**Section 845.225 Final Clearance Evaluations in Regulated Facilities**

a) The owner, its agent and the licensed lead abatement contractor shall allow access to the Department or a delegate agency to inspect a work area at any time during a lead abatement or lead mitigation project to determine compliance with the Act and this Part.

b) Upon completion of the lead abatement or lead mitigation activities and the cleanup procedures outlined in Section 845.285, each work area shall pass a visual inspection and final clearance evaluation, which shall include the following minimum requirements:

1) A licensed lead inspector or lead risk assessor shall review the Work Practice and Occupant Protection Plan, developed by the licensed lead abatement supervisor as outlined in Section 845.255, to determine the areas that require a final clearance evaluation.

2) A licensed lead inspector or lead risk assessor shall receive and review the written assurance statement provided by the licensed lead abatement supervisor as required in Section 845.155.

3) A licensed lead inspector or lead risk assessor shall conduct a visual inspection of the work areas identified in the above-referenced Work Practice and Occupant Protection Plan to ensure that the surfaces have been abated or mitigated. The licensed lead inspector or lead risk assessor shall notify the owner or its agent and the licensed lead abatement contractor of the results of the visual inspection, and shall include the locations and characteristics of surfaces requiring further lead abatement, lead mitigation or cleanup. The visual assessment shall be documented in writing by the licensed lead inspector or lead risk assessor.

4) For work areas that pass the final visual inspection, and after ensuring that at least one hour has passed since lead abatement or lead mitigation and cleanup activities last occurred, a licensed lead inspector or lead risk assessor shall collect dust wipe samples from no fewer than 4 rooms or common areas within the work area identified in the Work Practice and Occupant Protection Plan. If there are fewer than 4 rooms, all rooms and common areas shall be sampled:

A) At least one sample shall be collected from the bare floor;

B) At least one sample shall be collected from a window stool and one sample from a window well if available;

C) One sample shall be located on a horizontal surface or bare floor at or near the entrance to the work area.

5) For work areas that fail the final visual inspections, the licensed lead abatement contractor shall repeat the procedures outlined in Section 845.285.

6) For work areas that pass the final visual inspection, but are found in non-compliance with the regulatory limits established in Section 845.205(c), the licensed lead abatement contractor shall repeat the procedures outlined in Section 845.285 for non-compliant surfaces and horizontal surfaces located below the non-compliant surfaces. Upon completion of these procedures, the licensed lead inspector or lead risk assessor shall repeat the visual assessment and dust sampling specified in subsection (b) for those non-compliant surfaces and the horizontal surfaces located below the non-compliant surfaces. This process shall continue until compliance with the regulatory limits established in Section 845.205(c) is achieved.

c) Before a work area may be released for re-occupancy, the work area must meet the following requirements.

1) The work area shall pass the visual inspection outlined in subsection (b), ensuring that all abated or mitigated surfaces and all uncarpeted floors have been treated to provide smooth and easily cleanable surfaces; and

2) Lead dust levels on horizontal surfaces are below the levels established in Section 845.205(c).All environmental lead samples must be submitted and analyzed by a laboratory currently recognized by NLLAP.

d) Upon achieving acceptable final clearance evaluation results, the licensed lead inspector or lead risk assessor shall prepare a written final clearance evaluation report. A copy of the final clearance evaluation report shall be provided to the licensed lead abatement contractor and to the owner of the regulated facility, who shall make the report available to any occupant tenant or parent (in the case of a child care facility). The report shall include the following:

1) The written assurance statement provided by the licensed lead abatement supervisor, as required in Section 845.155;

2) A written statement that the work area passed visual inspection and analyses for dust wipe samples collected in the work area were within acceptable regulatory limits as outlined in Section 845.205(c);

3) The printed name, license number, and written signature of the person who conducted the final clearance evaluation sampling; and

4) A copy of the field sampling forms utilized, including the locations where the samples were collected and a copy of the laboratory results.

e) The licensed lead inspector or lead risk assessor shall keep a copy of the final clearance evaluation report, as required by the record keeping requirements outlined in Section 845.230.

f) A final clearance evaluation shall not be conducted by a licensed lead inspector or lead risk assessor who is employed by or affiliated with the licensed lead abatement contractor that conducted the lead abatement or lead mitigation.

(Source: Amended at 43 Ill. Reg. 2440, effective February 8, 2019)