

**211.9061 Definitions for KRS 211.9061 to 211.9079 and KRS 211.990.**

For the purposes of KRS 211.9061 to 211.9079 and KRS 211.990:

- (1) "Child-occupied facility" means a building, or portion of a building constructed prior to 1978 other than target housing in which a child, six (6) years of age or under, spends at least three (3) hours a day, two (2) days a week, including but not limited to, child day-care facilities, family child-care homes, pre-schools, and kindergarten classrooms;
- (2) "Department" means the Department for Public Health;
- (3) "Lead-hazard detection" means an inspection or risk assessment conducted to determine the existence, nature, severity, and location of lead hazards;
- (4) (a) "Lead-hazard abatement" means a set of measures designed and intended to permanently eliminate lead hazards in a manner which will protect children and adults from the risk of lead poisoning, including the following:
  1. Removal, encapsulation, or enclosure of lead hazards;
  2. Replacement of lead-contaminated surfaces or fixtures;
  3. Removal or covering of lead-contaminated soil; and
  4. Site preparation and cleanup, preparation of debris for disposal, and other post-abatement activities which are conducted at the site and are associated with the abatement.
- (b) "Lead-hazard abatement" does not include the following:
  1. Renovation, remodeling, or landscaping activities which are not designed to permanently eliminate lead hazards, but are designed to repair, restore, or remodel a structure or a dwelling, even though these activities may incidentally result in a reduction or elimination of lead hazards; or
  2. Interim controls, operations and maintenance activities, or other measures or activities designed to temporarily, but not permanently, reduce lead hazards; and
- (5) "Target housing" means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities in which no child less than six (6) years of age resides or is expected to reside.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 426, sec. 331, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 168, sec. 1, effective July 15, 1996.