

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
OFFICE OF DEVELOPMENT
100 GOLD STREET, SECTION 9-V
NEW YORK, NEW YORK 10038
(212) 863-5517

APPLICATION FOR J-51 BENEFITS FOR LEAD-BASED PAINT HAZARD ABATEMENT

Below is a list of documentation you will need to submit in order to qualify for J-51 benefits for Lead-Based Paint Hazard Abatement. It is the sole responsibility of the applicant to complete the application properly; processing cannot begin until all required documentation has been received by the J-51 Unit.

Note that the filing of a J-51 notice of intent form (Form J-11) is not required for Lead-Based Paint Hazard Abatement work.

Please check that you have completed and submitted all of the following forms.

- (1) All applicable J-51 forms. Please complete the J-2 form as usual for all non- Lead-Based Paint Hazard Abatement items for which J-51 benefits are claimed.
- (2) A completed J-2 Lead application for all Lead-Based Paint Hazard Abatement items for which J-51 benefits are claimed.
- (3) A Lead Inspection and/or Risk Assessment report with detailed proof of lead-based paint or lead-based paint hazards for all surfaces for which J-51 benefits for Lead-Based Paint Hazard Abatement are claimed. This report must be prepared by a risk assessor or lead paint inspector certified by the United States Environmental Protection Agency (EPA).
- (4) A copy of the certificate required pursuant to EPA Title 40 Code of Federal Regulations Part 745 (40 CFR 745) qualifying the personnel who performed the initial Lead Inspection or Risk Assessment.
- (5) A copy of the "Lead-Based Paint Abatement Notification" filed with the EPA.
- (6) For all abatement work covering more than one hundred (100) square feet or the removal of two (2) or more windows, a copy of the "Notice of Commencement of Work," including all changes and amendments, filed with the New York City Department of Health and Mental Hygiene, pursuant to Section 27-2056.11(a)(2)(ii) of Article 14 of the New York City Housing Maintenance Code.
- (7) A copy of the certificates required pursuant to 40 CFR 745 qualifying the lead abatement firm and EPA-certified personnel who performed the lead abatement work.
- (8) The results of laboratory tests performed by an independent laboratory certified by New York State or the EPA for lead-contaminated dust clearance tests performed pursuant to 40 CFR 745.
- (9) A copy of the certificate required pursuant to 40 CFR 745 qualifying the EPA-certified risk assessor or EPA-certified lead-based paint inspector who performed the lead-contaminated dust clearance testing after the abatement work was completed.
- (10) Applicant's Affidavit for J-51 benefits for Lead-Based Paint Hazard Abatement, executed by both the owner and the lead abatement contractor.

PROCEDURES TO RECEIVE J-51 BENEFITS FOR LEAD-BASED PAINT HAZARD ABATEMENT

1. Hire an EPA-certified lead-based paint inspector or risk assessor, as defined in the United States Environmental Protection Agency Title 40 Code of Federal Regulations Part 745, or 40 CFR 745, to ascertain evidence of Lead-Based Paint or Lead-Based Paint Hazards.
2. If the inspector finds evidence of lead-based paint hazards, then proceed with Abatement, as defined in 40 CFR 745, with an EPA-certified firm, using EPA-certified workers. All Lead-Based Paint Hazards found must be Abated and all Lead-Based Paint Hazard Abatement work must be conducted using safe work practices, as described in 40 CFR 745.
3. When lead disturbance work is finished, you must hire an independent EPA-certified risk assessor or lead-based paint inspector to conduct dust clearance testing.
4. File the appropriate forms with HPD to receive your J-51 benefits for Lead-Based Paint Hazard Abatement.
5. Ensure that the contract separately itemizes each component on which Lead-Based Paint Hazard Abatement was performed and for which J-51 benefits for Lead-Based Paint Hazard Abatement are claimed. The contract specifications should conform to the Lead-Based Paint Hazard Abatement work claimed on the J-2 Form.

Notes:

- Benefits will not be given to correct a pending lead violation (HPD or COTA).
- A J-51 notice of intent form (Form J-11) is not required to be filed for Lead-Based Paint Hazard Abatement work.

Benefits:

- The lesser of the actual cost of qualifying Lead-Based Paint Hazard Abatement work or the J-51 cost allowance indicated in Section 5-08(h) of the J-51 Rules.