

ADOPTIONS SECTION

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Notice of Administrative Corrections

Lead Hazard Evaluation and Abatement Code

N.J.A.C. 5:17-3.6 and 5.1

Effective Date: November 23, 2021.

Take notice that the Department of Community Affairs (Department) discovered three errors in the text at N.J.A.C. 5:17. These errors are references to the now-dissolved Bureau of Code Services within the Department of Community Affairs. For consistency with the rest of the New Jersey Administrative Code, this notice of administrative correction revises those references and instead refers to the Department. In addition to removing references to the Bureau of Code Services, at N.J.A.C. 5:17-5.1, a correction revises the PO Box to be utilized for notifications to the Department prior to the start of an abatement job, and an email address is included as an option for notification. This email address has already been in use and is not being established pursuant to this notice.

The Department has requested, and the Office of Administrative Law has agreed to, such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. EVALUATION AND TESTING

5:17-3.6 Reports and certificates

(a) (No change.)

(b) If, upon performance of an inspection of all painted surfaces in accordance with this chapter, a unit or building is determined to be lead-free, the certified lead evaluation firm shall issue certification on a form prescribed by the [Bureau] **Department** to the owner and, upon request, to any enforcing agency having jurisdiction to enforce lead safety standards at the premises. The certified lead evaluation firm shall report issuance of all such certifications to the Department in such form and manner as may be prescribed by the Department.

1. – 2. (No change.)

(c) If, upon performance of an inspection and risk assessment in accordance with this chapter, a unit or building is determined to be free of lead-based paint hazards, the certified lead evaluation firm shall issue a certification on a form prescribed by the [Bureau] **Department** to the owner, and, upon request, to any enforcing agency having jurisdiction to enforce lead safety standards at the premises. The certified lead evaluation firm shall report issuance of all such certifications to the Department in such form and manner as may be prescribed by the Department.

1. (No change.)

(d) (No change.)

SUBCHAPTER 5. LEAD HAZARD ABATEMENT – GENERAL

5.1 Duties of the contractor

(a) (No change.)

(b) Prior to beginning an abatement job, the contractor shall apply for a permit under the UCC and shall provide the owner and the occupants with a description of the scope of work and information about lead-based paint hazards.

1. Additionally, the contractor shall notify the Department of Community Affairs 10 working days prior to the anticipated start of work. This notification shall include the name and certification number of the contractor, the location where the work is to be performed, and a brief description of the scope of work. The notification shall be sent to the following address:

Department of Community Affairs, [Bureau of Code Services,] PO Box [816] **821**, Trenton, NJ 08625 or sent by email to lead.notifications@dca.nj.gov.

2. (No change.)

(c)-(f) (No change.)