



Division of Solid Waste Management
Toxic Substances Program

Memorandum

DATE: 03/07/13
TO: Certified LBP Risk Assessors and Certified LBP Inspectors
FROM: Pamela Franklin, LBP Compliance Monitoring Supervisor, Toxic Substances Program
THRU: Adrienne White, Program Manager, Toxic Substances Program
SUBJECT: 15-Day Notification Waiver

Several certified professionals have previously made inquiries or presented comments regarding the 15-day Notification requirement for LBP Inspections/ Risk Assessments /Clearances. Based on these inquiries and comments, the 15-day notification requirement for LBP Inspections/Risk Assessments is currently being considered for modification. Since receipt of the notification is a critical component that allows program administrators to (1) evaluate or inspect LBP activity performed by certified professionals to ensure proper application of work-practice standards, (2) confirm the prevalence of lead in housing stock, and (3) identify where LBP abatement may occur, the requirement will be retained; however, a reduction in the timeframe for providing advance notice is being considered.

Up to this point, the program has been waiving the 15-notification requirement for LBP Inspections/ Risk Assessments /Clearances on a case-by-case basis. This memo is being issued to alert certified risk assessors and inspectors that as of 3/1/2013 all risk assessment/inspection/clearance notifications will be considered as in-compliance if the notification is received at least 2-days prior to the planned activity (the 15-day requirement is **not** waived for LBP abatement activity – removal, replacement, encapsulation, enclosure). Please note that if the date of the risk assessment/inspection/clearance activity is changed, submission of a revised notification is required.

Within the 2013-2014 fiscal year (July 2013 – June 2014), the Toxic Substances Program anticipates that revisions to the LBP rule will occur. The changes will incorporate items that will bring the rule in line with the Federal rule, where necessary, as well as address any areas where modifications and clarifications are needed. A public comment period is anticipated to occur prior to any revisions taking effect. The program will use every available measure to alert stakeholders of any public comment period including the LBP website found at www.tn.gov/environment/swm/leadpaint.

If you would like to be added to a distribution list to receive information via email please submit your email address to lbp.notify@tn.gov.