§ 35.1130 Child with an environmental intervention blood lead level.

(a) Risk assessment. Within 15 days after being notified by a public health department or other medical health care provider that a child of less than 6 years of age living in a public housing development has been identified as having an environmental intervention blood lead level, the PHA shall complete a risk assessment of the dwelling unit in which the child lived at the time the blood was last sampled and of common areas servicing the dwelling unit, the provisions of §35.1115(b) notwithstanding. The risk assessment shall be conducted in accordance with §35.1320(b) and is considered complete when the PHA receives the risk assessment report. The requirements of this paragraph apply regardless of whether the child is or is not still living in the unit when the PHA receives the notification of the environmental intervention blood lead level. The requirements of this paragraph shall not apply if the PHA conducted a risk assessment of the unit and common areas servicing the unit between the date the child’s blood was last sampled and the date when the PHA received the notification of the environmental intervention blood lead level. If the public health department has already conducted an evaluation of the dwelling unit, the requirements of this paragraph shall not apply.

(b) Verification. After receiving information from a person who is not a medical health care provider that a child of less than 6 years of age living in a public housing development may have an environmental intervention blood lead level, the PHA shall immediately verify the information with the

§ 35.1125 Evaluation and hazard reduction before acquisition and development.

(a) For each residential property constructed before 1978 and proposed to be acquired for a family project (whether or not it will need rehabilitation) a lead-based paint inspection and risk assessment for lead-based paint hazards shall be conducted in accordance with §35.1320.

(b) If lead-based paint is found in a residential property to be acquired, the

the course of physical improvements conducted under the modernization.

(b) In all housing where abatement of all lead-based paint and lead-based paint hazards required in paragraph (a) of this section has not yet occurred, each PHA shall conduct interim controls, in accordance with §35.1330, of the lead-based paint hazards identified in the most recent risk assessment.

(1) Interim controls of dwelling units in which any child who is less than 6 years of age resides and common areas servicing those dwelling units shall be completed within 90 days of the evaluation under §35.1330. If a unit becomes newly occupied by a family with a child of less than 6 years of age or such child moves into a unit, interim controls shall be completed within 90 days after the new occupancy or move-in if they have not already been completed.

(2) Interim controls in dwelling units not occupied by families with one or more children of less than 6 years of age, common areas servicing those units, and the remaining portions of the residential property shall be completed no later than 12 months after completion of the evaluation conducted under §35.1115.

(c) The PHA shall incorporate ongoing lead-based paint maintenance and reevaluation activities into regular building operations in accordance with §35.1355. In accordance with §35.115(a)(6) and (7), this requirement does not apply to a development or part thereof if it is to be demolished or disposed of in accordance with disposition requirements in part 970 of this title, provided the dwelling unit will remain unoccupied until demolition, or if it is not used and will not be used for human habitation.
§ 35.1135 Eligible costs.

A PHA may use financial assistance received under the modernization pro-
gram (CIAP or CGP) for the notice, evaluation and reduction of lead-based
paint hazards in accordance with §965.112 of this title. Eligible costs in-
clude:

(a) Evaluation and insurance costs. Evaluation and hazard reduction ac-
tivities, and costs for insurance cov-
erage associated with these activities.

(b) Planning costs. Planning costs are
costs that are incurred before HUD ap-
proval of the CGP or CIAP application
and that are related to developing the
CIAP application or carrying out eligi-
ble modernization planning, such as
planning for abatement, detailed de-
sign work, preparation of solicitations,
and evaluation. Planning costs may be
funded as a single work item. Planning
costs shall not exceed 5 percent of the
CIAP funds available to a HUD Field
Office in a particular fiscal year.

(c) Architectural/engineering and con-
sultant fees. Eligible costs include fees
for planning, identification of needs,
detailed design work, preparation of
construction and bid documents and
other required documents, evaluation,
planning and design for abatement, and
inspection of work in progress.

(d) Environmental intervention blood
lead level response costs. The PHA may
use its operating reserves and, when
necessary, may request reimbursement
from the current fiscal year CIAP
funds, or request the reprogramming of
previously approved CIAP funds to
cover the costs of evaluation and haz-
ard reduction.

§ 35.1140 Insurance coverage.

For the requirements concerning the
obligation of a PHA to obtain reason-
able insurance coverage with respect to
the hazards associated with evaluation
and hazard reduction activities, see
§965.215 of this title.