

**ENFORCEMENT TOOLS  
AND RESOURCES**

---

---

---

---

---

---

---

---

**GUIDELINES TO ENSURE COMPLIANCE**

Lead Abatement Order issued:

- Property owner submits a lead abatement plan
  - Within 15 working days of receipt of the Lead Abatement Order for EBLL
  - Within 20 days for Non-EBLL other dwellings
- LHD reviews the abatement plan
  - Within 10 working days for an EBLL
  - Within 15 working days for other dwelling units

---

---

---

---

---

---

---

---

**GUIDELINES TO ENSURE COMPLIANCE**

- Abatement shall commence within 45 working days
  - Non-EBLL unit(s)- 90 working days
- Abatement complete, property owner notifies LHD within 10 working days

---

---

---

---

---

---

---

---

**GUIDELINES TO ENSURE COMPLIANCE**

- Post Abatement Inspection includes visual inspection and dust wipes (if they have not already been done by a consultant)\*
- Post Abatement Inspection Report and Compliance Letter must be sent to owner and DPH within 2 working days

---

---

---

---

---

---

---

---

**STEPS TO ENSURE COMPLIANCE**

**ABATEMENT PLAN REVIEW:**

- Make sure timelines are specified in the approved abatement plan, request notification at start of project
- Clearly outline/explain consequences of non compliance with the approved abatement plan
  - An extension can be requested

---

---

---

---

---

---

---

---

**STEPS TO ENSURE COMPLIANCE**

**ABATEMENT BEGINS:**

- Maintain regular communication to ensure compliance in a timely manner
- Conduct spot checks to ensure abatement is progressing according to plan
- Contact your DPH regional case manager for assistance/guidance

---

---

---

---

---

---

---

---

**NON-COMPLIANCE**

**ABATEMENT NON-COMPLIANCE:**

- Schedule a compliance hearing/meeting between DoH and property owner
  - Develop a revised timeline for compliance
- Place a caveat or attach Lead Abatement Order on the land records

---

---

---

---

---

---

---

---

**NON-COMPLIANCE**

**ABATEMENT NON-COMPLIANCE:**

- If compliance is not achieved, refer the case to your housing court prosecutor
- It is the duty of the prosecutor to find probable cause and to proceed on the case as they deem appropriate based on the evidence you have provided

---

---

---

---

---

---

---

---

**FRIENDLY TIPS FROM YOUR HOUSING COURT PROSECUTORS**

- **DO NOT WAIT:** Make all referrals as soon as a challenge arises
- **DOCUMENTATION IS KEY:** It gives your housing court prosecutor the ability to support you
- **ASK FOR HELP:** Let's work as a team to achieve compliance (case closure) in a timely manner

---

---

---

---

---

---

---

---

**"How to Get the Job Done"**

Legal Issues and Environmental Health  
Presented by Judith R. Dicine,  
Supervisory Assistant State's Attorney

- Inspector must personally view the fact that some or all of the violations continue to exist at the premises.
- Do not rely on the statement of someone outside your code enforcement agency for proof of satisfaction of your order.

---

---

---

---

---

---

---

---

**ADMINISTRATIVE SEARCH WARRANT**

**REINSPECTION:**

- Use administrative search warrant when you cannot get back in for the re-inspection.
- Conduct re-inspection as soon as possible after the expiration of the orders.
- Remember to begin counting the day after service of the orders and give the party until the 11:59:59 pm the last day for compliance before you re-inspect.

---

---

---

---

---

---

---

---

**ADMINISTRATIVE SEARCH WARRANTS**

**TYPES:**

- If your re-inspection will involve sampling or testing (use of XRF, dust wipe sampling, or taking water or paint chip samples) you will need to complete an application for a Search and Seizure Warrant.
- If you will only conduct a Visual Inspection then you will need to complete an application for an Administrative Search Warrant.

---

---

---

---

---

---

---

---

**AFFIDAVIT AND APPLICATION** **PAGE 1**  
**OF 4**  
**ADMINISTRATIVE SEARCH WARRANT**  
C.G.S. § 54-33a

STATE OF CONNECTICUT  
**SUPERIOR COURT**

**TO: A Judge of the Superior Court**

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause

---

[ ] 1. to inspect based on reasonable legislative and/or administrative standards for conducting an area inspection...

---



---



---

---

---

---

---

---

---

---

---

---

**RE-INSPECTION COMPLETE**

**Still no compliance with the Lead Abatement Order:**

*Next steps...*

---

---

---

---

---

---

---

---

---

---

**"How to Get the Job Done"**  
Legal Issues and Environmental Health  
Presented by: Judith R. Dicine,  
Supervisory Assistant State's Attorney

**Prepare an Arrest Warrant Application**

- Complete within 30 days of the last inspection
- Verify no change in ownership since you sent order
- Let prosecutor know the severity of the situation in the affidavit and cover letter if necessary
- Work with your housing court prosecutor

---

---

---

---

---

---

---

---

---

---

**"How to Get the Job Done"**  
 Legal Issues and Environmental Health  
 Presented by Judith R. Dicline,  
 Supervisory Assistant State's Attorney

**Prepare an Arrest Warrant Application:**

- Close your file from public review. Requests for information should be done through requests under the Freedom of Information Act. All such requests should be reviewed by both the prosecutor and municipal counsel
- NEVER GIVE OUT COPIES OF CRIMINAL ARREST WARRANT APPLICATIONS UNDER FOI
- Submit an application for **EACH** person who violated your order
  - Warrants can not be shared
- Continue to seek compliance with your order but keep prosecutor advised
- You are not done until you have compliance with your abatement order

---

---

---

---

---

---

---

---

---

---

<b>ARREST WARRANT APPLICATION</b> <small>This is 1 page of a 3 Page Affidavit.                  JD-CR-66 Rev. 10-04                  S.O.S. § 54-2a                  P. Bk. Sec. 36-1, 36-2, 36-3</small>	STATE OF CONNECTICUT SUPERIOR COURT <small>www.jud.state.ct.us</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><small>FOR COURT USE ONLY</small></td> </tr> <tr> <td colspan="2" style="text-align: center;"><small>SUPPORTING AFFIDAVITS SEALED</small></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> YES</td> <td style="text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>	<small>FOR COURT USE ONLY</small>		<small>SUPPORTING AFFIDAVITS SEALED</small>		<input type="checkbox"/> YES	<input type="checkbox"/> NO		
<small>FOR COURT USE ONLY</small>										
<small>SUPPORTING AFFIDAVITS SEALED</small>										
<input type="checkbox"/> YES	<input type="checkbox"/> NO									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><small>AGENCY NAME</small> Bristol Burlington Health District</td> <td style="width: 40%;"><small>AGENCY NO.</small></td> </tr> </table>		<small>AGENCY NAME</small> Bristol Burlington Health District	<small>AGENCY NO.</small>							
<small>AGENCY NAME</small> Bristol Burlington Health District	<small>AGENCY NO.</small>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><small>NAME AND RESIDENCE (Town) OF ACCUSED</small></td> <td style="width: 40%;"><small>COURT TO BE HELD AT (Town)</small></td> </tr> <tr> <td></td> <td style="text-align: center;">New Britain</td> </tr> </table>		<small>NAME AND RESIDENCE (Town) OF ACCUSED</small>	<small>COURT TO BE HELD AT (Town)</small>		New Britain	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><small>C.A. No.</small></td> <td style="width: 40%;"><small>NBHC</small></td> </tr> </table>	<small>C.A. No.</small>	<small>NBHC</small>		
<small>NAME AND RESIDENCE (Town) OF ACCUSED</small>	<small>COURT TO BE HELD AT (Town)</small>									
	New Britain									
<small>C.A. No.</small>	<small>NBHC</small>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"><small>SEX: MALE/FEMALE</small></td> <td style="width: 33%;"><small>RACE</small></td> <td style="width: 33%;"><small>DATE OF BIRTH:</small></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>		<small>SEX: MALE/FEMALE</small>	<small>RACE</small>	<small>DATE OF BIRTH:</small>						
<small>SEX: MALE/FEMALE</small>	<small>RACE</small>	<small>DATE OF BIRTH:</small>								
<b>APPLICATION FOR ARREST WARRANT</b>										
TO: A Judge of the Superior Court The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts set forth in the: . . . <input type="checkbox"/> AFFIDAVIT BELOW . . . <input type="checkbox"/> AFFIDAVIT(S) ATTACHED										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><small>DATE AND SIGNATURE</small></td> <td style="width: 20%;"><small>DATE</small></td> <td style="width: 30%;"><small>SIGNED (Prosecutorial Authority)</small></td> <td style="width: 20%;"><small>TYPED NAME OF PROSECUTOR AUTHORITY</small></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>			<small>DATE AND SIGNATURE</small>	<small>DATE</small>	<small>SIGNED (Prosecutorial Authority)</small>	<small>TYPED NAME OF PROSECUTOR AUTHORITY</small>				
<small>DATE AND SIGNATURE</small>	<small>DATE</small>	<small>SIGNED (Prosecutorial Authority)</small>	<small>TYPED NAME OF PROSECUTOR AUTHORITY</small>							
<b>AFFIDAVIT</b>										
The undersigned, being duly sworn, deposes and says:										

---

---

---

---

---

---

---

---

---

---

**VACANCY AGREEMENTS**

**Types:**

- Issued by Housing Court Prosecutor
- Issued by LHD (after review by Corporate Counsel)

---

---

---

---

---

---

---

---

---

---

State of CT – Vacancy Agreement – Lead Paint

Date:

To: (Owner name and mailing addresses)

RE: (subject property address, specific to cited unit(s)/ (case docket number)

Dear \_\_\_\_\_,

This letter is being presented to you as a proposed agreement for possible disposition of the criminal charges pending against you for failure to comply with a legal order of the \_\_\_\_\_ (local health department/district) for lead paint violations at the above captioned property. The undersigned Prosecuting Attorney will enter a nolle prosequi in your favor on the pending charges conditioned upon your sworn agreement to each of the provisions set forth below:

1. I, \_\_\_\_\_, am the owner of the property located at: \_\_\_\_\_ (herein after referred to as the "property.")

---

---

---

---

---

---

---

---

---

---

**ATTACH A LEAD ABATEMENT ORDER OR CAVEAT ON THE LAND RECORDS**

**Contact Town Clerk and inquire about the best option:**

- Some Clerks will not attach Lead Abatement Orders
- Some charge fees
- In some instances a caveat may be best option

---

---

---

---

---

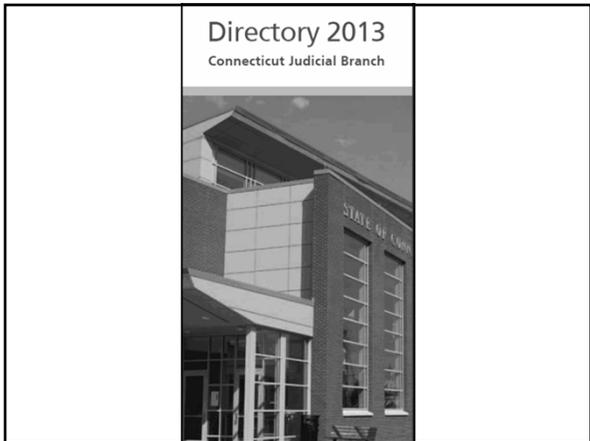
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

RESOURCES & POLICIES  
GUIDANCE

---

---

---

---

---

---

---

---

OVERVIEW

- RRP Complaints/Referrals
- Chelation
- Regional Lead Treatment Centers
- Relocation

---

---

---

---

---

---

---

---

RRP

**EPA Renovation, Repair, and Painting Rule**

Where it applies:

- Target housing (pre-1978 housing)
- Child Occupied Facilities (day care facilities, schools with children under 6)
- Renovations performed for compensation

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

**RRP RULE:  
BASIC PROGRAM REQUIREMENTS**

- Businesses or self-employed individuals or rental property owners/managers must become Certified Firms through EPA
- EPA-Certified Renovators
  - Must successfully complete training provided by an EPA accredited trainers
  - Must provide training to uncertified workers
  - Must be on site for set up and end of the day breakdown/clean-up

---

---

---

---

---

---

---

---

**DPH & LHDS**

- CT is *not* an EPA authorized state to enforce RRP
- DPH provides education/outreach to contractors, property owners/management firms, home owners and consumers
- DPH refers cases to EPA
- EPA conducts enforcement activities as they deem appropriate

---

---

---

---

---

---

---

---



**WORK PRACTICE STANDARDS**

**PROHIBITED WORK PRACTICES:**

- Open flame burning or torching of lead-based paint
- Using heat gun  $\geq 1100^{\circ}\text{F}$
- Use of power equipment without HEPA attachment (e.g., sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting)

---

---

---

---

---

---

---

---

**TIPS AND COMPLAINTS**

- How Are They Received?
  - Telephone, e-mail, or submitted through EPA Region 1 website
- Who Are They Made By?
  - Neighbors
  - Homeowners
  - Local officials
  - RRP contractors
- Tip quality
  - Highly variable
  - Difficult to verify

---

---

---

---

---

---

---

---

**TIPS AND COMPLAINTS**

- Verify complaint information
  - Is the work being done on a property that is a child occupied facility/target housing?
  - Is the work being done by a HIC?
  - Is the contractor an EPA RRP Certified Renovator?
  - Is the contractor working in a lead safe manner?
    - Creating debris that might be a risk to the health of others?
- Issue a cease/desist order
- Provide DPH/EPA with a "clear" picture of the possible violations

---

---

---

---

---

---

---

---

## TIPS AND COMPLAINTS

**Next Steps:**

- DPH will document the information provided by LHD
- DPH will set up a time to meet with the contractor and conduct a compliance assistance visit
- DPH will complete an "RRP Compliance Assistance" form and forward it to EPA
- DPH will discuss the possible hazards/violations with EPA
- EPA will determine if they will take further action

---

---

---

---

---

---

---

---

---

---

### How to Find an RRP-Certified Renovator

**Locating an EPA Certified Renovation, Remodeling, and Painting Renovator (RRP)**

As of April 22, 2010, EPA requires firms that conduct renovation, remodeling, or paint removal activities on residential houses, apartments, and child-occupied facilities built before 1978, to be:

- certified as a "certified renovator" with EPA,
- their employees must be trained in the use of lead-safe work practices, and
- the lead-safe work practices that minimize occupants' exposure to lead hazards must be followed.

A firms' employees must take an EPA approved 8 hour training course in order to obtain certification and become a "certified renovator".

**To locate a certified renovator with EPA:**

1. Go to: [http://cfpub.epa.gov/fpp/searchrhp\\_firm.htm](http://cfpub.epa.gov/fpp/searchrhp_firm.htm)
2. The following web page will come up:




---

---

---

---

---

---

---

---

---

---

## EPA REGION 1 RRP CONTACTS:

**Enforcement Questions**  
Hugh Pilgrim  
(617) 918-1843

**All Technical Questions**  
James M. Bryson  
(617) 918-1524

**Firm Requirements & Contractor Questions**  
Robert Carr  
(617) 918-1607

**Training Provider Requirements & Outreach Materials**  
Mike Browne  
(617) 918-1765

---

---

---

---

---

---

---

---

---

---

**CHELATION AND RELOCATION**

---

---

---

---

---

---

---

---

**CHELATION AND RELOCATION**

There are 2 Regional Lead Treatment Centers in CT:

**Hartford RLTC:** clinics are offered at CT Children's Medical Center (Tuesday) and St. Francis Pediatric Primary Care Center (Thursday)

**Contact:** Susan Sarvey at (860) 714-5184

**New Haven RLTC:** clinics are offered at the Yale New Haven Children's Hospital Pediatric Specialty Clinic (Tues)

**Contact:** Sue Jordan at (203) 764-9106

---

---

---

---

---

---

---

---

**SERVICES PROVIDED BY THE REGIONAL LEAD TREATMENT CENTERS:**

RLTCs are under contract with DPH to provide:

- Child medical case management
- Blood lead poisoning screening
- Prevention based outreach
- Advisory services to children and families

In addition, RLTCs provide consultation services for physicians and health care providers statewide regarding the proper treatment and prevention of lead poisoning

---

---

---

---

---

---

---

---

**CHELATION THERAPY:**

Is administered:

- When a child has a venous blood lead test results > **44ug/dl** or
- At the discretion of a pediatrician experienced in managing children with lead poisoning.

---

---

---

---

---

---

---

---

**A TEAM APPROACH TO TREATMENT:**

Children are:

- generally admitted to a hospital under guidance of RLTC
- medically monitored during therapy
- remain hospitalized for 3-4 days
- therapy continues orally after discharge for 10-14 days
- only discharged to a home deemed to be lead safe

---

---

---

---

---

---

---

---

**99% OF THE TIME...**

**The child will not be allowed to return to the home where they were poisoned.**

---

---

---

---

---

---

---

---

**COMMUNICATION IS KEY!!**

- RLTC staff treating the child & the local health department (DoH & LHD staff) must communicate/coordinate to ensure that the child is discharged to a lead safe home
- Joint decision between the RLTC staff and LHD

---

---

---

---

---

---

---

---

**DISCHARGE OPTIONS:**

- The Hartford Lead Safe House or Ronald McDonald House in New Haven
- Family/Friends:
  - If a child is to be released to a post-1978 home a Visual Inspection should be conducted
  - If the home is pre-78 then a Risk Assessment or Comprehensive Lead Inspection must be conducted to ensure there are no lead hazards
- Review the LHD Relocation Plan

---

---

---

---

---

---

---

---

**CHILD AT RISK AFTER DISCHARGE**

**A chelated child is extremely sensitive to any future exposure(s) to lead as their bodies will absorb lead more quickly than a child who has never been chelated**

---

---

---

---

---

---

---

---

**TIME IS OF THE ESSENCE...**

**Local health departments must:**

- Investigate high BLL
- Perform a comprehensive lead inspection of the child's home
- Protect other children/family members

---

---

---

---

---

---

---

---

**ADDITIONAL SERVICES OFFERED BY THE RLTCs:**

RLTC Outreach & Social Workers provide:

- Lead exposure counseling and education
- Home visits to identify risks/hazards, work to eliminate or reduce them
- Coordinate with the LHDs
- Translation services

---

---

---

---

---

---

---

---

**ADDITIONAL SERVICES CONTINUED...**

- Counseling on proper nutrition
- Medical testing of siblings at risk
- Developmental assessment, early intervention services, referrals to Birth to 3 or Dept of Ed.
- Social Services, Housing services, Parental support

---

---

---

---

---

---

---

---

<b>GRANT FUNDS FOR LEAD ABATEMENT</b>		

---

---

---

---

---

---

---

---

<b>GRANT FUNDS FOR LEAD ABATEMENT</b>	
LAMPP	
HUD Funded Programs	
Small Cities/ CDBG funds	
Department of Agricultural Rural Community funds	
Other	

---

---

---

---

---

---

---

---