

By Mr. Scibelli of Springfield, petition of Anthony M. Scibelli for legislation to further regulate the removal of lead paint from certain homes. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT FURTHER REGULATING THE REMOVAL OF LEAD PAINT FROM CERTAIN HOMES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter III, Section 197 is amended by striking sections (a) and
2 (b) and substituting in their place the following:

3 (a) all peeling paint, plaster or other material on interior or
4 exterior surfaces that is an imminent hazard shall be removed and
5 adequately covered.

6 (b) Paint, plaster, or other material that is not peeling shall be
7 removed or covered on window sills, doors and door frames below
8 the three foot six inch level and three inches from the edge;
9 windows, including mullions below the three foot six inch level
10 and to within 3 inches of an inside corner; stair rail spindles to the
11 extent that they are accessible to a child under reasonable circum-
12 stances, stair treads and risers to the extent of three inches from any
13 accessible edge, baseboards shall be exempt unless in an individual
14 case it has been chewed by a child covered by this statute. The
15 integrity of the building, both interior and exterior is to be pre-
16 served, and in no case should the intact surface of the wood be
17 disturbed beyond removal of the paint.

18 (c) On the exterior of a structure, all peeling paint shall be
19 removed, on porches and stairways. On intact surfaces, and surfa-
20 ces from which peeling paint has been removed, correction shall be
21 painting with 2 coats of a suitable non-lead paint, except where
22 there is an imminent hazard due to chewing by a child covered by
23 this statute, and then only to the extent that only that immediate
24 area have all paint removed and then repainted.

25 (d) After completion of the work, the agency conducting the
26 inspection will within 3 working days issue a certificate certifying
27 that that dwelling or premises to the extent of the inspection
28 conducted is lead free. Certification under this section is perman-
29 ent. If this statute is changed, the certification remains perman-
30 nently and only those changes required under the new revision
31 need be done.

32 (e) If the technology advances and materials, substances or
33 methods are developed or discovered, the Commissioner of Public
34 Health will, on application of any interested party, hold a hearing
35 or hearings on said materials, substances or methods within 45
36 days after the application. If he determines that the materials,
37 substances or methods are safe, and will protect the public health,
38 the Commissioner will order that the same may be used effective
39 that date.