

Lead-Free Delaware for Lead-Based Paint on Outdoor Structures

By: Raneen Rehani

In Spring 2026, Raneen Rehani, a Student Attorney in the Clinic, worked with Lead-Free Delaware to address the state's regulation of deteriorating lead-based paint on outdoor structures. In response to an ongoing contamination issue in the state, Lead-Free Delaware sought the Clinic's assistance in understanding the state's role in preventing deteriorating lead-based paint from negatively impacting human health. In 2018, the Clinic worked with Lead-Free Delaware to pass Title 16, Chapter 30M, a Delaware law that bans the application of lead-based paint on outdoor structures and authorizes administrative penalties for violations. Unfortunately, the regulation does not require the safe removal of pre-existing lead-based paint on outdoor structures or the reporting of its weathering, which could result in a release. The Clinic researched potential solutions, including amending Delaware law to provide remediation standards for outdoor structures containing lead-based paint, either through the pending regulation or by amending 30M.

To complete this research, Ms. Rehani analyzed federal laws such as the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and the Toxic Substance Control Act ("TSCA") as well as Delaware's Hazardous Substance Cleanup Act ("HSCA"). She also met with State Representative Larry Lambert and the Delaware Department of Natural Resources and Environmental Control (DNREC) to learn more about how the state approaches lead paint on outdoor structures. Ms. Rehani's research is available on the Clinic's webpage. According to Amy Roe, Lead-Free Delaware Representative, "The Clinic and its students continue to provide landmark contributions that are proving to be transformative in the arena of environmental policy and reframe how lead poisoning hazards are addressed. Their efforts will spare untold numbers of children from the devastating effects of lead poisoning."