

Comparison of De Minimis Requirements in Federal Lead-Based Paint Regulations*

Jurisdiction and Scope	HUD Lead Safe Housing Rule: De minimis limit on use of safe work practices (and clearance)	EPA Abatement Rule: De minimis limit on dry scraping during abatement work	EPA Hazard Standard: De minimis limit on applicability of EPA abatement and HUD lead-safe housing rules' requirements	EPA RRP Rule: De minimis limit on applicability of renovation rule requirements to minor repair and maintenance activity	(repealed) EPA PRE: De minimis limit on applicability of disclosure to minor repair/ maintenance
Interior	24CFR35.1350(d) Exempt when maintenance or hazard reduction activities disturb ≤ 2 ft ² per room or 10% of component with small surface area	40CFR745.227(e)(6)(iii) Dry scraping permitted for work totaling ≤ 2 ft ²	40CFR745.65(d) Exempt when treating paint-lead hazards ≤ 2 ft ² per room or 10% of component with small surface area	40CFR745.83 Exempt if work disrupts ≤ 6 ft ² of painted surface per room (unless work entails prohibited practices, demolition, window replacement)	(repealed) 40CFR745.82(b)(1) Exempt if work disrupts ≤ 2 ft ² of painted surface per component
Exterior	24CFR35.1350(d) Exempt when maintenance or hazard reduction activities disturb ≤ 20 ft ² on exterior surfaces or 10% of component with small surface area	40CFR745.227(e)(6)(iii) Dry scraping permitted for work totaling ≤ 20 ft ²	40CFR745.65(d) Exempt when treating paint-lead hazards ≤ 20 ft ² of paint on exterior or 10% of surface area on component with small surface area	40CFR745.83 Exempt if work disrupts ≤ 20 ft ² of painted surface (unless work entails prohibited practices, demolition, window replacement)	(repealed) 40CFR745.82(b)(1) Exempt if work disrupts ≤ 2 ft ² of painted surface per component
CA: containment required if disturbing ≥ 2 ft ² per room interior or 20 ft ² exterior. SF: additional requirements for >10 ft ² exterior					
IN 326 IAC 23-5-2: pre-1960 housing: prohibited practices if disturbing > 2 ft ² per room interior or 20 ft ² exterior					
NJAC 5:10-6.6: multifamily housing: LSWP, training, sampling if disturbing > 2 ft ² per room interior or 20 ft ² exterior					
NY: NYC Local Law 1: pre-1960 multifamily child-occupied housing: LSWP-trained worker, LSWP, and dust tests if disturbing > 2 -100 ft ² interior; abatement firm and notification if disturbing > 100 ft ² interior or > 1 window.					
Rochester: Exempt if maintenance or hazard reduction disturb ≤ 2 ft ² per room, 20 ft ² exterior, or 10% of component w/small surface					
RI R23-24.6-PB: certified person required to do work disturbing > 15 ft ² throughout interior or 3 ft ² common area					
* OSHA, CA Lead in Construction rules require worker protection if airborne lead $\geq 50\mu\text{g}/\text{m}^3$ average over 8 hours					