



Borough of Netcong

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LEAD BASED PAINT REMEDIATION PROGRAM

New Jersey State Legislature has decided to implement a lead-based paint remediation program. The program is enforced through P.L.2021, Ch. 182, and the law requires that all rental properties constructed before 1978 be inspected for hazardous lead paint conditions. The law went into effect on July 22, 2022 and it requires the first inspection be conducted by July 22, 2024 or upon tenant turnover, whichever comes first. The State of New Jersey has provided a list of approved and certified lead evaluation contractors which is publicly available at <https://netcong.org/lead-based-paint/>.

Once the inspection is complete, properties with no violations will receive a lead-safe certificate, or a lead-free certificate. The inspector will decide which is appropriate for the property. A lead-free certificate means the dwelling or dwelling units have been confirmed to have fully abated all lead-based paint hazards or that no lead-based paint exists in the dwelling or dwelling unit, and these units are exempt from future inspection. To the right is a flowchart of the procedure that is to take place if a dwelling or dwelling unit is given a lead-safe certificate instead of a lead-free certificate. Once a certificate is received, a copy must be provided to the municipality for record keeping. A copy must also be conspicuously placed somewhere within the dwelling or dwelling unit. If a dwelling or dwelling unit is found to have violations, remediation efforts must be completed in 30 days or less.



Remediation work must be performed by certified individuals in accordance with all applicable Federal and State regulations. The New Jersey Department of Community Affairs certifies lead evaluation and abatement contractors. Information may be found online at: https://www.nj.gov/dca/divisions/codes/offices/leadhazard_abatement.html. The New Jersey Department of Health licenses individual lead inspectors, risk assessors, and abatement workers. Information may be found online at:

<https://www.nj.gov/health/ceohs/lead/lead-workers-supervisors/#4>. The United States Environmental Protection Agency (EPA) certifies Renovation, Repair, and Painting (RRP) contractors. These firms are certified to perform RRP work that address lead-based paint in homes and childcare facilities. This work is often involved in interim control methods. Information may be found online at: <https://www.epa.gov/lead/lead-renovation-repair-and-painting-program>.

Paint Stabilization	Making surfaces smooth and cleanable	Correcting dust-generating conditions
<ul style="list-style-type: none"> All deteriorated paint on exterior surfaces should be stabilized in accordance with the HUD guidelines. 	<ul style="list-style-type: none"> All surfaces, such as floors, stairs, and interior windowsills, that are rough, pitted, or porous should be made smooth and easy to clean. Minor surface damage may be correctable by spackling and recoating. Otherwise, it may be necessary to cover or coat the surface with a material such as plastic, sheet vinyl, linoleum, etc. 	<ul style="list-style-type: none"> HUD guidelines include the necessary measures for correcting dust-generating conditions.

Interim Controls

Paint Removal	Building Component Replacement	Enclosure
<ul style="list-style-type: none"> This includes the removal of lead-based paint by mechanical methods. Examples include wet scraping, wet sanding methods, non-abrasive blasting, etc. 	<ul style="list-style-type: none"> This includes the careful removal of any building component which contains a lead-based paint hazard. These new components cannot be brought into the working area until all dust-generating activity is completed and has been cleaned to ensure the new component does not become exposed to lead hazards. 	<ul style="list-style-type: none"> This includes enclosing lead-based paint hazards behind other materials. Drywall, fiberboard, or its functional equivalent may be used for interior wall enclosures; moisture-resistant greenboard must be used in damp areas. Old flooring must be covered with one-half inch or thicker plywood before any other floor covering is added.

Abatement Measures

[program](https://www.epa.gov/lead/lead-renovation-repair-and-painting-program). Interim controls that do not involve RRP work may be undertaken without specific certification. Interim control measures include the following above. In many cases, however, interim controls will prove ineffective which will then require abatement. Abatement measures include the following to the left.

Failure to comply with P.L. 2021 Ch.182 will result in fines of up to \$1,000 per week. For more information visit <https://www.nj.gov/dca/divisions/codes/resources/leadpaint.html> or <https://netcong.org/lead-based-paint/>.