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Response to Notice for Comment Docket No. FR-6486-N-01

Submitted on behalf of Lead-Free NJ

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Reasoning of proposed change and other considerations.

By adopting 3.5 micrograms per deciliter ($\mu\text{g}/\text{dL}$) as the Blood Lead Reference Value (BLRV) for the Lead Safe Housing Rule (LSHR), property owners and managers subject to the LSHR will be able to align lead poisoning prevention policies and actions with recommendations from the U.S. Centers for Disease Control and Prevention (CDC) for childhood lead poisoning prevention and hazard reduction. The lower threshold will enable Local Housing Agencies (LHAs) and related property managers, as well as healthcare partners, to reach more children with prompt actions to reduce elevated blood lead levels (EBLLs) and remediate sources of lead exposure in their environments.

While the updated BLRV will advance progress on the reduction and prevention of lead poisoning, the CDC also recognizes that there is no identified threshold or safe level of lead exposure, and federal agencies must commit to eliminating lead in the environments of children to prevent lead poisoning. We recommend that HUD, CDC and LHA partners provide lead poisoning prevention education materials to families of children that test between 1 and $3.4\mu\text{g}/\text{dL}$ and **encourage** environmental investigation when feasible.

During the current rule revision process Lead-Free New Jersey (LFNJ) recommends that HUD consider defining the agency's Blood Lead Reference Value to be consistent with the level as adopted by the U.S. Centers for Disease Control and Prevention based on the 97.5th percentile of the blood lead distribution in U.S. children ages 1–5 years.

Adopting this language would reduce the need to amend regulations in the future should the CDC reduce the national BLRV to a lower level based on the same standard. After the CDC made its most recent revision of the BLRV in 2021, many states adopted this standard as the definition of EBLL to reduce administrative burdens on local and state public health agencies.

Additionally, LFNJ recommends that inspection and assessment practices implemented through the LSHR include visual inspections, dust wipe sampling, and XRF analysis of painted surfaces of housing units. No single method is enough to give a true assessment of a potential hazard.

Potential impact of compliance period for agencies subject to Lead Safe Housing Rule.

LFNJ agrees with HUD that a 6-month compliance period will support broad adherence to updated regulations. We recommend that during this period HUD lead education, training, and dissemination of marketing materials in partnerships with LHAs and other entities subject to the Lead Safe Housing Rule to clearly communicate about the changes and potential outcomes. By lowering the BLRV, agencies subject to the LSHR are likely to have more housing units that will need lead risk assessment and follow-up actions for rule compliance.

HUD field office staff should support increased connectivity among impacted property owners and managers with local and state public health officials implementing Childhood Lead Poisoning Prevention Programs to increase coordination of lead poisoning case management services. This outreach will be especially important in the State of New Jersey as local governments work with property owners and managers to implement the new state law requiring Lead-Based Paint Inspections in Rental Dwelling Units. Local technical assistance for program managers and staff, as well as property owners and residents, on LSHR requirements and anticipated impacts of the lower threshold will support timely and proactive compliance. Providing workforce training and technical assistance for Rule implementers will also ensure that changes to the standards do not add to barriers to compliance.

We recognize that the proposed compliance period coincides with the timeframe that PHAs and their partners are onboarding the new inspection practices under the National Standards for the Physical Inspection of Real Estate (NSPIRE) program, which will be effective October 1, 2025. Because the NSPIRE checklist, similar to the Uniform Physical Conditions Standards, sets a visual inspection standard for potential lead-based paint hazards, we recommend that HUD produce education materials

specifically for property owners and managers who receive Housing Choice Vouchers on compliance standards for lead hazard control and prevention in their units.

We recommend that state and regional HUD offices engage local government agencies, LHAs and the New Jersey State Housing and Mortgage Finance Agency to develop education resources and guidance for residents, landlords, and property managers about the implications of the updated standard and the rights and responsibilities of all entities affected. LFNJ hopes that HUD will also support efforts for LHAs to work with local health departments, and enable cross-agency case management and data sharing, to support family access to medical and environmental hazard reduction services.

LFNJ is committed to supporting ongoing work in the State of New Jersey to improve coordination across agencies to advance lead inspection, lead poisoning prevention, and case management services. As agencies subject to the LSHR implement updated inspection processes and other property owners work to comply with new state-mandated inspection requirements, HUD will have unprecedented opportunities to support local capacity building to administer lead based paint hazard reduction programs, improving access to resources that will eliminate and remediate lead hazards in units occupied by children at risk.

We thank you for the opportunity to submit comments in response to HUD's request, and are grateful for your consideration of these recommendations.