

LEAD BASED PAINT

The Idaho Department of Environmental Quality (DEQ) is concerned with the transportation, storage, treatment and disposal of the lead contaminated materials. Therefore, this brief outline of the current Idaho guidelines regarding lead based paint (LBP) and demolition wastes was drafted to assist and clarify.

Demolition waste is not exempted from the Federal Resource Conservation and Recovery Act (RCRA)/Idaho Hazardous Waste Management Act (HWMA) regulations. Demolition waste must be characterized to determine if the solid waste is a regulated hazardous waste pursuant to IDAPA 58.01.05.006 [40 CFR Part 262.11].

Until further regulations or EPA guidance becomes available, DEQ will accept the following demonstrations to determine whether demolition waste is subject to the RCRA/HWMA regulations:

- 1) The generator of the demolition waste may use knowledge of process to determine the waste to be non-hazardous provided the lead contaminated surfaces or lead contaminated components (anything above 100 ppm total lead) are abated and disposed of at a permitted treatment, storage, and disposal facility (TSDF) as **RCRA/HWMA exempt** waste; therefore, exempting the generator from complying with further RCRA/HWMA rules, regulations, and standards.
- 2) If the generator chooses not to abate the lead contaminated surfaces or lead contaminated components, DEQ requires a volumetric sample of the structure be collected and analyzed by the Toxic Characteristic Leaching Procedure (TCLP) method for lead. The calculations used to determine the volumes of the various materials of the structure and the amounts of each material to be included in the waste analysis sample must be retained by the generator and may be subject to inspection by DEQ enforcement personnel.
 - a) If the structure is determined to be a toxic characteristic hazardous waste, by the volumetric sample analysis, the entire structure will be a hazardous waste and must be managed and disposed of according to all applicable RCRA/HWMA regulations.
 - b) If, by the volumetric sample analysis, the structure is determined not to be a toxic characteristic hazardous waste the entire structure may be disposed of as a solid waste.

DEQ is considering adopting these guidelines, as stated above in this letter, based on current data collected from EPA and various States across the nation.

In DEQ's experience, the levels of total lead concentration contained in/on lead painted surfaces/components do not directly relate to the leachability of the lead from the paint. Due to the mechanics of the TCLP test, DEQ has previously determined paint waste containing less than or equal to 100 ppm total lead be exempted from the TCLP testing requirements.

If the generator of the waste chooses to perform the TCLP test for waste determination purposes, a volumetric (composite) sample of the entire waste stream, or structure to be demolished, is required to be collected and analyzed. The sample must reflect the variety of materials in the waste in direct proportions and be representative of the total waste stream. Methods used to collect a representative sample of the demolished may include coring, cutting, grinding, or scraping of various components to obtain the required amount of each portion of the waste.

In regards to the handling and exposure to the lead during the demolition activity, all necessary precautions must be taken. The Occupational Safety and Health Administration (OSHA) office in Boise, (208) 334-1867, would be able to address these.

For further information about lead and lead abatement requirements, the following EPA hotlines have been established:

1-800-LEAD-FYI (general lead information)
1-800-424-LEAD (lead abatement information)
1-800-424-4EPA (lead abatement information)

If you have any questions, please contact any DEQ Hazardous Waste Science Officer at (208) 373-0502.