



IDAHO
DEPARTMENT OF
ENVIRONMENTAL
QUALITY

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Lead-Based Paint Debris Fact Sheet

In an effort to ensure lead-contaminated materials are transported, stored, treated, and disposed of properly, the Idaho Department of Environmental Quality (DEQ) has provided this brief outline of the current Idaho guidelines regarding lead-based paint (LBP) and demolition wastes.

LBP Debris from Abatement, Renovation, and Remodeling

LBP-contaminated debris from abatement, renovation, or remodeling activities at a household (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, camp grounds, picnic grounds, and day-use recreation areas) are exempt from the hazardous waste regulations. No hazardous waste determination is required, and these materials may be disposed of at a municipal solid waste landfill (MSWLF), provided the landfill agrees to accept it.

LBP debris from abatement, renovation, or remodeling of nonresidential commercial or public structures is **not** exempt from Idaho's hazardous waste regulations. A hazardous waste determination must be performed on LBP debris from these facilities. If the waste is hazardous, the generator must determine how much total hazardous waste is generated in a calendar month at the facility and comply with the applicable hazardous waste regulations.

LBP Debris from Total Structure Demolition

LBP debris from total structure demolition, whether the building is commercial, public, or residential, is **not** exempt from the Idaho Hazardous Waste Management Act (HWMA)/federal Resource Conservation and Recovery Act (RCRA) regulations. Typically, demolition waste must be characterized to determine if the solid waste is a regulated hazardous waste pursuant to IDAPA 58.01.05.006 (40 CFR Part 262.11).

The toxicity characteristic leaching procedure (TCLP) is the laboratory test most relevant in making a waste determination on demolition debris. However, DEQ recognizes the difficulty in collecting a truly representative sample of demolition debris for TCLP testing. Therefore, until further regulations or US Environmental Protection Agency (EPA) guidance becomes available, generators of demolition debris may use one of the following strategies to manage the debris:

- 1) If the LBP debris is generated as part of a total building demolition, the debris can be disposed of at a Subtitle D MSWLF located in Idaho without performing laboratory testing or mass balance calculations, as long as the landfill meets current design standards (40 CFR Part 258) and is willing to accept the waste. The MSWLF must have a composite liner and leachate collection system as specified in 40 CFR Part 258.40(a)(2) and meet the 40 CFR Part 258.53 ground water monitoring requirements (see list to right).

Disposal at an acceptable MSWLF is allowed because obtaining a representative sample from an entire building is very difficult. Additionally, given the large mass of waste from a total building demolition, a truly representative sample of the waste would be unlikely to fail the TCLP test (as opposed to a representative sample from renovation or remodeling activities, which would tend to concentrate the lead). Since lead is still present in the waste, allowing disposal only in a lined MSWLF provides added protection against possible leaching into ground water. Under this scenario, disposal at a Subtitle C Hazardous Waste Landfill as nonhazardous waste is also acceptable. LBP debris from total building demolition cannot be disposed of at any unlined MSWLFs.

MSWLFs with composite liners, leachate collections systems, and ground water monitoring systems in place:

- Kootenai County Fighting Creek Landfill
- Ada County Landfill
- IWS Simco Road Regional Landfill (Elmore County)
- Milner Butte Regional Landfill (Cassia County)
- Bannock County / Fort Hall Mine Landfill
- Peterson Landfill (Bonneville County)

- 2) The generator of the demolition waste may use knowledge of process to determine the waste to be nonhazardous provided the lead-contaminated surfaces or lead-contaminated components (anything above 100 parts per million total lead, including but not limited to doors, windows, door/window trim/frames, lead piping, etc.) are abated prior to demolition and disposed of at a permitted treatment, storage, and disposal facility as **RCRA/HWMA exempt** waste, therefore exempting the generator from complying with further RCRA/HWMA rules, regulations, and standards. This option applies only to

nonresidential structures. LBP debris from residential structures should be managed as previously described.

- 3) If the generator chooses not to abate the lead-contaminated surfaces or lead-contaminated components, DEQ requires a hazardous waste determination on the entire structure using either: (1) a volumetric sample of the structure analyzed in a laboratory using the TCLP method for lead or (2) documentation of mass-balance calculations showing the total lead concentrations (based on testing) in the entire debris wastestream could not possibly fail the TCLP. The calculations used to determine the volumes of the various materials of the structure and the amounts of each material to be included in the waste analysis sample or mathematical calculations must be retained by the generator and may be subject to inspection by DEQ enforcement personnel.
 - If the structure is determined to be a toxic characteristic hazardous waste, the entire structure will be a hazardous waste and must be managed and disposed of according to all applicable RCRA/HWMA regulations.
 - If the structure is determined not to be a toxicity characteristic hazardous waste, the entire structure may be disposed of as solid waste.

Testing

The total lead concentration contained in/on lead-painted surfaces and components does not directly correlate to the leachability of the lead from the paint. Due to the mechanics of the TCLP test, DEQ has previously determined paint waste containing less than or equal to 100 parts per million total lead be exempted from the TCLP testing requirements.

If the generator of the waste chooses to perform the TCLP test for waste determination purposes, a volumetric (composite) sample of the entire wastestream, or structure to be demolished, is required to be collected and analyzed. The sample must reflect the variety of materials in the waste in direct proportions and be representative of the total wastestream. Methods used to collect a representative sample of the demolished material may include coring, cutting, grinding, or scraping to obtain the required amount of each portion of the waste.

In each of the above total structure demolition scenarios, sampling and analyses of the environmental media (typically soil) for the presence of lead is required after the debris is removed, unless it can be demonstrated that no lead was present prior to demolition. The presence of lead in the environmental media may require additional actions. Contact the DEQ Hazardous Waste Unit or nearest DEQ regional office if this occurs.

Other Safety and Disposal Considerations

Prior to demolition, all mercury thermostats and containerized paints, solvents, or other chemicals must be removed from the structure and managed appropriately. Generators may also be required to look for and abate asbestos prior to demolition. For more information on asbestos requirements, contact the DEQ asbestos compliance analyst at (208) 373-0502 or visit www.deq.idaho.gov/air-quality/air-pollutants/air-toxics/asbestos.

Take all necessary precautions when handling lead. Call the Occupational Safety and Health Administration (OSHA) office in Boise at (208) 321-2960 for detailed information.

For More Information

For more information about lead abatement requirements, call the EPA hotline at 1 (800) 424-LEAD, the DEQ Hazardous Waste Unit at (208) 373-0502, or the nearest DEQ Regional Office:

- Boise: (208) 373-0550
- Coeur d'Alene: (208) 769-1422
- Idaho Falls: (208) 528-2650
- Lewiston: (208) 799-4370
- Pocatello: (208) 236-6160
- Twin Falls: (208) 736-2190