

LEAD EXPERTS

A LEAD HAZARD TRAINING PROVIDER

THE LEAD ABATEMENT ADVISOR

SPECIALIZING IN LEAD PAINT, ASBESTOS, AND MOLD

VOLUME TWENTY TWO, ISSUE TWO

FALL 2019

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 - Lead Paint Risk Assessments and Clearance Reports ● Lead Abatement Consulting
 - ISO 14001 EMS Training and Consulting
- Management Training: Supervisory Skills, Modern Safety Management Skills, Behavior Based Safety

The Lead Abatement Advisor is prepared by Lead Experts, Inc. to inform its clients and friends of developments in lead-based paint hazard evaluation and control, safety management, environmental compliance, and new developments in the environmental remediation field. The newsletter is available free of charge to interested parties. The articles appearing in this newsletter do not constitute legal or other advice or opinion. The views expressed in this newsletter are not necessarily those of Lead Experts, Inc. The application of various laws and regulations to your business operations may depend on many specific facts. Questions regarding your operation relative to the topics discussed in this newsletter should be directed to a qualified professional. For more information, call us at (800) 259-8930 or info@leadexperts.org

HUD AWARDS NEARLY \$45 MILLION TO PROTECT OHIO FAMILIES

The U.S. Department of Housing and Urban Development (HUD) has awarded more than \$44 million across the State of Ohio, to protect residents from lead-based paint and home health hazards.

Healthy Homes

HUD's *Office of Lead Hazard Control and Healthy Homes* received over \$4 million of Ohio funding. Healthy Homes promotes community efforts to eliminate dangerous lead paint, mold, and other home-related health hazards from lower income homes; stimulates private sector investment in lead hazard control; supports research on assessing and controlling these hazards; Informs and educates the public about the hazards in the home.

Opportunity Zones

Four announced Ohio grantees will work to clean up lead hazards in Opportunity Zones. Created under the *2017 Tax Cuts and Jobs Act*, Opportunity Zones aim to stimulate long-term investments in low-income communities by offering significant capital gains tax relief to those who invest in these distressed areas. This initiative is anticipated to spur \$100 billion nationally,

Lead Based Paint Hazard Reduction Program			
Grantee	Lead Hazard Control	Healthy Homes	Total Amount
Cleveland* +	\$9,100,000	\$600,000	\$9,700,000
Columbus	\$5,000,000	\$600,000	\$5,600,000
Canton	\$3,000,000	\$300,000	\$3,300,000
Akron +	\$4,000,000	\$600,000	\$4,600,000
Lima	\$2,000,000	-	\$2,000,000
Erie County	\$3,478,430	\$350,000	\$3,828,430
Cuyahoga County +	\$5,000,000	\$600,000	\$5,600,000
Summit County +	\$5,000,000	\$600,000	\$5,600,000
Mahoning County	\$4,000,000	\$600,000	\$4,600,000
Total	\$40,578,430	\$4,250,000	\$44,828,430
* High Impact Neighborhood; + Located in an Opportunity Zone.			

in private capital investment in Opportunity Zones. Incentivizing investment in low-income communities fosters economic revitalization, job creation, and promotes sustainable economic growth across the nation, especially in communities HUD serves. Applicants seeking funding under HUD's *Lead Based Paint Hazard Reduction and Healthy Homes Production Grant Program for Tribal Housing* receive bonus points to further drive public investment to these areas (see grantee chart below).

High Impact Neighborhood

Cleveland and six other communities were awarded grants to help their 'High Impact Neighborhood' where they will conduct lead hazard control and healthy homes work intensively, in a targeted neighborhood impacted by poor housing conditions.

Summit County will use the \$5.6 million to address lead hazards in 225 housing units providing safer homes for low and very low-income families with children. The County will also perform healthy homes assessments in 200 units and work with other medical and social service providers.

The City of Akron will use the 4.6 million to address lead hazards in 250 housing units, perform healthy homes assessments in 115 units, and work with other medical and social service providers.

The city of Cleveland will use the \$9.7 million address lead hazards in 567 housing units, and train 250 people in lead-safe work practices and obtain certifications. The city will also screen 1,000 children for elevated blood lead levels, and work with other medical and social service providers to increase education and outreach, with focus on the Glenville neighborhood.

Quotables

"Empathy is the most radical of human emotions." – Gloria Steinem

TOLEDO LEAD-SAFE RENTAL HOUSING

Toledo City Council passed a new lead-safe rental housing ordinance amid mounting pressure from community leaders who urged them to take action to protect children from lead paint poisoning.

Last year the Lucas County Common Pleas Court ruled the city's 2016 lead-safe rental housing law was unconstitutional. Though the city is appealing, they believe there is no need to delay for the verdict, as the new law eliminates provisions the Court took issue with.

The new law requires all residential rental properties and family child care homes built before 1978 to obtain lead-safe certificates. Deadlines are based on location, and will be phased in over the next three years, annually, beginning June 30, 2020.

Property owners are required to obtain a lead-safe certificate, passing a visual inspection, and dust-wipe test. Property owners failing to obtain a certificate will be fined \$250 per day, up to \$10,000. Failing to register rental properties with the county, will result in a fine of \$50 per day, up to \$10,000.

Key facts:

- Lead-safe certificates are valid for five years. Where properties failed an initial inspection, certificates are valid for only three years.
- Available hardship exemptions.
- Multifamily properties require 10% of units to be sampled.
- The creation of a city *Division of Rental Registration and Lead Safety*.
- All residential rental properties must register with the Lucas County auditor.

CLEVELAND LEAD-SAFE LEGISLATION

Cleveland City Council has passed a [Lead-Safe Housing Ordinance](#), aimed at lowering the rate of childhood lead poisoning, and making the city lead-safe.

Cleveland is ranked as having one of the highest child elevated blood-lead levels (EBLL) in the state, Cuyahoga County alone, accounting for 41%. High blood lead levels can lead to developmental problems, behavioral disorders, and learning difficulties. In 2014, more than 17% of Cleveland children screened, had an EBLL. In comparison, only 1% of tested Columbus children had an EBLL, and 6% of Flint children, reported at the height of their lead-tainted water crisis.

By March 1, 2021 property owners with occupied rental units are required to, register with the Director of Building and Housing (\$70 per unit, up to \$30,000), and obtain a city issued lead-safe certificate. By March 1, 2023, all rental properties are required to have lead-safe certification. Rental property owners can face civil and criminal charges if they don't comply.

The ordinance also establishes the: Lead-Safe Advisory Board, to provide progress reports and recommendations; Lead-Safe Housing Action Board, that will work with families, displaced due to the new requirements; Lead Screening and Testing Commission, made up of physicians, health care organizations, and public health experts, to coordinate screening and testing services for families; Lead-Safe Auditor, to track the progress and impact of the law.

An independent study from the Akron Cleveland Association of Realtors, working with the Lead-Safe Cleveland Coalition, reported it would cost the city an estimated \$120 million to be compliant with new laws.

OHIO LEAD ADVISORY COUNCIL

The last meeting for 2019 of the Ohio Lead Advisory Council (OLAC) will take place on December 3rd, at the State Library of Ohio from 10 am to 12 pm. The meeting is open to the public. Patricia Barnes, Chair of OLAC for 2019 and OHHN Executive Director, will complete her term as chair at the December meeting. Niki Lemin, Assistant Health Commissioner for Franklin County and a representative of the Ohio Environmental Health Association, will serve as Chair in 2020. The agenda for the December 3rd meeting includes reports on the lead poisoning prevention program, two major presentations, and election of a Vice Chair.

In September, Governor Mike DeWine announced the creation of the Ohio Lead Advisory Committee. Members of OLAC include professionals in medicine, housing, constructions trades, real-estate, local and state government.

OLAC is tasked with:

- Understanding all sources of possible lead poisoning.
- Reviewing local, state, and national best practices to prevent lead poisoning.
- Reviewing local, state, and national initiatives to abate and remediate lead from all sources of contamination.
- Developing recommendations for Ohio's response to lead poisoning.

Over the next two years, the state will invest \$25 million to prevent and treat lead poisoning and remediate homes of toxic lead, including:

- More than \$4.8 million annually to advertise lead-free homes to families, abate and remediate lead contamination, and demolish lead-blighted homes.
- \$225,000 to increase the supply of lead hazard control workers.
- \$5 million per year to provide a lead abatement tax credit, allowing eligible individuals to receive an income tax credit worth up to \$10,000 for costs related to home lead abatement.

OSHA'S DRONE INSPECTIONS

In 2018, OSHA published a [memorandum](#) authorizing its use of unmanned aircraft systems (UAS), i.e., drones to collect evidence during inspections. Last year OSHA utilized drones to conduct nine inspections at accident sites deemed too dangerous for inspectors to enter. Use of drones raises concerns for employers.

Conventional response to an OSHA visit, is for an employer representative to accompany an inspector, and replicate the investigation's photos and findings. This allows the employer to utilize the same information as OSHA. When a drone is used, this becomes an impossible task. Additionally, citations can be issued for any hazards found *in plain sight*; a drone expands the scope of *in plain sight*, and increases the risk of exposing trade secrets. Drone flight itself may cause undue risk to equipment, products, or personnel.

Last year's memorandum sets agency guidelines for the use of drones, which includes a requirement for an employer's express consent. Withholding consent would force OSHA to obtain a warrant, but may give the impression of impropriety, and should be considered carefully. Generally, it's better to define the scope of the inspection with OSHA, rather than send inspectors away.

Before an employer consents to drone inspections, they should first consider reaching an agreement, to define the scope of drone use:

- Employers should work with OSHA to develop a specific flight plan;
- Any photography or data collected by a drone should be promptly shared, and
- Drone operation should be observed by an employer representative.

It greatly benefits employers to prepare a written procedure for an OSHA inspection. This allows time to consult counsel, productively deliberate on concerns, and to construct the best strategy for success.

OSHA's use of drones is likely to expand from dangerous job-sites, to more routine inspections. It is the employers' job to make sure their organization is ready, when that time comes.

OSHA UPDATE

Protect Worker Privacy Rule Issued

OSHA has issued a Final Rule eliminating the requirement for employers with 250+ employees to annually submit OSHA Injury and Illness Incident forms 300 and 301 to OSHA. Employers are still required to electronically submit Summary of Work-Related Injuries and Illnesses form 300A, and maintain up-to-date 300 and 301 forms on-site. The new rule is intended to prevent sensitive information from being disclosed, through FOIA (Freedom of Information Act) requests, by removing the requirement for employers to submit personal information, which could identify a particular worker.

The 2020 OSHA Weighting System (OWS)

Based on current enforcement data, collected since 2015, the new 2020 OWS is intended to reallocate resources to best support OSHA's critical and strategic efforts. The 2020 OWS renews OSHA's goal of a balanced approach, and will focus the agency's three major work elements: Enforcement Activity (including random and targeted inspections for high-hazard-industries), Essential Enforcement Functions (severe injury investigation and complaint resolution), and Compliance Assistance Efforts. The 2020 OSHA Weighting System became effective Oct. 1, 2019.

Revised Health and Safety Requirements

OSHA issued a final rule revising 14 provisions in the recordkeeping, general industry, maritime, and construction standards. Revisions include those deemed outdated, confusing, or unnecessary. Among the revisions, OSHA will no longer require employers to include employees' Social Security numbers on medical surveillance records, and requirements for chest X-rays for various industries has been eliminated. These changes are expected to save employers an estimated \$6.1 million per year.

CITATIONS & PENALTIES

Massachusetts Contractor Cited for Exposing Workers to Fall Hazards

Northeast Framing, Inc., was cited for exposing workers to serious hazards after a fatal fall at a construction worksite. OSHA cited the company for failing to provide adequate fall protection; train employees to recognize and avoid fall, ladder, electrical and other hazards; conduct regular jobsite safety inspections; and notify OSHA of a work-related fatality. The company faces \$311,000 in penalties.

Florida Roofing Contractor Cited for Exposing Employees to Fall Hazards

OSHA cited Crown Roofing, LLC, for exposing employees to fall hazards, including installing roofing materials without the use of a fall protection system. The roofing contractor was issued the maximum allowable penalty of \$129,000. The inspection was initiated as part of the Regional Emphasis Program on Falls. Crown Roofing has been cited 13 times since 2014 for similar hazards.

Texas Underground Tank Contractor Cited for Excavation Hazards

Inspectors found that UST Systems allowed workers to enter the trench without proper protections or training on the dangers of unsupported soil walls. UST Systems faces \$36,000 in penalties.

OSHA Fines Construction Company for Fatal Safety Violations

California OSHA issued nine citations and \$141,000 in penalties to Bay Construction Co. after a worker was fatally struck by a rail being removed from an excavation. Inspectors concluded that the company failed to train workers, provide appropriate personal protective equipment, and ensure workers removing trench support systems were protected.

2019 & 2020 Lead Training Schedule

LEAD EXPERTS

2020 dates in Red

2020 dates in Red

Type, Length and Price	Location	Course Month / Dates
<u>Contractor Initial - 40 Hour</u> \$865 Per Trainee	Toledo Cleveland Columbus	Mar 23 – 27 Jun 29 – Jul 3 Dec 9 – 13 Feb 3 – 7 Apr 20 – 24 Jun 8 - 12 Mar 23 – 27 Jun 29 – Jul 3
<u>Contractor Refresher - 8 Hour</u> \$250 Per Trainee	Toledo Cleveland Akron	Jan 07 Mar 3 May 8 Nov 12 Dec 17 Jan 14 Feb 11 Mar 17 Apr 14 May 19 Jun 23
<u>Worker Initial</u> \$665 Per Trainee <u>Worker Refresher</u> \$225 Per Trainee	**The Contractor Initial and Refresher courses shown above satisfy Ohio Department of Health's requirements for Worker Classes. Workers enrolling in the Initial are charged lower fee.**	
<u>Inspector Initial - 24 Hour</u> \$515 Per Trainee	Toledo Cleveland Columbus	Feb 24 – 26 Apr 27 - 29 Nov 18 – 20 Jan 27 – 29 Mar 9 – 11 May 11 - 13 Feb 24 – 26 Apr 27 - 29
<u>Inspector Refresher - 8 Hour</u> \$250 Per Trainee	**Risk Assessor Refresher classes shown below satisfy the Inspector Refresher requirements of the Ohio Department of Health**	
<u>Risk Assessor Initial - 16 Hour</u> \$350 Per Trainee	Toledo Cleveland Columbus	Feb 27 – 28 Apr 30 – May 1 Nov 21 – 22 Jan 30 – 31 Mar 12 – 13 May 14 - 15 Feb 27 – 28 Apr 30 – May 1
<u>Risk Assessor Refresher - 8 Hr</u> \$250 Per Trainee	Toledo Cleveland Akron	Jan 06 Mar 2 May 7 Nov 11 Dec 16 Jan 13 Feb 10 Mar 16 Apr 13 May 18 Jun 22
<u>Clearance Technician Initial – 8 Hr</u> \$250 Per Trainee	Toledo Cleveland	Jan 8 Feb 17 Mar 4 Apr 9 Jun 18 ** NEW CLASS ** Jan 21 Feb 18 Mar 30 May 6 Jun 19 ** FOR 2020 **
<u>Renovation, Repair and Painting Certification Initial - 8 Hour</u> \$225 Per Trainee	Toledo Cleveland Akron	Feb 20 Mar 5 May 4 Nov 14 Dec 19 Jan 16 Feb 13 Mar 19 Apr 16 May 21 Jun 25
<u>Renovation, Repair and Painting Refresher (Grandfather) - 4 Hr</u> \$135 Per Trainee	Toledo Cleveland Akron	Feb 21 Mar 6 May 5 Nov 15 Dec 20 Jan 17 Feb 14 Mar 20 Apr 17 May 22 Jun 26

If You Have Any Special Needs or Need a Reasonable Accommodation, Please Contact Us Immediately!

New Cleveland location: 23209 Miles Rd., Warrensville Hts. / EPA RRP accredited under Section 402 of TSCA

Class dates can be changed, rescheduled or cancelled at any time due to demand. Please call the office for updates.

YOU ARE NOT ENROLLED IN ANY CLASS UNTIL YOU RECEIVE WRITTEN CONFIRMATION FROM US.

Certificates will not be issued if you are late to class. Certificates are held until paid in full.

Licensing courses approved by the Ohio Depart. of Health, ODH Requires Refreshers Taken within Two Years of Previous Class

On Site Classes Available, Closed Enrollment - Your Location / Your Students - Priced per Day, Call for More Information

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Revised December 1, 2019



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COURSE TOPICS

Topics may be chosen individually or given in clusters

- **RISK ASSESSMENT TOOLS**
- **IT SECURITY OVERVIEW**
- **MANAGEMENT'S ROLE IN CYBERSECURITY**
- **SOCIAL ENGINEERING DEFENSE**
- **RANSOMWARE & MALWARE**
- **TRUSTWORTHY E-MAIL**
- **TRENDS IN ATTACK VECTORS**
- **MOBILE SECURITY**
- **PENETRATION TESTING**
- **PHISHING AWARENESS & DEFENSE**
- **SOCIAL MEDIA RISKS**
- **KEEPING CHILDREN SAFE & VIGILANT**
- **TRAVEL & VACATION SECURITY**
- **DATA PROTECTION & SECURITY**
- **CYBER THREATS & DEFENSE**
- **DATA BREACHES AND RECOVERY**
- **SMALL BUSINESS CYBER TIPS**
- **NETWORK VULNERABILITIES**