule	\$207 to \$348
Reduction in costs between proposed and final rules	\$329 to \$436

Annual Net Benefits Nationally (\$ millions, 2% discount rate)	
Final rule net benefits	\$1,367 to \$9,966

What if state does not update rules?

- Authorized states* have until January 1, 2027, to update their rules
- If a state does not act by then, EPA can withdraw its delegation of authority to implement lead-based paint activities rules because they will not be “at least as protective of human health and the environment”
- No one really wants that to happen
- Some states have not yet acted on 2019 dust-lead hazard standard rule and 2021 dust-lead clearance level rule



* 39 states, 4 tribes, Puerto Rico, and the District of Columbia

What about HUD standard?

- HUD's Lead-Safe Housing Rule (LSHR)
 - No dust-lead hazards after abatement, interim controls, and renovation, repair and painting that disturb more than de minimis amounts in assisted housing
 - If HUD does not update rule by January 13, 2026, there must be no reportable level by an EPA-recognized lab
- HUD grantees must comply with EPA requirements
- HUD requirements apply even in EPA authorized states



Next for Lead-based Paint

- Soil lead hazard standards – Court ordered review
- Lead-based paint definition – Court ordered review
- HUD to revise Lead Safe Housing Rule to incorporate EPA's new rule
- State and local rules



Unleaded Kids advice for risk assessors, Part 1

- See <https://unleadedkids.org/updating-risk-assessments-for-dust-lead-2024/2025/04/03/>
- Closely track the status of rules and guidance.
- Immediately begin using the term “action levels” instead of “clearance levels,” update “target housing” and children’s age change.
- Be sure your lab is on track to follow the new EPA LQSR Revision 4.0.



Unleaded Kids advice for risk assessors, Part 2

- Advise your clients that they should strive to have no reportable levels starting in 2026 or use mandatory language if between hazard standard and action level.
- In risk assessment reports, if there are dust-lead levels that exceed the action level, continue to recommend abatement as an option along with interim controls. If below action level but are reporting, consider moving abatement to a lower priority.
- When including older reports in documents, to avoid confusion, consider adding a short statement about the changes in levels and terms over the past six years. See blog for recommended language.



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