

Lead Hazard Risk Assessment

Frequently Asked Questions

General

Purpose of the FAQs

This document is to provide clarification to ensure Act 893 is being implemented in accordance with the Louisiana Legislature's intent.

What is Act 893 (2026): Lead Hazard Risk Assessment?

Act 893 (2026) amends Louisiana's lead hazard data collection program (R.S. 30:2351.28). It requires certain facilities that serve young children, including early childhood and prekindergarten programs, to complete a lead hazard risk assessment before beginning operations*.

Why was this law passed?

This law is intended to identify and address lead hazards in paint, dust, and soil before children are present at newly-operational facilities and to strengthen coordination between the Department of Environmental Quality (DEQ), Louisiana Department of Health (LDH), and the Louisiana Department of Education (LDOE) in tracking that data.

When does Act 893 take effect?

August 1, 2026

Who is Covered

Does Act 893 apply to my facility?

The law applies if your facility was constructed prior to 1978, and is one of the following begins operating on or after August 1, 2026:

- An early learning center subject to LDOE licensing requirements;
- An early childhood care and education center subject to federal daycare licensing requirements;
- A public prekindergarten program that is part of a public elementary school; or
- An approved nonpublic prekindergarten program that is part of an approved nonpublic elementary school.

My facility has been open for years. Do I need to do anything?

No. Act 893 applies to facilities beginning operations on or after August 1, 2026. It is not retroactive for facilities already operating, unless you undergo major renovation or remodeling, or a lead hazard is discovered on your premises after opening.

Why does it matter what year the facility was constructed?

The federal government banned the use of lead-based house paint in 1978, so a building constructed in or later than 1978 would not have been constructed using lead-based paint. State and federal lead-based paint regulations apply to child occupied facilities, which are defined as buildings, or portions of buildings, constructed prior to 1978, visited regularly by children under six years old.

My facility was constructed prior to 1978 but has been renovated. Do I still need a risk assessment?

Yes, but renovated buildings may qualify for a limited scope risk assessment if determined appropriate by a certified risk assessor. The scope of the risk assessment will be based on the nature and extent of the renovations completed.

My facility was constructed prior to 1978 but the buildings and grounds have already been inspected, have had lead abatement or remediation since 1978. Do I still need a risk assessment?

A risk assessment is not required for buildings and grounds that have already been inspected, have already had a risk assessment, or have been the subject of lead abatement or remediation since 1978. Only portions that have not previously been addressed are subject to Act 893. Evidence of prior inspection, risk assessment, or lead abatement or remediation is required.

Does Act 893 apply to my facility if I am only leasing space in a large commercial building?

Yes, but only the portions of the building that you are using for your facility, and other common areas that are accessible to all occupants such as cafeterias, gymnasiums, and playgrounds, are subject to the law.

I run a nonpublic school facility with an approved prekindergarten program. Does this apply to me?

Yes, only if your prekindergarten program is part of an approved nonpublic elementary school and begins operating on or after August 1, 2026.

My facility or grounds were already inspected or remediated years ago. Do I still need a new risk assessment?

If your facility or grounds has already been inspected, has already had a risk assessment, or has been the subject of lead abatement or remediation since 1978, a new risk assessment is not required for those portions. Only portions that have not previously been addressed are subject to Act 893.

The Lead Risk Assessment

What is a lead risk assessment?

A surface by surface investigation conducted by a LDEQ accredited lead risk assessor to identify if lead-based paint is present and to determine if there are any lead-based paint hazards caused by the deterioration of the lead based paint. Lead hazards can be found in paint, dust, and soil.

Following the assessment, the lead risk assessor will provide a written report identifying any lead-based paint hazards found, including their location and severity. The report may discuss hazard control options, the role of interim controls, and actions that can be taken to reduce exposure to identified lead hazards.

Where do I find a qualified risk assessor?

A list of individuals who currently hold an active LDEQ Lead Risk Assessor accreditation is available at: <https://internet.deq.louisiana.gov/portal/divisions/lead/lead-risk-assessors>

What happens if the risk assessment finds a lead hazard?

DEQ notifies LDOE, and LDH. Your facility cannot begin operating until lead hazard control methods have completed and confirmed by DEQ.

What happens if no lead hazard is found?

Once DEQ, LDOE*, and LDH have received the report showing no lead hazards, no further testing is required to open the facility.

If you are applying for a LDOE license:

1. Complete the LDEQ Lead Risk Assessment Notification (LRN) form.
2. If your facility was constructed in 1978 or later, obtain documentation such as a parish or municipal building permit, property deed, or other official record that establishes the date of construction.
3. If your facility was constructed prior to 1978 and has not been inspected, has not had a risk assessment, or has not been the subject of lead abatement or remediation since 1978, hire an [accredited lead risk assessor](#) to complete a risk assessment to determine if there are lead hazards in paint, dust, and soil. Make sure you request a copy of the assessor's certificate of accreditation.
4. If lead hazards were found implement lead hazard controls methods, and obtain documentation from LDEQ showing that lead hazards have been addressed.
5. Keep all documentation demonstrating that all required inspections, risk assessments, lead abatement, or remediation activities were conducted in accordance with applicable federal and state requirements.

Where do I find the LRN form?

The LRN form can be found on LDEQ's website at:

https://www.deq.louisiana.gov/assets/Form_7269-Lead-Risk-Assessment-Notification-Form.pdf

Where do I submit the LRN form?

Submit the LRN form to LDEQ, LDOE, and LDH, following the submittal instructions on the LRN form. For LDOE licensing applications, upload the form along with your licensure application using the LDOE portal.

What do I need to submit with the LRN form?

For LDEQ, submit the following documents with the LRN form:

- If your facility was constructed in 1978 or later, documentation that establishes the date of construction.
- If your facility was constructed prior to 1978 and has already been inspected, or has been abated or remediated for lead, proof of prior inspection or abatement/remediation.
- If a risk assessment was conducted, a copy of the risk assessor's LDEQ certificate of accreditation that was effective on the date the lead risk assessment was conducted.

For LDH, submit just the LRN form.

For LDOE, upload just the form if a risk assessment wasn't required or if a risk assessment was required but no lead hazards were found. If lead hazards were found, upload the form and documentation from LDEQ showing the hazard has been addressed.

Renovations and Ongoing Obligations

Do I need to test again after I've opened?

Generally, no unless you undertake a major renovation or remodeling or a lead hazard is later discovered on the premises. In either case, further testing may be required.

What records do I need to keep?

You must maintain documentation demonstrating compliance with applicable federal and state lead hazard requirements and make it available upon request. It is also recommended to keep a copy of the risk assessor's accreditation.

Facilities Not Licensed by LDOE

My facility doesn't require licensure from LDOE. Am I still covered?

A risk assessment is required, but you do not have to submit the risk assessment results on the LRN form. See LDOE's website for information about the risk assessment requirements for facilities that do not require LDOE licensure.

Renovations and Ongoing Obligations

Do I need to test again after I've opened?

Generally, no unless you undertake a major renovation or remodeling or if a lead hazard is later discovered on the premises. In either case, further testing may be required.

Renovation, remodeling, or repair and maintenance of a building or structure constructed prior to 1978 that disrupts more than 6 square feet of painted surface per room for interior activities or more than 20 square feet of painted surface for exterior activities, including removing painted components, or portions of painted components, or involves window replacement or demolition of painted surface areas are subject to the Renovation, Repair and Painting (RRP) Rule, which requires that renovators are trained in the use of lead-safe work practices, that renovators and firms be certified, that providers of renovation training be accredited, and that renovators follow specific work practice standards. Additional information on the RRP rule can be found at <https://www.epa.gov/lead/renovation-repair-and-painting-program>). The RRP rule does not apply if the paint that will be disturbed has been tested by an accredited lead inspector or risk assessor, and analysis shows that the paint does not contain lead. Re-painting is not considered a renovation if there is no surface preparation that disturbs the existing paint prior to painting. If you disturb paint by scraping or sanding while preparing the surface, the RRP Rule applies.

If a lead hazard is discovered on the premises after opening, you must provide notification to LDEQ and to all parents or legal guardians of each child enrolled at the facility in accordance with LAC 33:III.2813. A copy of the notification must be displayed in a prominent location at your facility. Lead hazard must be addressed in accordance with LAC 33:III.2811.

Notification to LDEQ must be submitted on a lead hazard notification (LHN) form. The LHN form can be found on LDEQ's website at:

https://www.deq.louisiana.gov/assets/docs/Air/Lead_Paint/LHN-Lead-Hazard-Notification-Form.doc. A copy of the LDEQ Lead-Based Paint Activities regulations can be found in LAC 33:III Chapter 28 at: https://www.deq.louisiana.gov/assets/docs/Legal_Affairs/ERC/33v03Air.docx

Where to Get Help

Below is the contact information for LDEQ, LDOE, and LDH.

LDEQ

If you have questions about the LRN Form, or LDEQ Accredited Risk Assessors, contact the LDEQ at DEQ-LeadNotificationActivity@LA.GOV

LDOE

If you have questions about the LDOE submittal, contact the LDOE at LDELicensing@la.gov.

LDH

If you have questions about the LDH submittal, contact the LDH Section of Environmental Epidemiology and Toxicology at leadinfo@la.gov or by phone (toll free) 888-293-7020.

***NOTE:** An applicant submitting a lead hazard risk assessment as a condition of facility licensing pursuant to La. R.S. 30:2351.28 is not relieved of responsibility for the condition of the premises and violation of state and/or federal laws pertaining to lead hazards at the facility and grounds in paint, dust and soil and is subject to the legal consequences of such violation(s). LDOE, in approving the application, assumes no responsibility for the adequacy or accuracy of the report submitted or the failure of the party performing the risk assessment to comply with professional standards applicable to lead hazard risk assessment.