



# Lead Paint Disposal

## Environmental concerns related to lead paint

Before 1978, lead was commonly used as a base and pigment in many consumer and commercial paints. Lead is a toxic “heavy” metal that, if released into the environment, can cause harmful human health and ecological effects. Waste from painting, renovating, repairing, abating, or demolishing structures that may have lead paint requires special management. This fact sheet provides guidance from the Minnesota Pollution Control Agency (MPCA) about requirements for disposal of debris and whole structures that may have lead paint.

In addition to disposal requirements, contractors and building owners performing work on structures that might have lead paint may also be subject to the following programs designed to protect the public during lead paint-related work:

- Federal requirements under the U.S. Environmental Protection Agency’s (EPA) Renovation, Repair, and Painting Rule (RRP). For more information, visit the EPA at <http://www.epa.gov>.
- State requirements under the Minnesota Department of Health’s (MDH) Lead Poisoning Prevention statutes and Residential Lead Abatement rules. For more information, visit the MDH at <http://www.health.state.mn.us>
- State requirements under the MPCA’s Lead Paint Removal rules. For more information, see MPCA hazardous waste fact sheets #w-hw4-39a, [Sandblasting and Other Air-based Blasting](http://www.pca.state.mn.us/publications/w-hw4-39a.pdf), at <http://www.pca.state.mn.us/publications/w-hw4-39a.pdf>, and #w-hw4-39b, [Powerwashing and Other Water-based Blasting](http://www.pca.state.mn.us/publications/w-hw4-39b.pdf), at <http://www.pca.state.mn.us/publications/w-hw4-39b.pdf>.

## What is lead paint?

Two different standards determine when paint is regulated as “lead paint”:

1. Paint is regulated under the programs listed above when it contains 0.5% or 5000 parts per million (ppm) total lead or more, or one milligram or more lead per square centimeter of surface area ( $\text{mg}/\text{cm}^2$ ). You may use ‘swab’-type tests based on chemical reactions to test paint for these programs.
2. MPCA waste disposal requirements, intended to protect public health and the environment after lead paint-related work is complete, are more stringent. Paint waste is regulated under this program when it leaches 5 milligrams per liter ( $\text{mg}/\text{L}$ ) or more during a simulated landfill test. Assume that paint-related waste from any structure built before 1978 is regulated unless you test the paint or related waste and can document that it meets one of these standards:
  - leaches lead less than 5  $\text{mg}/\text{L}$
  - contains less than 100 ppm total lead
  - contains less than 0.02  $\text{mg}/\text{cm}^2$  lead per surface area

Use only acid extraction, also known as total metals, the Toxicity Characteristic Leaching Procedure (TCLP), or X-ray Fluorescence (XRF) to test paint and related wastes for disposal.

## How to dispose of lead paint-related wastes in Minnesota

Type of waste	Management method
Lead paint abatement waste from a residence generated by a contractor	<p>Dispose of in a permitted industrial or mixed solid waste landfill if the landfill operator is notified and does not prohibit it or, transport to the contractor's base of operations and manage as a hazardous waste. Testing is not required.</p> <p>Caution: Mist the abatement waste only enough to control dust under RRP requirements. Over-wetting may result in free liquid in the waste and rejection by the landfill operator.</p> <p>For more guidance about contractor-generated wastes, see MPCA hazardous waste fact sheet #w-hw3-11, <a href="http://www.pca.state.mn.us/publications/w-hw3-11.pdf">Managing Hazardous Waste Generated by Construction and Service Contractors</a>, at <a href="http://www.pca.state.mn.us/publications/w-hw3-11.pdf">http://www.pca.state.mn.us/publications/w-hw3-11.pdf</a>.</p>
Lead paint abatement waste from a residence generated solely by the resident	<p>Dispose of as a household hazardous waste. To find your local collection site, visit the MPCA's <i>Find your HHW Collection Site</i> webpage at <a href="http://www.pca.state.mn.us/udgx572">http://www.pca.state.mn.us/udgx572</a>.</p>
Loose paint chips or flakes, blasting debris, and other lead remediation waste not from a residence	<p>Manage as a hazardous waste or test. For more discussion of blasting debris, see MPCA hazardous waste fact sheet #w-hw4-39a, <a href="http://www.pca.state.mn.us/publications/w-hw4-39a.pdf">Sandblasting and Other Air-based Blasting</a>, at <a href="http://www.pca.state.mn.us/publications/w-hw4-39a.pdf">http://www.pca.state.mn.us/publications/w-hw4-39a.pdf</a>.</p>
Painted portions of a structure with the paint attached	<p>Dispose of in a permitted solid waste landfill, including a demolition, industrial, or mixed solid waste landfill, if the landfill operator is notified and does not prohibit it. Testing is not required; peeling paint need not be encapsulated.</p> <p>Painted scrap metal may be managed as a hazardous scrap metal if recycled. See MPCA hazardous waste fact sheet #w-hw4-27, <a href="http://www.pca.state.mn.us/publications/w-hw4-27.pdf">Hazardous Scrap Metal</a>, at <a href="http://www.pca.state.mn.us/publications/w-hw4-27.pdf">http://www.pca.state.mn.us/publications/w-hw4-27.pdf</a>.</p>
Demolition debris from any demolition method, including heavy machinery and implosion	<p>Dispose of in a permitted solid waste landfill, including a demolition, industrial, or mixed solid waste landfill, if the landfill does not prohibit it. Testing is not required.</p>
Wastewater from paint-removal blasting	<p>Collect and manage as a hazardous waste or test. For more discussion of blasting wastewater, see MPCA hazardous waste fact sheet #w-hw4-39b, <a href="http://www.pca.state.mn.us/publications/w-hw4-39b.pdf">Powerwashing and Other Water-based Blasting</a>, at <a href="http://www.pca.state.mn.us/publications/w-hw4-39b.pdf">http://www.pca.state.mn.us/publications/w-hw4-39b.pdf</a>.</p>
Wastewater from cleanup of lead abatement equipment	<p>Collect and manage as a hazardous waste or test.</p>
Wastewater from demolition dust control sprays	<p>Filter for solids and allow infiltration on site, if possible. If on-site infiltration is not possible, filter and discharge to a stormwater collection system if the system operator is notified and does not prohibit it. Dispose of solids as solid waste.</p>
<p>Ash from legitimate* firefighter training burn</p> <p><i>Note: Burning a structure for other than legitimate firefighter training is prohibited.</i></p>	<p>Dispose of ash in a permitted solid waste landfill, including a demolition, industrial, or mixed solid waste landfill. Testing the ash is not required; paint need not be tested or removed before the burn. Before the burn, remove all other problem materials and wastes as identified in MPCA solid waste fact sheet #w-sw4-07, <a href="http://www.pca.state.mn.us/publications/w-sw4-07.pdf">Pre-Renovation or Demolition Requirements</a>, at <a href="http://www.pca.state.mn.us/publications/w-sw4-07.pdf">http://www.pca.state.mn.us/publications/w-sw4-07.pdf</a>.</p> <p>*At a minimum, a legitimate firefighter training burn must include a prepared curriculum, specific training objectives, and post-training assessment.</p>
Wastewater from legitimate firefighter training burn	<p>Filter for solids and allow infiltration on site, if possible. Dispose of solids as solid waste.</p>

## Reuse of painted wastes

Untested painted concrete from structures built before 1978 may not be used as fill or aggregate without obtaining a case-specific beneficial use determination from the MPCA.

Painted wood may not be burned, except during a legitimate firefighter training burn or in a permitted solid waste incinerator. The MPCA strongly discourages the reuse of untested painted lumber.

## Other requirements

Other requirements may apply when renovating, repairing, abating, or demolishing structures:

- Asbestos requirements – see the [MPCA Asbestos Program](http://www.pca.state.mn.us/asbestos/) webpage at <http://www.pca.state.mn.us/asbestos/>.
- Polychlorinated biphenyls (PCBs) in caulking – see MPCA hazardous waste fact sheet #w-hw4-48k, [Managing Sealants and Coatings Containing PCBs](http://www.pca.state.mn.us/publications/w-hw4-48k.pdf), at <http://www.pca.state.mn.us/publications/w-hw4-48k.pdf>.

## More information

Guidance and requirements in this fact sheet were compiled from Minn. R. Chapters 7035 and 7045, and incorporate regulatory interpretation decisions made by the MPCA on July 3, 2013. Visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs> to review the Minnesota Rules directly.

Your metropolitan county and the MPCA have staff available to answer waste management questions. For more information, contact your metropolitan county hazardous waste office or your nearest MPCA regional staff. For information about blasting waste and toxicity reduction and alternatives to air-based blasting, contact the Minnesota Technical Assistance Program (MnTAP).

### Metro County Hazardous Waste Offices

Anoka .....	763-422-7093
Carver .....	952-361-1800
Dakota .....	952-891-7557
Hennepin .....	612-348-3777
Ramsey .....	651-266-1199
Scott .....	952-496-8475
Washington.....	651-430-6655
Websites.....	<a href="http://www.co.[county].mn.us">http://www.co.[county].mn.us</a>

### Minnesota Department of Health

Statewide .....	651-201-5200
Website ....	<a href="http://www.health.state.mn.us">http://www.health.state.mn.us</a>

### Minnesota Technical Assistance Program

Toll free.....	1-800-247-0015
Metro .....	612-624-1300
Website .....	<a href="http://www.mntap.umn.edu">http://www.mntap.umn.edu</a>

### Minnesota Pollution Control Agency

Toll free (all offices).....	1-800-657-3864
Brainerd.....	218-828-2492
Detroit Lakes.....	218-847-1519
Duluth .....	218-723-4660
Mankato .....	507-389-5977
Marshall .....	507-537-7146
Rochester.....	507-285-7343
St. Paul .....	651-296-6300
Willmar .....	320-214-3786
Website .....	<a href="http://www.pca.state.mn.us">http://www.pca.state.mn.us</a>

### Small Business Environmental Assistance

Toll free .....	1-800-657-3938
Metro .....	651-282-6143
Website .....	<a href="http://www.pca.state.mn.us/sbeap/">http://www.pca.state.mn.us/sbeap/</a>

### U.S. Environmental Protection Agency

RRP Program.....	1-800-424-LEAD [5323]
Website .....	<a href="http://www.epa.gov">http://www.epa.gov</a>