

Lead Detection and EPA's New Dust-Lead Standard

2025 National Lead and Healthy Housing Conference
Preconference Workshop August 4, 2025
Kansas City, Missouri

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Unleaded Kids – www.unleadedkids.org



Agenda

- Scope: Lead-based paint dust, soil, paint
- What does TSCA say?
- What do EPA rules say?
- What do states say?
- What are EPA-recognized labs / NLLAP?
- What is role of portable X-Ray Fluorescent (XRF)?
- What is role of LeadCheck or D-Lead?
- 2021 Ninth Circuit Court of Appeals decision
- EPA's revised dust-lead standards
- Dealing with common situations

Scope: Lead-Based Paint Dust, Soil, Paint

Our focus is on Toxic Substances Control Act (TSCA) standards for:

- Lead-based paint
- Lead-based paint hazards
- Lead-contaminated dust
- Lead-contaminated soil



TIME WITH TOM

Learn more 1:1 about non-TSCA standards.

HUD follows EPA TSCA standards.

TOPICS FOR ANOTHER SESSION

- EPA has separate standards for:
 - Lead in air – National Ambient Air Quality Standards (NAAQS)
 - Lead in drinking water – Safe Drinking Water Act's Lead and Copper Rule
 - Lead contaminated soil from sources other than lead-based paint – Superfund
- FDA has action levels for:
 - Foods such as baby food and children's candy
 - Food contact materials

TSCA Title IV: Lead-Based Paint

15 U.S.C. §§ 2681, 2682, and 2683 (Title IV of the Toxic Substances Control Act)

- **Lead-based paint** means paint or other surface coatings that contain lead in excess of 1.0 milligrams per centimeter squared or 0.5 percent by weight or
 - in the case of paint or other surface coatings on *target housing*, such lower level as may be established by HUD, as defined in section 4822(c) of title 42, or
 - in the case of any other paint or surface coatings, such other level as may be established by EPA.”
- **Lead-based paint hazard** means any condition that causes exposure to lead from *lead-contaminated dust, lead-contaminated soil, lead-contaminated paint* that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by EPA.



TSCA Title IV: Lead-Based Dust & Soil

15 U.S.C. §§ 2681, 2682, and 2683 (Title IV of the Toxic Substances Control Act)

- **Lead-contaminated dust** means surface dust in *residential dwellings* that contains an area or mass concentration of lead in excess of levels determined by EPA to pose a threat of adverse health effects in pregnant women or young children.
- **Lead-contaminated soil** means bare soil on *residential real property* that contains lead at or in excess of the levels determined to be hazardous to human health by EPA.



EPA's Rules

- 40 CFR Part 745
 - Subpart D – Lead-based Paint Hazards
 - Subpart E – Residential Property Renovation (aka RRP)
 - Subpart F – Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property
 - Subpart L – Lead-based Paint Activities
 - Subpart Q – State and Indian Tribal Programs



EPA Rules on Paint-Lead

Paint-lead hazard: A paint-lead hazard is any of the following:

- Any lead-based paint on a friction surface that is subject to abrasion and where the lead dust levels on the nearest horizontal surface underneath the friction surface (e.g., the window sill, or floor) are equal to or greater than the dust-lead hazard levels.
- Any damaged or otherwise deteriorated lead-based paint on an impact surface that is caused by impact from a related building component (such as a door knob that knocks into a wall or a door that knocks against its door frame).
- Any chewable lead-based painted surface on which there is evidence of teeth marks.
- Any other deteriorated lead-based paint in any residential building or child-occupied facility or on the exterior of any residential building or child-occupied facility.



EPA Rules on Dust-Lead

Dust-lead hazard:

- Before January 12, 2026, a dust-lead hazard is surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of lead equal to or exceeding $10 \mu\text{g}/\text{ft}^2$ for floors or $100 \mu\text{g}/\text{ft}^2$ for interior window sills based on wipe samples.
- On or after January 12, 2026, a dust-lead hazard is surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of any reportable level of lead for floors or for interior window sills based on wipe samples analyzed by an NLLAP-recognized laboratory.



EPA Rules on Soil

Soil-lead hazard: A soil-lead hazard is bare soil on residential real property or on the property of a child-occupied facility that contains total lead equal to or exceeding

- 400 parts per million ($\mu\text{g/g}$) in a play area or
- average of 1,200 parts per million of bare soil in the rest of the yard based on soil samples.



What do states say?

- **Authorized States:** EPA has delegated authority to implement the lead-based paint activities program to 39 states, 4 tribes, Puerto Rico, and the District of Columbia
 - Outside these authorized states, EPA's rules apply. This is the situation in 11 states: Alaska, Arizona, Florida, Idaho, Montana, Nevada, New Mexico, New York, South Carolina, South Dakota, and Wyoming.
 - State has two years to update standards when EPA changes rules.
- States (authorized or not) may have more protective or separate standards



What is the role of portable XRF?

- Presented by Greg Krueger, Senior Vice President of LEW Environmental Services based on New Jersey with regional offices in
 - Delaware
 - Florida
 - Georgia
 - Maryland
 - Massachusetts
 - New Jersey
 - New York



What is an X-Ray Fluorescence Instrument?

- Methods to determine the presence of lead-based paint (LBP)
 - X-Ray Fluorescence Instrument
 - Paint chip
 - Chemical Test Kits
- Pros
 - Non-destructive
 - Quick
 - Reliable
- Cons
 - Cost – upfront and maintenance
 - Compliance aspects

Types of X-Ray Fluorescence Instruments

- Sealed Source Instruments
 - Contain a radioactive material
 - Cobalt 57 or Cadmium 109
 - Continually emitting radiation
 - Some require radioactive material licenses (NRC or State)
 - Require resourcing of radioactive materials
- X-Ray Tube Instruments
 - Do NOT contain radioactive materials
 - Radiation is produced only when voltage is applied to tube
 - Do NOT require radioactive material licenses
 - May require State registration (Check with your jurisdiction)
 - One-time registration per tube



Proper Operation

- Calibration
 - Review Performance Characteristic Sheet (PCS) for procedure [Link](#)
 - MUST calibrate before start, at the end, and every 4 hours
 - Use the provided calibration block (NIST Traceable Standard)
 - Improper calibration of the instrument results in loss of data
 - It is the average of the calibration readings, not individual readings
- Radiation Safety
 - Regardless of the type of instrument (All produce radiation)
 - ALARA = Time, Distance, Shielding
 - Security

XRF Inspection Procedures

- Single-family or multifamily inspection protocol
- Test ALL testing combinations
 - One XRF reading from each testing combination, except walls
 - Testing Combination
 - Room Equivalent, Building Component and Substrate
- Do not test
 - Furniture unless structurally attached
 - Ceramic Tiles, unless painted
- Interpreting XRF Data
 - Examples

Errors to Avoid (Mistakes I See)

- Improper calibrations
- Color as part of a testing combination
- Not testing surfaces with stain, shellac, varnish (floors)
- Not testing all testing combinations
- Ignoring different painting histories
- Improper grouping of components
 - Different substrates
 - Different painting histories
 - Doors with casings/jambs/stops
 - Window sashes with sills/casings/aprons



Errors to Avoid (Mistakes I See), Cont.

- Ending the collection of readings Most often walls and ceilings
 - May be appropriate IF approval from client or program
- Improper application of the HUD Multifamily Decision Logic Chart
 - Minimum of 40 tested components [Link](#)
- Missing random selection or improper list of units (Example)
- Improper Report Format
 - Missing plain language summary
 - Missing disclosure statement

Howard Varner

General Manager / Lab Director

LEHA Board Member



Lead Detection & EPA's New Lead-Dust Standards

2025 National Lead & Healthy Housing Conference



Fact Sheet

EPA Revised Lead-Based Paint Testing Values

EPA Regulation 40 CFR Part 745

leha

Lead and Environmental
Hazards Association

Fact Sheet

Dust-lead Action Levels

(wipe samples, previously known as clearance levels)

BEFORE January 12, 2026

- Floors: $\geq 10 \mu\text{g}/\text{ft}^2$
- Interior Window Sills: $\geq 100 \mu\text{g}/\text{ft}^2$
- Window Troughs: $\geq 400 \mu\text{g}/\text{ft}^2$

AS OF January 12, 2026

- Floors: $\geq 5 \mu\text{g}/\text{ft}^2$
- Interior window sills: $\geq 40 \mu\text{g}/\text{ft}^2$
- Window troughs: $\geq 100 \mu\text{g}/\text{ft}^2$

Dust-lead Hazard Levels

(wipe samples)

BEFORE January 12, 2026

- Floors: $\geq 10 \mu\text{g}/\text{ft}^2$
- Interior Window Sills: $\geq 100 \mu\text{g}/\text{ft}^2$

AS OF January 12, 2026

- Any reportable level of lead for floors or for interior window sills based on wipe samples analyzed by an NLLAP-recognized laboratory.²

Additionally, as of January 12, 2026: "...when post-abatement dust-lead testing results are below the dust-lead action levels and at or above the dust-lead reportable levels, a dust-lead hazard statement with the following language must be in final reports to clients according to §745.227(e)(10)(vii).

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*.

Be aware that EPA may further clarify these issues or amend this requirement. Be sure to check the regulations for any changes that may occur.

LEHA EPA Revised Testing Values fact sheet V 1.5

LEHA WEBSITE: <https://leha.us/>

§ 745.63 Definitions: Wipe Sample.

Wipe sample means a sample collected by wiping a representative surface of known area, as determined by ASTM E1728/E1728M-20 (incorporated by reference, see § 745.67), or equivalent method, with an acceptable wipe material as defined in ASTM E1792-20 (incorporated by reference, see § 745.67). See [link](#) below for the rule with the preamble for more information.

§ 745.103 Definitions: Target Housing

The definition of target housing defines which housing is subject to EPA's lead-based paint rules (both for lead-based paint activities and the renovation, repair, and painting (RRP) programs), note those words crossed out. This occurred as part of rulemaking in 2017 and included in these rules.

Term "target housing" means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities or any 0-bedroom dwelling (unless any child who is less than 6 years of age resides or is expected to reside in such housing), ~~for the elderly or persons with disabilities or any 0-bedroom dwelling.~~

§ 745.223: Definitions: Child-occupied Facility (COF)

Finalized revisions to the definition of COF in 40 CFR 745.223 and related regulatory language in 40 CFR 745.227 to children "under 6 years of age."

In this, all parts of EPA LBP rules now stipulate "under 6 years of age" for COF work.

Comment #1: The dates are for federal compliance. The 41 states (all but AK, AZ, FL, ID, MT, NV, NM, NY, SC, SD, and WY) where EPA has delegated authority to implement the program have an additional year—until January 11, 2027—to update their rules. Compliance in those 41 states is based on when the state updates its rules. Additionally, clients may want to know the revised hazard and new action levels prior to the federal or state/local programs compliance date. Be sure to always read the specified contract language that may address these issues. It's up to the user to keep up with these developments at the state/local level as well as any other issues that may be addressed by the EPA.

Comment #2: This value is determined by each NLLAP-accredited laboratory based on EPA's Laboratory Quality Standards for Recognition (LQSR, rev. 4.0) and internal determinations based on the area wiped, the laboratory method used, and instrument performance. Reportable levels must be no more than 80% of the action levels. They can vary between laboratories. Consult with the lab director of your chosen NLLAP-accredited laboratory for their guidance here. A detailed discussion of these issues is found in the preamble of the FR notice for the final rule changes. See the link below.

Comment #3: For federally funded housing regulated by HUD's Lead Safe Housing Rules (LSHR), the EPA values for risk and clearance have been cross-referenced to EPA values. HUD is going through their own process of rulemaking to incorporate these revised/new EPA values. If you service federally funded housing that is regulated by the LSHR, you will need to keep abreast as to when these values are applicable to that regulated work.

Final rules with preamble for details of rulemaking:

[https://www.govinfo.gov/content/pkg/FR-2024-11-](https://www.govinfo.gov/content/pkg/FR-2024-11-12/pdf/2024-25070.pdf)

[12/pdf/2024-25070.pdf](https://www.govinfo.gov/content/pkg/FR-2024-11-12/pdf/2024-25070.pdf)

12-9-2024

Dust-lead Action Levels

(wipe samples, previously known as clearance levels)

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AS OF January 12, 2026

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Dust-lead Hazard Levels

(wipe samples)

BEFORE January 12, 2026

- Floors: $\geq 10 \mu\text{g}/\text{ft}^2$
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AS OF January 12, 2026¹

- **Any reportable level** of lead for floors or for interior window sills based on wipe samples analyzed by an NLLAP-recognized laboratory.²

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WHAT ABOUT LABS?

1992

Title X - Lead Hazard Reduction Act

Sections 405 (a) & (b)

Requires EPA to set minimum standards for laboratory analysis of lead in paint films, soil & dust.

EPA (NLLAP)

Established to recognize laboratories which demonstrate the ability to accurately analyze paint chips, dust or soil samples for lead.

NLLAP Accrediting Organizations

1. AIHA
2. A2LA
3. Perry Johnson
4. ANSI ASQ
5. International Accrediting Service

NLLAP Accredited Labs Are Required to

1. Undergo onsite assessments performed by a NLLAP participating accreditation organization.

WHAT ABOUT LABS?

2. Successfully perform on a continuing basis in the Environmental Lead Proficiency Analytical Testing Program (ELPAT)

3. Follow the Laboratory Quality System Requirements (LQSR).

**Current LQSR is
Version 3 - 2007**

**LQSR 4 Effective Date
October 23, 2024
Labs must comply by
December 22, 2025**

Method Detection Limit (MDL)

The minimum concentration of an analyte that has a 99 percent probability of being identified and reported to be greater than zero

Statistically derived values which are determined for every analyte, matrix and method.

Reporting Limit (RL)

Lowest numeric value that can be reproduced with an acceptable level of certainty by a laboratory. Values that fall below the reporting limit are reported as less than that value.

LQSR 4 Effective Date October 23, 2024

Acceptable Methodology

5.3.1.b - For methods under consideration for analytical testing the laboratory shall demonstrate it can achieve a quantitation limit equal to or less than 20% of the lowest relevant action level or regulatory limit of interest for paint and soil and 80% of the lowest action level for the surface area being sampled (i.e., floors, windowsills or window troughs) for dust wipe samples.

Quantitation Limits

5.3.5.1 –The quantitation limit shall be “less than” (“<”) a value at least 1.6 times but no greater than 10 times the method detection limit as determined in Section 5.3.5



EPA ACTION LEVELS

Floors - 5 $\mu\text{g}/\text{ft}^2$

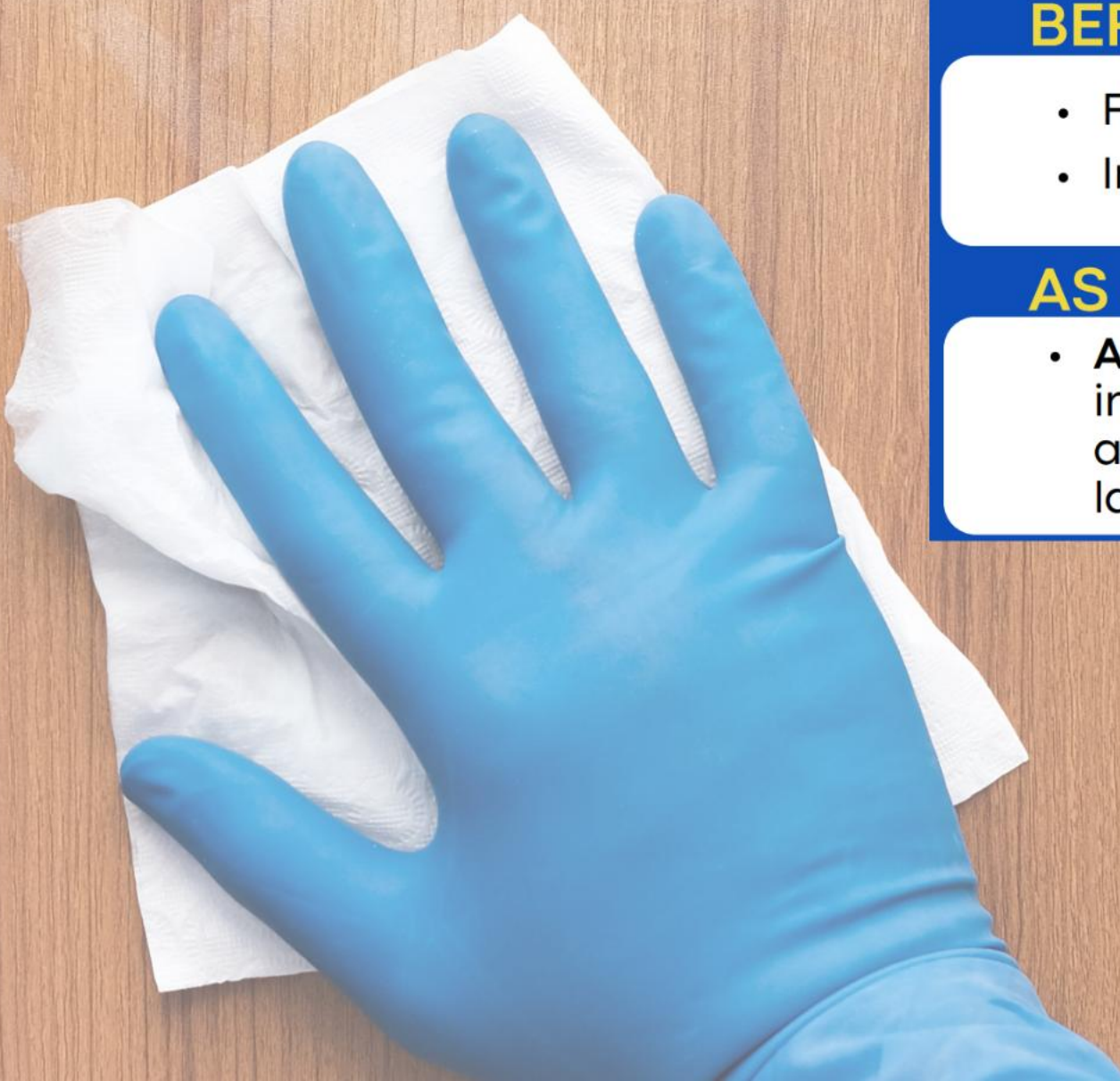
Sills - 40 $\mu\text{g}/\text{ft}^2$

LABORATORY REPORTING LIMIT REQUIREMENTS

“Must be no more than 80% of Action Levels”

Floors - 4 $\mu\text{g}/\text{ft}^2$

Sills - 32 $\mu\text{g}/\text{ft}^2$



Dust-lead Hazard Levels

(wipe samples)

BEFORE January 12, 2026

- Floors: $\geq 10 \mu\text{g}/\text{ft}^2$
- Interior Window Sills: $\geq 100 \mu\text{g}/\text{ft}^2$

AS OF January 12, 2026¹

- **Any reportable level** of lead for floors or for interior window sills based on wipe samples analyzed by an NLLAP-recognized laboratory.²

**EPA & HUD
allow 1ft² or 2ft²
areas for floors.
Make sure you know
what your lab requires!**

LABS REQUIRING A 2ft² WIPE FOR FLOORS

WILL MOST LIKELY HAVE REPORTING LIMITS AS FOLLOWS:

FLOORS

$<8 \mu\text{g}/2\text{ft}^2 = 4 \mu\text{g}/\text{ft}^2$

SILLS

At 8 μg / sample will require a minimum wipe area of 0.25ft², which is 36 in² or 2"x 18".

Hazard Level For This Example:

Anything greater than 8 μg / sample.

LABS REQUIRING A 1 ft² WIPE FOR FLOORS

WILL MOST LIKELY HAVE REPORTING LIMITS AS FOLLOWS:

FLOORS

$<4 \mu\text{g}/1\text{ft}^2 = 4 \mu\text{g}/\text{ft}^2$

SILLS

At 4 μg / sample will require a minimum wipe area of 0.125ft², which is 18 in² or 1"x 18".

Hazard Level For This Example:

Anything greater than 4 μg / sample.

January 13, 2025

EPA implemented changes to the Dust-Lead Action Levels & Dust-Lead Reporting Levels which will impact both fieldwork and laboratory analysis.

The date for federal compliance is set for January 12, 2026.

However, an additional year has been given to the 41 states where EPA has delegated authority to implement the program.

Alaska	New Mexico
Arizona	New York
Florida	South Carolina
Idaho	South Dakota
Montana	Wyoming
Nevada	

**Have until January 11, 2027, to
update their rules.**

Dust-lead action levels

(previously referred to as the dust-lead clearance levels)

Floors - 5 micrograms per square foot ($\mu\text{g}/\text{ft}^2$)

Windowsill - 40 micrograms per square foot ($\mu\text{g}/\text{ft}^2$)

Window Well - 100 micrograms per square foot ($\mu\text{g}/\text{ft}^2$)

EPA's dust-lead reportable levels

(previously referred to as the dust-lead hazard standards)

In the context of the final rule, "greater than zero" refers to the new dust-lead reportable level (DLRL) set by the EPA. The DLRL is defined as "any reportable level" of dust-lead as analyzed by an NLLAP-recognized laboratory. This means any lead dust wipe with lead concentration results greater than the laboratory's reporting limit, is considered a dust-lead hazard.

Lab Reporting Limit Adjustments

To ensure a baseline level of consistency across laboratories, EPA has set minimum standards that laboratories must meet. As outlined in the Laboratory Quality Standards for Recognition (LQSR) version 4.0, these standards require that the reporting limit must be equal to or less than 80% of the lowest action level for dust wipe samples per specific surface area (e.g., floors, windowsills, and troughs).

In response to these new standards, our laboratory will be adjusting our reporting limits to 4 μg per wipe.*

Sampling Requirements to Meet Clearance Standard

Clients who submit samples to EHS Laboratories can continue using a wipe area of 1 ft² to meet the new clearance level of 5 µg/ft² for floor dust wipe samples. For windowsills, the sample wipe area must be at least 0.125 ft² (18in²).

Our team is available to assist with any questions you may have about sampling requirements or to help develop a sampling plan tailored to your needs.

We appreciate your attention to these important changes and thank you for your continued partnership. Please don't hesitate to reach out with questions or to discuss your upcoming projects. Our goal is to ensure a smooth transition to the new standards, and we are here to support you every step of the way.

Thank You



What are EPA-recognized labs / NLLAP?

- Presented by Howard Varner, Lab Director / General Manager of EHS Labs in Virginia
- EHS Labs is EPA-recognized NLLAP lab serving the nation



What is role of LeadCheck or D-Lead?

- EPA recognized spot-test kits under RRP for certified renovators to use to determine if **regulated lead-based paint is not present** in target housing and child-occupied facilities. to determine whether paint is not lead-based paint. See <https://www.epa.gov/lead/lead-test-kits>
- LeadCheck by Luxfer Magtech (formerly made by 3M)
 - For wood, ferrous metal (alloys that contain iron), or drywall and plaster surfaces
- D-Lead by ESCA Tech
 - For wood, ferrous metal (alloys that contain iron), or drywall and plaster surfaces.
- Commonwealth of Massachusetts Lead Test Kit
 - For drywall and plaster; it is not recognized for use on wood and ferrous metal (alloys that contain iron) surfaces.

2021 Ninth Circuit Court of Appeals decision

- EPA adopted lead-based paint hazard standards on January 5, 2001
- EPA tightened dust-lead hazard standards on July 19, 2019 in response to 2017 Ninth Circuit Court of Appeals decision
- EPA tightened dust-lead clearance levels on January 7, 2021 in response to 2019 Ninth Circuit Court of Appeals decision
- EPA updated dust-lead standards on Nov. 12, 2024 in response to 2021 Ninth Circuit Court of Appeals decision



Earthjustice litigated on behalf of community and environmental organizations.

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



EPA's revised dust-lead standards



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 hazard and action levels

- 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		
$\mu\text{g}/\text{ft}^2$	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

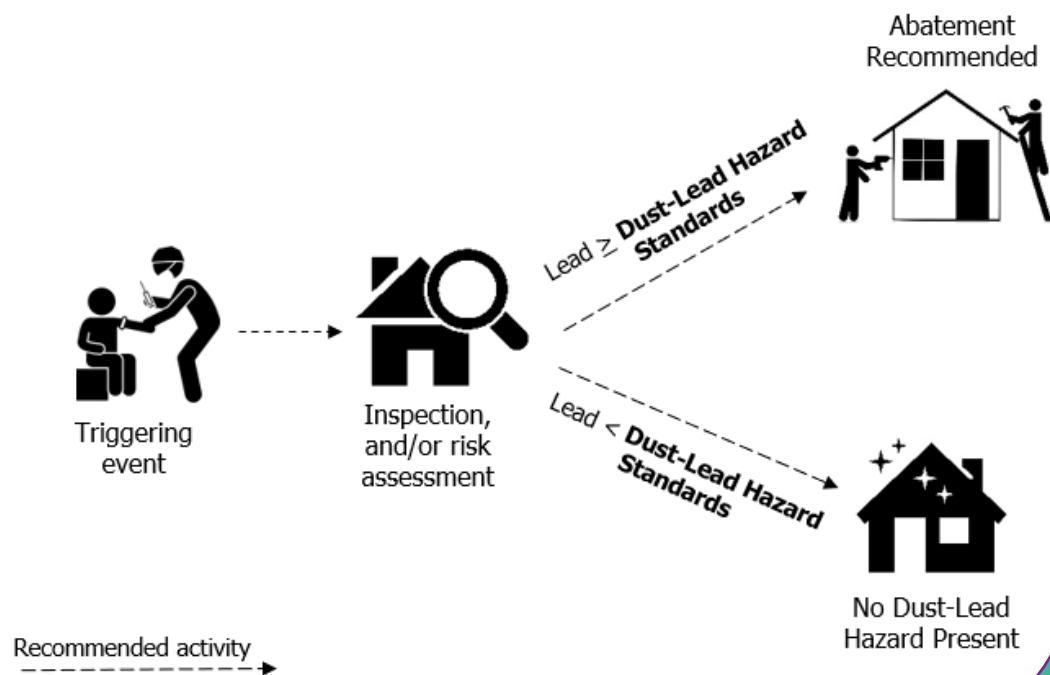


Fixed definitions

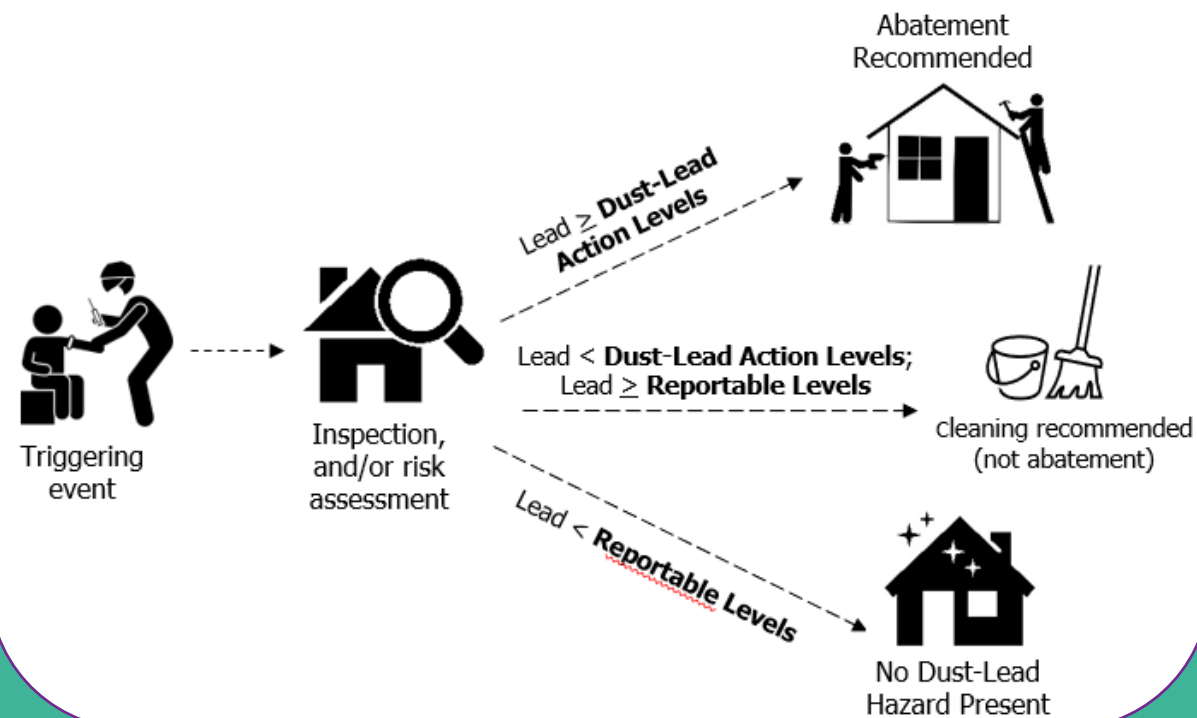
- Changed to “under age 6” from “6 or under” to match CDC and HUD terms
- Changed “target housing” to include zero-bedroom dwellings where “any child who is less than 6 years of age resides or is expected to reside in such housing”

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



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.



Dealing with common situations

Lead Detection and EPA's New Dust-Lead Standard

2025 National Lead and Healthy Housing Conference
Preconference Workshop August 4, 2025
Kansas City, Missouri

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