



Residential Lead Paint: Letter of Interim Control

Requirements for a Letter of Interim Control

This fact sheet will discuss the required steps to obtain a Letter of Interim Control prior to obtaining the final Letter of Full Compliance. The Commonwealth of Massachusetts regulates lead paint through **105 CMR 460**, the **Massachusetts Lead Law**. The goal of the Lead Law is to prevent children from being poisoned through ingestion of lead paint or inhalation of lead dust and requires all lead paint hazards removed or covered in residences built before 1978 where children under the age of six (6) reside. Lead paint hazards include loose lead paint and lead paint on windows and other surfaces accessible to children.

Owners are responsible for complying with the Lead Law. This includes owners of rental property as well as owners living in their own single-family homes. Compliance with the Lead Law requires obtaining a Letter of Full Compliance for each applicable residence. An owner has two routes to a Letter of Full Compliance.

- Hire a licensed **lead inspector** and, if necessary, use a licensed **deleading contractor** or other trained and authorized person to remove or cover all lead hazards in order to obtain a Letter of Full Compliance. Refer to the [Lead Paint Fact Sheet 3](#) for the process of obtaining a Letter of Full Compliance; or
- To extend the timeframe for full deleading, hire a licensed **risk assessor** who will conduct a risk assessment and note all urgent lead hazards; then the owner can use a licensed **deleading contractor** or other trained and authorized person to remove or cover the urgent lead hazards. After the hazards are fixed, the owner can hire a **risk assessor** to reinspect and approve the work and issue a Letter of Interim Control. The Letter of Interim Control is valid for one year; however, the owner may have the **risk assessor** conduct a recertification reinspection prior to the Interim Control expiration date to ensure that all interim controls have been properly maintained. If so, the Letter of Interim Control can be recertified for another year. In effect, the owner has up to two years to remove or cover any remaining lead hazards and receive a Letter of Full Compliance.

Regardless of the route selected, an owner is not in compliance with the Lead Law until a Letter of Full Compliance has been received within all required timeframes.

Step 1 – Risk Assessor Inspects the Residence

A licensed **risk assessor** must conduct a risk assessment of the residence and identify urgent lead hazards that will have to be removed or covered by an authorized person and/or a licensed **deleading contractor**. (Urgent lead hazards include loose paint, plaster or putty containing dangerous levels of lead; certain conditions requiring safeguards under 105 CMR 460.105(A)(3);



dust with lead levels in excess of acceptable standards under 105 CMR 460.170; and structural defects.)

Step 2 – Determine Who Will Perform Deleading Work

Based on the urgent lead hazards identified during the risk assessment, determine if the necessary deleading work constitutes low-risk, moderate-risk, or high-risk deleading, and hire

the appropriately licensed or “authorized person” to complete the work. This “authorized person” must have an authorization number issued to the individual by the Childhood Lead Poisoning Prevention Program (CLPPP) and can perform only low-risk and moderate-risk deleading work. Only licensed **deleading contractors** can do high-risk deleading work.

Low-Risk Deleading includes:

- Removing doors, cabinet doors and shutters from hinges;
- Covering surfaces;
- Applying vinyl siding to buildings; and
- Capping baseboards

Moderate-Risk Deleading includes:

- Removing windows, woodwork and other surfaces; and
- Repairing or repainting (referred to as “making intact”) small amounts of lead paint (no more than 2 square feet per interior room or 20 square feet on the exterior)

High-Risk Deleading includes:

- Scraping paint;
- Using chemical paint strippers;
- Demolition; and
- Making large amounts of lead paint intact

Step 3 – Send Required Notifications

The owner must send notifications to CLPPP, the Department of Labor Standards (DLS), the local Board of Health, and to all tenants living in the building before any deleading work begins. Tenants living in the residence must receive notification at least 10 days prior to start of work. If no one is living in the residence, you do not need to wait 10 days, but notification must still be made to CLPPP, DLS, and the Board of Health.

Step 4 – Conduct Deleading Work

If all deleading work is low-risk, tenants living in the residence do not have to relocate. If high-risk or moderate-risk deleading is required inside the residence, the tenants must be relocated until the work is completed.

When all high- and moderate-risk deleading has been completed inside the residence, the tenants may return if a Reoccupancy Reinspection is conducted by a licensed **lead inspector**. Any remaining low-risk deleading inside the residence and deleading of the exterior can be completed after tenants have returned.

Step 5 – Arrange to have the Residence Reinspected

The residence must be reinspected by a licensed **risk assessor** after the all the urgent lead hazards have been fixed. The **risk assessor** will collect lead dust wipe samples during this reinspection. If all urgent lead hazards have been removed or covered, and all wipe samples meet acceptable levels, the **risk assessor** will issue a Letter of Interim Control which is valid for one year.

Step 6 – Maintaining Interim Control

Within one year of being issued a Letter of Interim Control, the owner must either have the residence deleading for full compliance or, no sooner than 30 days before the expiration, have a recertification reinspection conducted for the residence by a licensed **risk assessor**. If the interim controls have been maintained, the **risk assessor** will recertify the Letter of Interim Control for one additional year. The owner must take reasonable care to perform monitoring and maintenance of interim controls.

Step 7 – Obtain a Letter of Full Compliance

Prior to the expiration of the Letter of Interim Control, or the one-year recertification extension if applicable, the owner must have the residence deleading for Full Compliance. Refer to [Lead Paint Fact Sheet 3](#) for information on obtaining a Letter of Full Compliance.

Assistance

Harvard EH&S is available to assist and support Harvard property and project managers with issues relating to obtaining a Letter of Interim Control or general Lead Law compliance.

EH&S (Cambridge Campus)
46 Blackstone St,
Cambridge MA, 02139
617-495-2060

www.ehs.harvard.edu/buildings-facilities

EH&S (Longwood Campus)
107 Ave. Louis Pasteur,
Boston, MA 02115
617- 432-1720

Contact the Massachusetts Childhood Lead Poisoning Prevention Program (CLPPP) to get training and authorization for low-risk deleading, to find a moderate-risk training course, or to find a licensed lead inspector, risk assessor, or deleading contractor:



CLPPP

MA Department of Public Health
250 Washington Street, Seventh Floor
Boston, MA 02108
1-800-532-9571 (toll free)
clppp@state.ma.us
www.mass.gov/dph/clppp

Additional assistance concerning deleading can be obtained from the Massachusetts Department of Labor Standards (DLS).

DLS

Lead Program
Department of Labor and Workplace Development
19 Staniford St., 2nd floor
Boston, MA 02114
1-617-626-6960
www.mass.gov/LWD/Labor-standards/lead-program