

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapter 470
“Lead-Based Paint Activities”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 10A
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 10A

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 30, 2026
11 a.m.

Ledges Conference Room
6200 Park Avenue
Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Inspections, Appeals, and Licensing (DIAL) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Sheri Howard
6200 Park Avenue
Des Moines, Iowa 50321
Phone: 515.779.3299
Email: sheri.howard@dia.iowa.gov

Purpose and Summary

This proposed rulemaking amends the rules promulgated by DIAL to implement the United States Environmental Protection Agency’s (EPA’s) rule regarding the definition of dust-lead hazard.

This rulemaking amends the rules to provide a clearer guideline for lead professionals regarding training and certification to perform lead-based paint activities and references to federal law.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• **Classes of persons that will bear the costs of the proposed rulemaking:**

The regulated industry will bear the costs of the proposed rulemaking by incurring the costs of implementation.

• **Classes of persons that will benefit from the proposed rulemaking:**

The general public will benefit from the rulemaking through safety in the performance of lead-based activities. The owners and occupants of structures in which lead-based activities are performed benefit particularly through the safe performance of these activities. Children will be protected from the hazards of lead-based paint.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• **Quantitative description of impact:**

The general public will benefit from the rulemaking through safety in the performance of lead-based activities.

- **Qualitative description of impact:**

Lead-based paint exposure results in an increased need for health care and special education. It can lead to an increase in the crime rate. Exposure can result in a decrease of the lifetime earnings of those exposed. The economic impact is estimated to be in the billions of dollars. Lowering the amount of lead that can remain in dust can alleviate the costs associated with lead-based paint exposure.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Failure to implement the changes could result in the State losing EPA accreditation to administer the program at the State level.

- **Anticipated effect on State revenues:**

There is no anticipated impact on State revenues from these rules (response in Section “3,” above).

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The costs to the industry are described above. The potential benefits of inaction are enormous. Lead-based paint exposure can lead to an estimated billions of dollars in negative economic impact. More importantly, people, particularly children, who are exposed to lead-based paint can suffer health, educational and earnings impacts that last a lifetime.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or intrusive methods for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

There are no less costly or intrusive methods for achieving the purpose of the proposed rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

There are no less costly or intrusive methods for achieving the purpose of the proposed rulemaking.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking’s compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

Many lead-based professionals may be small business owners. While the overall economic impact of the rulemaking may be higher for a small business owner, the significant public safety benefits of the rulemaking outweigh that impact. To exempt a small business from adhering to the rules would

jeopardize the public who sought services from that small business. The risk to the public is greater than the potential cost to the small business.

Text of Proposed Rulemaking

ITEM 1. Amend rule **481—470.2(10A)**, definitions of “Clearance level,” and “Dust-lead hazard,” as follows:

“*Clearance level*” means the value at which the amount of lead in dust on a surface following completion of interim controls, lead abatement, paint stabilization, standard treatments, ongoing lead-based paint maintenance, rehabilitation, or renovation is a dust-lead hazard and fails clearance testing. The clearance level for a single-surface dust sample from a floor is greater than or equal to ~~10~~ 5 micrograms per square foot. The clearance level for a single-surface dust sample from an interior windowsill is greater than or equal to ~~100~~ 40 micrograms per square foot. The clearance level for a single-surface dust sample from a window trough is greater than or equal to ~~400~~ 100 micrograms per square foot.

“*Dust-lead hazard*” means surface dust in residential dwellings or child-occupied facilities that contains a mass-per-area concentration of lead greater than or equal to ~~10~~ 5 micrograms per square foot on floors, ~~100~~ 40 micrograms per square foot on interior windowsills, and ~~400~~ 100 micrograms per square foot on window troughs based on wipe samples. A dust-lead hazard is present in a residential dwelling or child-occupied facility when the weighted arithmetic mean lead loading for all single-surface or composite samples of floors and interior windowsills is greater than or equal to ~~10~~ 5 micrograms per square foot on floors, ~~100~~ 40 micrograms per square foot on interior windowsills, and ~~400~~ 100 micrograms per square foot on window troughs based on wipe samples. A dust-lead hazard is present on floors, interior windowsills, or window troughs in an unsampled residential dwelling in a multifamily dwelling if a dust-lead hazard is present on floors, interior windowsills, or window troughs, respectively, in at least one sampled residential unit on the property. A dust-lead hazard is present on floors, interior windowsills, or window troughs in an unsampled common area in a multifamily dwelling if a dust-lead hazard is present on floors, interior windowsills, or window troughs, respectively, in at least one sampled common area in the same common area group on the property.

ITEM 2. Amend subrule 470.4(14) as follows:

470.4(14) ~~To be approved for~~ A refresher training of course for sampling technicians, lead abatement contractors, lead abatement workers, and project designers, ~~a course~~ must be at least eight hours of training hours. ~~To be approved for~~ Pursuant to the recertification requirements of subrule 470.5(6), a refresher training of course for lead inspector/risk assessors and elevated blood lead (EBL) inspector/risk assessors who completed an approved 24-hour training course, ~~a course~~ must be at least 8 hours of training hours. Pursuant to ~~meet~~ the recertification requirements of subrule 470.5(3). ~~To be approved for~~ 470.5(6), a refresher training of course for lead inspector/risk assessors and elevated blood lead (EBL) inspector/risk assessors ~~to meet the recertification requirements of subrule 470.5(6), a course~~ must be at least 16 hours of training hours. ~~To be approved for~~ A refresher training of course for lead-safe renovators, ~~a course~~ must be at least four hours ~~and must include a hands-on component of training~~. All refresher training courses shall cover at least the following topics:

a. to d. No change.

ITEM 3. Amend rule 481—470.12(10A) as follows:

481—470.12(10A) References to federal law. Unless otherwise specified, all references in this chapter to the United States Code or to the Code of Federal Regulations are to those provisions in effect on July 1, 2024 2026.