

**CONNECTICUT GENERAL STATUTES**  
**CHAPTER 400c**  
**LEAD ABATEMENT CONSULTANTS, CONTRACTORS AND WORKERS.**

**Sec. 20-474. Definitions.** As used in sections 20-474 to 20-482, inclusive, subsections (e) and (f) of section 19a-88 and section 19a-111:

- (1) "Abatement" means any set of measures designed to eliminate lead hazards in accordance with standards established pursuant to sections 20-474 to 20-482, inclusive, and subsections (e) and (f) of section 19a-88 and regulations adopted thereunder, including, but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of lead and all preparation, clean-up, disposal and reoccupancy clearance testing;
- (2) "Certificate" means a document issued by the department indicating successful completion of an approved training course;
- (3) "Code enforcement official" means the director of health or a person authorized by him to act on his behalf, the local housing code official or a person authorized by him to act on his behalf, or an agent of the commissioner;
- (4) "Commissioner" means the commissioner of public health;
- (5) "Department" means the department of public health;
- (6) "Director of health" means a municipal health director or a district director of health as defined in chapters 386e and 386f;
- (7) "Dwelling" means every building or shelter used or intended for human habitation, including exterior surfaces and all common areas thereof, and the exterior of any other structure located within the same lot, even if not used for human habitation;
- (8) "Dwelling unit" means a room or group of rooms within a dwelling arranged for use as a single household by one or more individuals living together who share living and sleeping facilities;
- (9) "Entity" means any person, partnership, firm, association, corporation, sole proprietorship or any other business concern, state or local government agency or political subdivision or authority thereof, or any religious, social or union organization, whether operated for profit or otherwise;
- (10) "Inspection" means an investigation to determine the presence of lead in paint, lead in other surface coverings, lead in dust, lead in soil or lead in drinking water, and the provision of a report explaining the results of the investigation;
- (11) "Inspector" means an individual who performs inspections solely for the purpose of determining the presence of lead-based paint and surface coverings and lead in soil, dust and drinking water through the use of on-site testing including, but not limited to, x-ray fluorescence (XRF) analysis with portable analytical instruments, and the collection of samples for laboratory analysis and who collects information designed to assess the level of risk;
- (12) "Lead abatement contractor" means any entity which contracts to perform lead hazard reduction by means of abatement including, but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of lead;
- (13) "Lead abatement supervisor" means an individual who oversees lead abatement activities;
- (14) "Lead abatement worker" means an individual who performs lead abatement activities;
- (15) "Lead consultant" means any person who performs lead detection, risk assessment, abatement design or related services in disciplines including inspector and planner-project designer;
- (16) "Lead consultant contractor" means any entity which contracts to perform lead hazard reduction consultation work utilizing an inspector or planner-project designer;

(17) "License" means the whole or part of any department permit, approval or similar form of permission required by the general statutes and which further requires: (A) Practice of the profession by licensed persons or entities only; (B) that a person or entity demonstrate competence to practice through an examination or other means and meet certain minimum standards; and (c) enforcement of standards by the department;

(18) "Planner-project designer" means an individual who designs lead abatement and management activities;

(19) "Premises" means the area immediately surrounding a dwelling;

(20) "Refresher training course" means an annual, supplemental training course for personnel engaged in lead abatement or lead consultation services;

(21) "Training course" means an approved training course offered by a training provider for persons seeking instruction in lead abatement or lead consultation services; and

(22) "Training provider" means an entity which offers an approved training course or refresher training course in lead abatement or lead consultation services.

**Sec. 20-475. Lead abatement contractors or lead consultant contractors. Licenses; fee; renewal.** (a) On and after the effective date of regulations adopted pursuant to section 20-478, no entity shall hold itself out as a lead abatement contractor or lead consultant contractor, or to principally engage in such work in this state without a license issued by the commissioner of public health. Applications for such license shall be made to the department on forms provided by it, and shall be accompanied by a fee of five hundred dollars, and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to said section 20-478 including, but not limited to, demonstrating that all employees of any applicant who require certification pursuant to subsections (e) and (f) of section 19a-88 and sections 20-474 to 20-482, inclusive, are certified by the department. The department shall review the technical, equipment and personnel resources of each applicant. No person shall be issued a license to act as a lead abatement contractor or lead consultant contractor unless he obtains such approval. The commissioner may issue a license under this section to any person who is licensed in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Licenses issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88 upon payment of a fee of five hundred dollars.

(b) The commissioner shall issue a temporary license as a lead abatement contractor or lead consultant contractor to any contractor who, as of July 1st, 1994, is performing such work, which license shall be valid for a period of one year from said date and which shall expire no later than June 30, 1995. During the period such temporary license is in effect, the contractor shall make application to the department for licensure pursuant to subsection (a) of this section. If an application is pending for licensure pursuant to said subsection (a), the temporary license may be renewed for an additional six-month period. No temporary license shall be issued to any applicant against whom disciplinary action is pending or who is the subject of unresolved complaint under chapter 393c or 400. The fee for a temporary license and renewal shall be the same as those provided in said subsection (a).

**Sec. 20-476. Lead consultants, lead abatement supervisors or lead abatement workers. Licenses; fee; renewal.** (a) On and after the effective date of regulations adopted pursuant to section 20-478, no person shall hold himself out as a lead consultant, lead abatement supervisor or a lead abatement worker as defined in regulations adopted pursuant to section 20-478, in this state without a certificate issued by the commissioner of public health. Applications for such certificate shall be made to the department on forms provided by it, and shall be accompanied by a fee of twenty-five dollars, and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to said section 20-478. No person shall be issued a certificate to act as a lead consultant, lead abatement supervisor or lead abatement worker unless he obtains such approval. The commissioner may issue a certificate under this section to any person who is licensed or certified in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Certificates issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88 upon payment of a fee of twenty-five dollars.

(b) The commissioner shall issue a temporary certificate as a lead consultant, lead abatement supervisor or lead abatement worker to any person who, as of July 1, 1994, is performing such work, which certificate shall be valid

for a period of one year from said date and which shall expire no later than June 30, 1995. During the period such temporary certificate is in effect, the lead consultant, lead abatement supervisor or lead abatement worker shall make application to the department for certification pursuant to subsection (a) of this section. If an application is pending for certification pursuant to said subsection (a), the temporary certificate may be renewed for an additional six-month period. The fee for a temporary license and renewal shall be the same as those provided in said subsection (a).

**Sec. 20-477. Training courses.** (a) On and after July 1st, 1994, all training courses and refresher training courses offered by training providers for persons seeking instruction as a lead consultant, including inspector or planner-project designer, lead abatement supervisor and lead abatement worker, shall be approved by the department and shall be conducted in accordance with the requirements of this section. Each application for approval of each training course offered by a training provider shall be accompanied by a fee of one thousand dollars. Each application for approval of each refresher training course offered by a training provider shall be accompanied by a fee of two hundred fifty dollars. Each training course shall be reapproved by the department every three years. Each training provider shall pay a fee of one thousand dollars for application for reapproval of each training course in accordance with this section. Each refresher training course shall be reapproved by the department every three years. Each refresher training provider shall pay a fee of two hundred fifty dollars for application for reapproval of each refresher training course in accordance with this section. No fee shall be imposed upon training courses or refresher training courses operated and provided by the state, municipalities or nonprofit agencies. In order to facilitate uniformity among states in regulatory programs for lead abatement and lead consultant personnel and reciprocity of licensure and certification programs, the commissioner may establish liaisons with other states having state certification or licensure programs.

(b) (1) A training provider seeking approval of a training course or a refresher training course shall submit to the department completed application forms provided by the department and other associated material and such information as the department shall require to establish compliance with the requirements of this section. (2) A training provider may offer any training course or refresher training course as desired, provided each course is approved by the department. Only training providers who have already received approval for a training course in a particular discipline, or are concurrently seeking such approval, may seek approval for a refresher training course in that discipline. (3) Training course curricula shall encompass topics and materials as established by the commissioner. These curricula shall conform to standards or guidance for such course as established by the federal Environmental Protection Agency or such other federal agencies as may have jurisdiction. (4) Training courses and refresher training courses shall utilize staff and faculty who comply with educational and experience standards as established by the commissioner. These standards shall conform to standards or guidance for such personnel qualifications as established by the federal Environmental Protection Agency or such other federal agencies as may have jurisdiction.

(c) Refresher training courses for each training course shall include the following: (1) An overview of key safety practices; (2) an update on new federal, state and local laws and regulations; and (3) an update on new technologies. Each refresher course shall consist of a minimum of seven training hours.

(d) Each training provider shall administer a closed book objective examination at the completion of each training or refresher training course. Such examination shall be an evaluation of the knowledge and skills acquired by each student. The course examination shall cover the course curriculum taught in each course. Training providers shall establish a passing standard for each course examination, provided such standard shall not be lower than seventy percent correct.

(e) The department may conduct an audit of any training course or refresher training course prior to reapproval. The training provider shall submit an application for reapproval not earlier than one hundred eighty days nor later than ninety days before the current course approval expires. In the event an audit is performed, the following elements may be examined: (1) Course materials; (2) instructor competency; (3) validity and security of the course examination; (4) the conduct of hands-on skills assessments; (5) adequacy of the facility and equipment; and (6) the training course quality control plan.

(f) Each training provider shall retain the following information: (1) Records of staff and faculty qualifications; (2) curriculum and course materials; (3) course examination or pool of examination questions; (4) information on how hands-on skills assessments were conducted; and (5) student files grouped alphabetically by class and year. Each student file shall contain results of the hands-on skills assessment and the examination and copies of any course completion certificate issued. The training provider shall retain these records at the location specified on the training provider's approved application for a minimum of three years.

(g) The department may, after opportunity for hearing, suspend, revoke or withdraw approval of a training or refresher training course upon a finding that a training course provider has committed any of the following acts: (1) Misrepresentation or concealment of a material fact in the obtaining of approval or reapproval of a training or a refresher training course; (2) failure to submit required information or notifications in a timely manner; (3) failure to maintain requisite records; (4) falsification of records, instructor qualifications or other approval information; (5) failure to adhere to the training standards and requirements of this section; (6) failure on the part of the training manager or other person with supervisory authority over the delivery of training to comply with federal, state or local lead statutes or regulations; or (7) fraudulent issuance of a course completion document to a person who has failed to successfully complete the course or course examination. Notice of any contemplated action under this subsection, the cause of action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54. The commissioner may petition the superior court for the judicial district of Hartford to enforce any order or action taken pursuant to this subsection. The provisions of this subsection shall not apply to applications for approval or reapproval filed pursuant to this section.

(h) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, requiring that applicants successfully complete an examination prescribed by the department, for certification in the following professions: Lead consultant, lead abatement supervisor and lead abatement worker.

**Sec. 20-478. Regulations.** The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to administer the provisions of sections 20-475 and 20-476. Such regulations shall include, but not be limited to, the following: (1) Standards for licensure of lead abatement contractors and lead consultant contractors; (2) passing scores for licensure examination of lead abatement contractors and lead consultant contractor and (3) standards for certification of lead consultants, lead abatement supervisors and lead abatement workers.

**Sec. 20-479. Limited exemption for code enforcement officials.** The provisions of section 20-476 shall not apply to a code enforcement official acting within the scope of his duties, provided, within one year of July 1st, 1994, no code enforcement official shall perform the duties of a lead consultant unless he has successfully completed an appropriate approved training course and an annual refresher training as specified in section 20-477 or complies with the standards established in regulations adopted pursuant to section 20-478.

**Sec. 20-480. Exemption for certain state and federal employees performing duties under occupational safety and health laws.** The provisions of sections 20-475 to 20-477, inclusive, shall not apply to an employee of the labor department performing his duties in accordance with chapter 571 nor to a federal employee of the Occupational Safety and Health Administration performing his duties, in accordance with the federal Occupational Safety and Health Act.

**Sec. 20-481. Disciplinary action.** The department may take any action set forth in section 19a-17 against a person or entity issued a license or certificate pursuant to sections 20-474 to 20-482, inclusive, and subsections (e) and (f) of section 19a-88 for reasons including, but not limited to, the following: Conviction of a felony; fraud or deceit in the practice of his profession; negligent, incompetent or wrongful conduct in professional activities; misrepresentation or concealment of a material fact in the obtaining, reinstatement or renewal of a license; or violation of any provision of sections 20-474 to 20-482, inclusive, and subsections (e) and (f) of section 19a-88 or any regulation adopted thereunder. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to said section 19a-17. Notice of any contemplated action under said section 19a-17, the cause of action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54.

**Sec. 20-482. Penalty.** Any person or entity who knowingly violates any provision of sections 20-474 to 20-481, inclusive, subsections (e) and (f), of section 19a-88 or any regulation adopted thereunder, shall be fined not more than one thousand dollars per violation.



**CONNECTICUT DEPARTMENT OF PUBLIC HEALTH  
LEAD LICENSURE AND CERTIFICATION REGULATIONS**

**20-478-1 Definitions. As used in section 20-478-2:**

- (1) "Abatement" means any set of measures designed to eliminate lead hazards in accordance with standards established pursuant to sections 20-474 through 20-482 and subsections (e) and (f) of section 19a-88 of the Connecticut General Statutes and regulations of Connecticut State Agencies section 19a-111-1 through 19a-111-11 and 20-478-1 and 20-478-2 including , but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of ILead and all preparation, clean-up, disposal and reoccupancy clearance testing.
- (2) "Certificate" means a document issued by the department indicating successful completion of an approved training course.
- (3) "Certified industrial hygienist" means a person possessing a certificate from the American Board of Industrial Hygiene which indicates that they have specific academic credentials, five years professional experience in industrial hygiene, and have passed an examination given by the American Board of Industrial Hygiene.
- (4) "Certified lead inspector risk assessor" means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead inspector risk assessor from the department. A certified lead inspector risk assessor conducts inspections and collects and interprets information to assess the level of risk from lead hazards.
- (5) "Certified lead abatement supervisor" means any person who completes an appropriate approved training course and obtains a certificate as a lead abatement supervisor from the department. A lead abatement supervisor oversees lead abatement activities.
- (6) "Certified lead abatement worker" means any person who completes an appropriate approved training course and obtains a certificate as a lead abatement worker from the department. A lead abatement worker performs lead abatement activities.
- (7) "Certified lead inspector" means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead inspector from the department. A certified lead inspector conducts inspections to determine the presence of lead in paint, other surface coverings and various environmental media.
- (8) "Certified lead planner-project designer" means any lead consultant who completes an appropriate approved training course and obtains a certificate as a lead planner-project designer from the department. A certified lead planner-project designer designs lead abatement and management activities.
- (9) "Department" means the department of public health.
- (10) "Lead consultant" means any person who performs lead detection, risk assessment, abatement design or related services in disciplines including, but not necessarily limited to, inspector, inspector risk assessor and planner-project designer.
- (11) "License" means the whole or part of any department permit, approval or similar form of permission required by the general statutes and which further requires: (A) practice of the profession by licensed persons or entities only; (B) that a person or entity demonstrate competence to practice through an examination or other means and meet certain minimum standards; and (C) enforcement of standards by the department.
- (12) "Licensed lead abatement contractor" means any entity that contracts to perform lead hazard reduction by means of abatement including, but not limited to, the encapsulation, replacement, removal, enclosure or covering of paint, plaster, soil or other material containing toxic levels of lead and obtains a license from the department to conduct such abatement work. The contractor utilizes certified lead abatement supervisors to oversee such lead abatement activities and certified lead abatement workers to perform such abatement activities.
- (13) "Licensed lead consultant contractor" means any entity that contracts to perform lead hazard reduction consultation work utilizing an inspector, inspector risk assessor and/or planner-project designer and obtains a license from the department to conduct such consultation work.
- (14) "Principally engage in such work as a lead abatement contractor" means to engage in work as a lead abatement contractor performed pursuant to a written or verbal contract with another where the primary intent or primary scope of such work is lead abatement, provided that if such primary intent or primary scope of any

nonincidental portion of such contract is for the purpose of lead abatement, licensure is required only for such portion.

(15) "Principally engage in such work as a lead consultant contractor" means to engage in work as a lead consultant contractor performed pursuant to a written or verbal contract with another where the primary intent or primary scope of such work is lead detection, risk assessment, abatement design or related services, provided that if such primary intent or primary scope of any nonincidental portion of such contract is for the purpose of lead detection, risk assessment, abatement design or related services, licensure is required only for such portion.

**20-478-2. Qualifications for licensure and certification.**

(a) Licensing of abatement contractors and consultant contractors. On and after January 1, 1996, no entity shall hold itself out as a lead abatement contractor or lead consultant contractor, or principally engage in such work unless it has been granted a license issued by the department. A property owner is not required to be so licensed in order to abate lead hazards on the owner's property. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending pursuant to Section 20-481 of the Connecticut General Statutes, or whom the department determines to be ineligible pursuant to subsection (a) (6) of Section 19a-14 of the Connecticut General Statutes. Applications for licensure and licensure renewal shall contain the following information regarding the applicant's qualifications:

(1) a statement signed by the applicant attesting that:

(A) all present and future employees who require certification by the department pursuant to Section 20-476 of the Connecticut General Statutes will be so certified;

(B) if applying for a license as an abatement contractor:

(i) records on health monitoring tests as described in subsection (d) (2) (A) of section 19a-111-6 of the regulations of Connecticut State Agencies shall be maintained for two (2) years for supervisors and workers; and,

(ii) the following information shall be retained for a minimum of three (3) years from completion of abatement: the lead abatement plan including any deviations from the plan and the reasons for such changes or verification that no deviations occurred; starting and completion dates of the project; the names, signatures, and certificate numbers of all abatement supervisors; the letter of compliance; copies of all residual dust level analysis results on samples collected for reoccupancy clearance; and copies of all hazardous waste manifests;

(C) if applying for a license as a consultant contractor all inspection reports, forms and related data will be retained for a minimum of three (3) years from the issuance of such reports;

(D) the applicant understands that the information in this subdivision is subject to disclosure requirements developed pursuant to Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992;

(E) the contractor will submit copies of the records described in subparagraph B (ii) and paragraph (C) of this subdivision to the department no later than ten (10) working days following receipt of the department's request;

(F) all lead related activities will be conducted in accordance with sections 19a-111-1 through 19a-111-11 of the regulations of Connecticut State Agencies;

(2) a list of technical equipment owned by the applicant; and,

(3) a list of the number of personnel currently employed by job category.

(b) Certification of consultants, supervisors and workers. On and after January 1, 1996, no person shall hold himself out as a lead consultant, lead abatement supervisor, or lead abatement worker unless that person has been granted a certificate issued by the department. A property owner and a property owner's regular employees are not required to be so certified in order to abate lead hazards on that owner's property. Applications for certification and renewal of certification shall contain information demonstrating that the applicant has successfully completed an appropriate approved training course and possesses experience and education as specified in subsections (c) and (e) of this section. A separate certificate is required for each discipline. No certificate shall be issued under this

section to any applicant against whom professional disciplinary action is pending pursuant to Section 20-481 of the Connecticut General Statutes, or whom the department determines to be ineligible pursuant to subsection (a) (6) of Section 19a-14 of the Connecticut General Statutes. Applications for certificate renewal shall include documentation of successful completion of an appropriate approved refresher training course within one (1) year of the certificate renewal date.

(c) Experience and educational requirements for consultants. An individual may be certified as a lead consultant in any of the following disciplines: inspector; inspector risk assessor; planner-project designer. An applicant for consultant certificate shall complete an approved training course and pass the course examination as specified in subsection (d) of Section 20-477 of the Connecticut General Statutes for the appropriate discipline. Alternatively, an applicant for certification as a lead inspector who is a certified industrial hygienist as possesses experience in lead inspection and lead hazard identification shall complete a lead inspector refresher approved training course and pass the course examination as specified in subsection (d) of section 20-477 of the Connecticut General Statutes. In addition, an applicant for certification as an inspector risk assessor shall:

(1) have completed a minimum of twenty-five (25) inspections over at least a three (3) month period as a certified or licensed lead inspector or one (1) year experience in a related field including, but not necessarily limited to, lead, asbestos, radon or other environmental remediation work and;

(2) meet one (1) of the following criteria:

(A) have a baccalaureate degree from an accredited institution of higher education, and at least one (1) year of experience in a related field as defined in subdivision (1) of this subsection; or

(B) be a certified industrial hygienist, or be licensed, registered or certified as an engineer, architect or in a related scientific field or be registered as a sanitarian; or

(C) have a high school diploma or equivalency and at least two (2) years of experience in a related field, as defined in subdivision (1) of this subsection.

(e) Experience requirements for abatement supervisors. In addition to the requirements of subsection (b) of this section, an applicant for certification as a lead abatement supervisor shall demonstrate at least one (1) year of experience as a lead abatement worker, or at least two (2) years of experience in the building trades or in a related field, as defined in subdivision (1) of subsection (c) of this section.

(g) Certification examinations. In addition to the certification requirements established in subsections (b), (c) and (e) of this section, within one hundred and eighty (180) days of successful completion of an appropriate approved training course, candidates for certification as lead inspectors, inspector risk assessors, or lead abatement supervisors, shall successfully complete a department administered or authorized neutral or third party certification examination in the appropriate discipline when such examinations become available. The applicant may not attempt to successfully complete the examination more than three (3) times during the one hundred and eighty (180) day period. Failure to successfully complete a certification examination within this time period shall result in the candidate being required to retake and successfully complete a training course approved by the department prior to reapplication for certification and retaking the certification examination.

(h) Applicants currently licensed or certified by other authorities. The department shall issue certificates to lead consultant, lead abatement supervisor, and lead abatement worker certification applicants who are currently licensed or certified in the appropriate discipline by the U.S. Environmental Protection Agency or by other state or tribal programs authorized by the U.S. Environmental Protection Agency. Such candidates shall be required to successfully complete a department administered or authorized neutral or third party reciprocity examination which is specific to State of Connecticut laws, regulations, policies and work practice requirements when such examinations become available.

20-478-3. Disciplinary action. The department may take disciplinary action pursuant to Section 20-481 of the Connecticut General Statutes against a person or entity licensed or certified under section 20-478-2 of the regulations of Connecticut State Agencies.

STATEMENT OF PURPOSE: To enact regulations to administer the provisions of Sections 20-475, 20-476, and 20-478 of the Connecticut General Statutes in regard to licensing of lead abatement contractors and lead consultant contractors and certification of lead consultants, lead abatement supervisors and lead abatement workers.

Effective Date: 12/1/95