On January 5, 1998, legislation that amended the San Francisco Building Code (by adding SFBC Chapter 36, and later moved to SFBC Section 3425) became effective. The legislation governs work that disturbs or removes lead-based paint on the exterior of any pre-1979 building and steel structures.

Effective July 4, 2004, legislation was passed by the Board of Supervisors and signed by the Mayor that amends the SFBC Section 3425. The new legislation governs work that disturbs or removes lead-based paint in the interior of pre-1979 buildings that are in Group/Division E3, R1 or R3 occupancy classification, as well as, the exterior of any pre-1979 buildings and all steel structures.

What is a Group/Division E3, R1 or R3 Occupancy Classification?

The description of the Group/Division comes from the SFBC (Chapter 2 and Table 3-A) and is:

- **Group E Division 3 Occupancy.** Any building or portion of a building used for day-care purposes (the care of persons during any period of a 24-hour day where permanent sleeping accommodations are not provided) for more than six persons;
- **Group R Division 1 Occupancy.** Hotels/Motels (six or more guest rooms), apartment houses (three or more dwelling units, including residential condominiums), and congregate residences (any building or portion of a building that contains facilities for living, sleeping and sanitation accommodating more than 10 persons); and,
- **Group R Division 3 Occupancy.** Dwellings (any building or portion of a building that contains not more than two dwelling units), lodging houses (any building or portion of a building containing not more than five guest rooms), and congregate residences (any building or portion of a building that contains facilities for living, sleeping and sanitation accommodating 10 or fewer persons).

I want to renovate the interior and/or exterior of a building. What must I do?

The owner or contractor must:

- Notify affected parties before work begins;
- Use containment and/or barrier systems;
- Restrict access to the regulated area (except regulated areas that are required for access or egress during the course of the work, see SFBC 3425 Restrict Access for requirements);
- Prohibit lead-based paint from going beyond the containment and/or barrier systems; and,
- Remove all visible lead-based paint chips and dust before completing work or when access to the regulated area is required (see SFBC 3425 Clean Up Standards).

Who do I notify?

Owner’s responsibilities:

- Notify residential occupants no less than three business days before work begins (see DBI Form D); and,
- If you have not already done so, provide residential occupants with the pamphlet from the US Environmental Protection Agency (US EPA) *Protect Your Family from Lead in Your Home*, before work begins.

Owner’s or contractor’s responsibilities:

- Post a “Lead Work In Progress” sign before work begins if containment is needed to prevent lead-based paint from migrating to another property. Remove the sign when work is complete (see DBI Sign 1). Where signage is not possible, provide a letter to your neighbors (see DBI Form C).

To pick up copies of the DBI Forms C and D and Sign 1, come to the DBI, 1660 Mission Street, San Francisco.
Do I have to test for lead before work can begin?

No. But if your building was built before 1979, and you don’t test the paint or coating for lead, you must presume that the paint or coating contains lead.

How do I test my paint for lead?

Contact a certified lead inspector/assessor. For lists of certified lead inspectors/assessors, contact the CA Department of Health Services (DHS), Lead-Related Construction Information Line, 1/800/597-LEAD, or visit: www.childlead.com. Be sure that the inspector/assessor consults the SFBC Section 3425 for the definition of lead-based paint.

What are containment and barrier systems?

It is any measure that prevents the migration of work debris. Containment and barrier systems refers to various methods of preventing work debris from migrating beyond the regulated area, and usually includes the use of disposable plastic sheeting to protect the ground, floor or other interior surfaces, or to seal off windows, doors and ventilations openings. Plastic sheeting refers to polyethylene plastic sheeting that is at least 6-mils thick (or equivalent).

Anything else I should know?

Yes! The following work practices are prohibited:

- Open flame burning or torching;
- Heat guns without containment and barrier systems, or operating above 1,100 °F or causing the charring of paint;
- Hydro blasting or high-pressure washing without containment and barrier systems; and,
- Dry manual sanding or scraping, machine sanding or grinding, or abrasive blasting or sandblasting without containment and barrier systems or a HEPA vacuum local exhaust tool.

What happens if I don’t comply?

If you are deemed responsible, you will face one or more of the following enforcement actions:

- Notice to correct violations;
- Notice to stop work immediately and work not to be resumed without authorization;
- Clearance inspection by an independent certified lead inspector/assessor to verify the absence of lead-based paint hazards;
- Administrative penalties of up to $500 per violation per day;
- Fees to cover the cost of the City agency’s enforcement of the administrative penalties; and/or,
- Attendance in lead related construction supervision and project monitoring training approved by the CA DHS (in lieu of administrative penalty for first time violation).

Where can I get help?

For questions regarding work that disturbs/removes lead-based paint (SFBC 3425): DBI, Housing Inspection Services, 415/558-6220.

For information related to childhood lead poisoning: DPH, Children’s Environmental Health Promotion Program, 415/554-8930.

For copies of the US EPA pamphlet, Protect Your Family From Lead-Based Paint in Your Home: US EPA office, 415/947-4164.

For a variety of information related to lead in construction: CA DHS, Lead-Related Construction Information Line, 1/800/597-LEAD.

For a copy of the Guidelines for Evaluation and Control of Lead-Based Paint Hazards: US HUD, 1/800/245-2691.