



Missouri Department of Health and Senior Services

P.O. Box 570, Jefferson City, MO 65102-0570 Phone: 573-751-6400 FAX: 573-751-6010
RELAY MISSOURI for Hearing and Speech Impaired 1-800-735-2966 VOICE 1-800-735-2466

Margaret T. Donnelly
Director



Jeremiah W. (Jay) Nixon
Governor

**MEMORANDUM OF UNDERSTANDING
BETWEEN MHTC AND DHSS ON LEAD ABATEMENT**

**Missouri Highways and Transportation Commission (MHTC), by and through Missouri
Department of Transportation (MoDOT), Commitments**

- 1) In order to carry out lead-bearing abatement activities, MoDOT will seek training and licensure for personnel in the following lead abatement disciplines as necessary: Project Designer, Lead Inspector, Risk Assessor, Lead Abatement Supervisor, Lead Abatement Worker and Lead Abatement Contractor. Pursuant to sections 701.300-701.332, RSMo, "lead-bearing substance activity" means any activity associated with a lead abatement project including, but not limited to, project design, risk assessment, inspection, abatement or deleading. For purposes of this contract, this shall include, but is not limited to, any testing or identifying of lead-based paint on the surface of structures, determining whether a painted structure is a lead-hazard because of deteriorated paint, and performance of lead-abatement activities.
- 2) MoDOT will distribute an informational packet to all primary contractors and subcontractors awarded lead abatement projects, including any project involving "industrial lead abatement" as defined in 19 CSR 30-70.600(19). In addition, MoDOT agrees to post the Lead Abatement Project Contractor Notification form on MoDOT's website for contractors.
 - Overview page containing information for lead abatement contractors or potential lead abatement contractors.
 - Lead Abatement Project Contractor Notification form (form MO 580-2997 (03-11)) specific for MoDOT projects.
 - Lead Abatement Project Contractor Re-Notification form (form MO 580-2998 (03-11)) specific for MoDOT projects.
 - Missouri Department of Health and Senior Services (DHSS) contact information sheet.
 - Lead Abatement Contractor Application.
 - Lead Occupation License Application.
- 3) On MoDOT let projects, MoDOT will require primary contractors or subcontractors performing lead abatement activities to be licensed Missouri lead abatement contractors. Additionally, employees of the contractors performing lead abatement activities will be required to be licensed as Missouri lead abatement supervisor(s) and/or workers.
- 4) MoDOT will notify DHSS ten (10) days prior to the onset of lead abatement projects with the following information by submitting the Funding Agency Notification Form (form MO 580-2995 (03-11)) for every job.

www.dhss.mo.gov

Healthy Missourians for life.

The Missouri Department of Health and Senior Services will be the leader in promoting, protecting and partnering for health.

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER: Services provided on a nondiscriminatory basis.

- Project's physical location.
 - City and county.
 - District engineer's name, telephone and email.
 - Type of structure being abated. Project strategy.
 - Estimated project start and completion date.
 - Name of lead abatement contractor, address, telephone, contractor lead license and contact person and their telephone number.
 - Signed by MoDOT representative or resident engineer.
- 5) MoDOT will require the lead abatement contractor to comply with all federal, state and local laws and regulations at all times.

Missouri Department of Health and Senior Services (DHSS) commitments

- 1) DHSS will review MoDOT's list of contractors performing any type of lead abatement work on MoDOT's projects to assure that the contractors are lead licensed. DHSS will receive this list from MoDOT on the Funding Agency Notification form.
- Upon receipt of a Funding Agency Notification form from MoDOT, all listed contractors will be reviewed to confirm that they are licensed lead abatement contractors.
 - If a listed contractor's license is expired or the listed contractor is not lead licensed, DHSS will notify the contractor of the issue(s) and provide corrective measures to resolve the issue(s).
 - MoDOT will be contacted through phone and/or email, when issues transpire that cannot be resolved with a contractor.
- 2) DHSS will review the Lead Abatement Project Contractor Notification forms submitted for MoDOT projects within three (3) business days. DHSS will confirm that all individuals listed as performing lead abatement are appropriately licensed.
- 3) DHSS will make available any forms and packets for MoDOT to distribute prior to start date of the project. Packet contents for lead abatement contractor working MoDOT projects include:
- Cover page containing information for lead abatement contractors or potential lead abatement contractors.
 - Lead Abatement Project Contractor Notification form (form MO 580-2997 (03-11)) specific for MoDOT projects.
 - Lead Abatement Project Contractor Re-Notification form (form MO 580-2998 (03-11)) specific for MoDOT projects.
 - Missouri Department of Health and Senior Services (DHSS) contact information sheet.
 - Lead Abatement Contractor Application.
 - Lead Occupation License Application.
- 4) DHSS will issue written notices of warning or violations for known failure to notify a lead abatement project and will follow up with MoDOT regarding any unresolved licensing issues.

- 5) DHSS does not have authority over demolition projects, which would include demolition of bridges or their components. DHSS will only be concerned with the projects that have identified lead-based paint and the removal and encapsulation of these painted surfaces.

DHSS and MoDOT jointly agree to continue collaborative efforts to work closely on these and any future lead abatement projects to ensure that they are performed by the appropriately licensed lead abatement individuals in the safest manner to protect the health and welfare of the general public.

This Memorandum of Understanding will be in effect for any contract or noncontract bridge lead abatement projects or any other jobs that require the abatement of lead hazards.

This Memorandum of Understanding has been signed this 20th day of April 2011.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

By [Signature]

Title Chief Engineer 4-20-11

ATTEST:

[Signature]
Secretary to the Commission

Approved as to Form:

[Signature]
Commission Counsel

MISSOURI DEPARTMENT OF
HEALTH AND SENIOR SERVICES

By [Signature]

Title Dir. of Admin.

ATTEST:

By [Signature]
Title Fiscal Liaison

Approved as to Form:

[Signature]
DIRECTOR
Title DIVISION OF ADMINISTRATION

MAY 05 2011

