



LEAD IN DUST STANDARDS – NEW REQUIREMENTS

The New York City Department of Health and Mental Hygiene (“DOHMH” or “the Department”) is writing to inform you that effective June 11th, NYC will have new lower lead in dust standards. Local Law 66 of 2019 outlines new lead reference/action levels and standards relating to lead-based paint hazards.

The new standards for lead dust clearance and lead dust hazard risk assessment testing in New York City are as follows:

Area	Current Standards	New Standards
Floors	40 mcg/ft ²	10 mcg/ ft ²
Window Sills	250 mcg/ft ²	50 mcg/ft ²
Window Wells	400 mcg/ft ²	100 mcg/ft ²

The new standards apply to all clearance dust wipe samples collected in New York City on or after June 11, 2019.

Dust wipe clearance testing is required to ensure appropriate clean-up was conducted after work that disturbed known or presumed lead-based paint. Dust wipe clearance testing is a requirement whether the work is in response to a DOHMH violation, a Department of Housing Preservation and Development violation, or any repair or renovation work that disturbs more than two square feet of painted in a building built prior to 1960, where the presumption of lead-based paint applies and a child under age six resides.

Lead dust hazard risk assessment testing conducted by DOHMH inspectors will also apply the new lower dust standards to identify lead dust hazards.

As a reminder:

DOHMH Dust wipe clearance testing requirements are as follows:

- All dust wipe testing must be conducted in accordance with applicable local, state, and federal regulations.
- Areas tested which fail clearance must be re-cleaned and clearance tested again. A dust wipe clearance test result fails if it is not below the new standards listed above.

Dust clearance testing documentation submitted to DOHMH must include:

- A copy of the original lab analysis report for the clearance test (lab analysis results must be in micrograms per foot squared (“mcg/ ft²” or “µg/ft²”)
- A chain of custody form listing:
 - Sample collection date
 - Risk Assessor’s or Inspector’s name
 - Description of rooms/areas where samples were collected (this should match description used by DOHMH)
 - Measurements of areas tested - must be measured to the nearest 1/8 of an inch
 - Name of the surface tested (floor, window sill, window well)
- A copy of the sampler’s EPA Risk Assessor or Inspector certificate
- A copy of the firm EPA certificate for the firm that employs the sampler

Failure to submit any of these elements may result in rejection of the clearance test results by the Department.

Should you have any questions about the above requirements, please email questions to the DOHMH’s Healthy Homes Program at safework@health.nyc.gov referencing “New lead in dust standards.” Please also provide your name and phone number with your inquiry.