

DOEE - Environmental Review (EV) Checklist for Lead-Based Paint Regulations Compliance

Read and Complete in Full to Expedite Your Environmental Review

Why am I filling out this form?

1.

Painted surfaces on the interior and exterior of dwelling units and child-occupied facilities constructed prior to 1978 are presumed to contain lead-based paint (LBP). Any paint that is deteriorated, chipping, peeling, or otherwise not in intact paint condition is considered a LBP hazard and is prohibited. (20 DCMR § 3301). Disturbing lead-based paint can create hazardous conditions that harm human health

2.

Unless a dwelling unit qualifies as a “lead-free unit” (20 DCMR § 3314.5-3314.7) or falls under an exception (§ 3303), any individual, firm, or entity engaged in an “activity” that disturbs a painted surface in a pre-1978 dwelling unit or child-occupied facility shall use lead-safe work practices. Such activities include interior or exterior: renovation, remodeling, maintenance, repairs, gut rehab, demolition, carpentry, HVAC, roofing, siding, plumbing, painting, or electrical work. (20 DCMR § 3302)

3.

Some projects require a DOEE-certified individual or business entity to apply for a DOEE lead abatement or renovation permit. DOEE requires the information on this form to ensure that the project is done in accordance with District law. (20 DCMR §§ 3310, 3316)

Name:

Date:

Permit No:

Address:

For this review, painted surfaces and building components include but are not limited to:

• Walls and ceilings: portions and whole surfaces including both non-structural partitions and structural interior and exterior walls, and decorative trims like chair rails, baseboards, crown moldings

• Windows and window trim: frames, jambs, casings, aprons, sills, stools, on the interior and exterior

• Doors and door components: jambs, hinges, casings, transoms, lintels, mullions

• Stairs and components: hand and guard rails, balustrades, stringers, treads, newel posts

• Concrete floors or cinderblock walls

• Wood decks and components

1. Are you removing or demolishing any painted surfaces or components, including partition walls?

Yes

No

2. Are you cutting into, scraping, sanding, or otherwise disturbing any painted surface or building component?

Yes

No

3. Provide an estimate of the total square footage of painted surfaces that will be disturbed, removed, demolished, refinished, or repaired as part of this project (do not include clean, intact surfaces that will be repainted without any sanding or scraping), include calculations:

4. Provide a narrative scope of work of how this project will affect painted components in the property, or explain how it will not affect painted surfaces or building components:

5. Provide comprehensive, labeled photographs showing the front and rear exterior of the property showing the property address, and the current condition(s) all painted components to be affected or disturbed by the work covered by this permit. Include photographs with this checklist or upload a separate file to the ProjectDox Supporting Documents folder. Photographs that are not labeled, are outdated, are unclear, or are blurry cannot be accepted.		
6. Is this permit for a building alteration/construction/addition project to be conducted <i>after</i> work completed under a demolition permit?	Yes	No
7. If yes, provide demolition permit number:		
8. Is the property currently registered as vacant or blighted with the Department of Buildings?	Yes	No
9. Is any portion of the property, including other units on the same floor or adjacent floors in a multi-family property, currently occupied as of the time of the permit application?	Yes	No
10. Will any portion of the entire property be occupied at any time that work is being done under the permit, including other units in a multi-family building, or another level of a two-family flat?	Yes	No
11. Do you have any documentation of lead-based paint testing of components to be affected or disturbed during this project, conducted by a DOEE-certified professional?	Yes	No
12. Upload the entirety of the lead-based paint inspection report in the ProjectDox Supporting Documents folder.		
13. Has a contractor been selected for this project?	Yes	No
14. Do they have a current EPA Renovation Repair & Painting (RRP) Certification?	Yes	No
15. If so, upload a copy of their current RRP certification to the ProjectDox Supporting Documents Folder.		
Additional Notes for Reviewer:		
Outline applicant's plan to address actual and presumed LBP hazards:		
<ul style="list-style-type: none"><li>• Completing this document in full and uploading it to the ProjectDox Supporting Documents folder will assist DOEE in reviewing your permit documents.</li><li>• Submitting a memo which substantially addresses all applicable questions on this form is acceptable.</li><li>• The DOEE reviewer may submit additional comments in ProjectDox for further clarification.</li><li>• Combining all documents (this questionnaire, photos, statements, lead-based paint inspection reports, certificates, etc.), into one PDF is helpful, but not required.</li></ul>		

## FAQs

### Frequently Asked Questions and Professional Resources

#### What if I think there's no lead-based paint in my property?

To rebut the legal presumption that any painted component in a dwelling unit or child-occupied facility contains lead-based paint, the applicant can submit a lead-based paint inspection report, prepared by a DOEE-certified lead-based paint inspector or risk assessor, documenting that the paint to be disturbed is not lead-based paint. (20 DCMR § 3301.2) That is, if a lead-based paint inspection report shows through X-Ray Fluorescence (XRF) testing that the components to be disturbed do not contain lead-based paint, DOEE will not require an additional permit.

#### My property was gutted or fully renovated after 1978.

##### Does that mean there's no lead?

Not necessarily. There may remain some original components on the interior or exterior that contain lead-based paint, and DC law presumes all painted surfaces in pre-1978 dwellings or child-occupied facilities to contain lead and the only legal way to prove there isn't lead is with lead-based paint testing.

#### How can I rebut the presumption of lead?

You may hire a DOEE-certified lead-based paint inspector or risk assessor to conduct an inspection that verifies the project will not disturb any lead-based paint. The inspector should be given copies of the project plans and inspect and test all painted components to be affected/disturbed by the project. An ideal report will use the actual plans in their report, show where, and how the components were tested (XRF preferred, or paint chip sampling of every component). Their report should include their methodology, full testing results, floor plans clearly identifying where testing occurred, and photographs of components found to be positive for lead-based paint. Importantly, in addition to providing the lead inspection report, upload a separate response showing on the plans where lead was (or was not) found, and providing the estimate of square feet of lead-containing components to be disturbed (if any).

#### What if I do not want to obtain a lead-based paint inspection?

You may choose to presume all painted components are lead-based paint and use EPA-trained renovators to conduct work that will disturb painted components or hire a DOEE-certified renovation company to apply for and obtain a DOEE lead renovation permit to conduct the work disturbing painted components, depending on the conclusion of the reviewer.

#### Where can I find certified professionals?

- [Find a list of DOEE-certified consulting \(inspections\) companies here](#)
- [Find a list of DOEE-certified renovation and abatement companies here](#)
- [Confirm if a professional is certified by DOEE to conduct LBP activities here](#)
- [Search for contractors certified to conduct lead-safe renovations \(RRP\) here](#)