

U.S. Department of Energy

State Plan – On-File Information

Grant Number: R340478. State: VA Program Year: 2008

III.1 Eligible Population

III.1.1 General Description

Definition of income

In accordance with the Energy Policy Act of 2005, Section 122(b), Section 412(7) of the Energy Conservation and Production Act (42 U.S.C. 6862(7)) as amended, Virginia will define an eligible client for Department of Energy funded programs as a client(s) whose household income is at or below 150% of the federal poverty level.

Virginia will continue to use the Virginia Department of Social Services federal poverty guideline of 130% of poverty to qualify clients to receive weatherization services from the Low-Income Home Energy Assistance Program.

Households receiving cash payments under Titles IV and XVI of the Social Security Act are eligible for DOE and LIHEAP Weatherization Assistance Program services.”

Procedures to determine that units weatherized have eligibility documentation

Income data for the 12 months preceding the date of application is used. The State provides subgrantees with an "application for services/eligibility certification form" containing information that must be obtained from prospective program participants before a decision can be made on their eligibility for weatherization assistance. Individual subgrantees may expand or reformat this application (for example to accommodate other types of assistance available through the subgrantee or to capture additional demographic information required by other funding sources); however, a subgrantee must include all the items on the application form provided by the State. All applicants are required to identify the amount and source of income for their household. In addition, they have to indicate whether they rent or own their home, and sign their application testifying to the correctness of their statements. In rental situations, property owners must sign the application to give authorization for the work. Falsification of an application is an activity that may be subject to prosecution.

Definition of “Children”

Children are dependents 18 years of age and under who live in the household.

Low-Income Members of an Indian Tribe

Low-income members of an Indian tribe will receive benefits equivalent to the assistance provided to other low-income persons within the State.

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Non-US Citizens

Subgrantees are required to confirm the status of non-US citizen's. Non-citizens must meet the definition of a qualified alien to receive weatherization services for single family residence. This requirement does not apply to multi-family projects. The definition of a qualified alien is included in the program manual.

III.1.2 Selection of Areas to Be Served

Virginia provides services statewide. All Virginia localities are eligible for assistance including cities, counties and towns. The list of all eligible localities is attached.

III.1.3 Priorities

Subgrantees may prioritize clients to receive services and have the flexibility to vary these priorities as necessary according to individual need; however, they must serve elderly and handicapped persons, households containing children (18 years of age and under), single family high-energy users and households with an energy-related crisis. The subgrantee's Board of Directors must approve these procedures, and are to be reviewed by the grantee during annual or periodic monitoring visits.

DHCD has developed a recommended prioritization process which is based on the priorities stated here (elderly, disabled, families with children). This process is described in the program manual.

III.2 Weatherization Analysis of Effectiveness

III.2.1 Type of Work to Be Done

Installation Standards: A complete copy of the Virginia Weatherization Assistance Program (WAP) Installation Standards has been submitted with previous applications to DOE. These standards will be updated during PY 2007 to reflect minor changes to weatherization practices and changes to licensing requirements regarding contractors.

The Installation Standards are specific to the type of structure: single family, site-built, mobile home and multi-family. However, all weatherization work, no matter the type of structure, requires pre- and post-blower door tests to meet closure targets that do not fall below minimum ventilation rates, pressure diagnostic tests where possible, and certain pre- and post-health and safety tests such as flue drafting for combustion appliances, tests for fuel leaks, and tests for carbon monoxide in the flue and ambient areas of the home.

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The Installation Standards are written, not as a priority list, but, as a descriptive guideline of the type of measures that can provide the highest energy savings to a house or housing component. It requires the following energy conservation measures for single family site built dwellings: Inspect Heating/cooling equipment and repair or replace as necessary (includes duct diagnostics and sealing); Seal any major air leaks and bypasses; Insulate exterior sidewalls (using a dense-pack method); Insulate and vent attic areas; Insulate ducts/heating pipes; Insulate domestic water heaters.

Separate Installation Standards have been developed for mobile homes. Again, these protocols are designed as a "package". Mobile homes require the following energy conservation measures: Inspect heating/cooling equipment and repair as necessary (to include duct diagnostics and sealing); Seal major air leaks; Floor (belly board cavity) insulation; Insulate domestic water heaters.

A Field Guide has been developed and distributed to each subgrantee that provides readily available how-to instructions on the application of weatherization measures. This guide is available to all crewmembers as a reference and a learning tool.

Refrigerators and Water Heaters: DHCD has approved the replacement of water heaters, per DOE notice 00-5. Water heaters may be replaced if the current water heater cannot be safely vented or is otherwise inoperable. As a general rule, fuel switching will not be allowed. However, the newly installed water heater must represent the lowest cost alternative, must be the water heater that will provide the highest savings to investment ratio (note the SIR does not include cost savings to the client monthly operating costs). Refrigerator replacement, while not common, is allowed on a case-by-case basis.

Renewable Energy Systems: Section 206 of the Energy Policy Act of 2005 (EPACT 2005) amended the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.) to clarify that weatherization funds may be used to install and to provide definitions and criteria to be used in assessing eligibility. DOE will establish an annual ceiling per dwelling for allowable costs. DHCD will allow subgrantees to use weatherization funds to be used to install renewable energy systems and measures and use the formula provided by DOE to ensure that the program continues to maintain the annually established average per unit cost. The list of measures considered to meet the definition of a "renewable" is listed in Part 440, Appendix A – Standards for Weatherization Materials. A copy of Appendix A is included with the On-File document.

Multi-Family Weatherization: Multi-family units, defined as properties with more than five units, and shelters offering temporary residence may be weatherized without prior written approval from DHCD if the project application and approval process has been reviewed by DHCD. Subgrantees are encouraged to "pool" resources from

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other programs so that a more complete job may be achieved. DHCD has drafted multi-family weatherization guidelines and provides a sample application for subgrantees to use as a guideline for developing their internal process. DHCD retains the option to review projects on an individual case-by-case basis and determine if a “special project” can move forward.

Subgrantees who are interested in "piloting" new approaches to reducing heat loss are encouraged to develop new standards for these measures and test the measures using the parameters set forth by the National Energy Audit (NEAT). Results of these piloted measures are shared with other subgrantees and the pilot programs are used to train other subgrantees.

III.2.2 Energy Audit Procedures

DOE approved DHCD's request to utilize the Virginia Weatherization Assistance Program Installation Standards in conjunction with the National Energy Audit (NEAT) in PY 2002.

DHCD uses the Virginia Installation Standards to weatherize homes. The measures outlined in the standards have been identified to provide the greatest energy savings to a house (see Section III 2.1.–Installation Standards). Subgrantees may determine the most appropriate measures based upon the home inspection which includes several diagnostic tests using specialized equipment. The NEAT audit is used to appropriately size heating system replacements. A site-specific inspection is required for every weatherization job, based on the Installation Standards and in compliance with the laws and building codes of Virginia.

Subgrantee staff is required to use the Installation Standards, as supported by NEAT. All Virginia subgrantees have been trained in the use of version 7.0 of NEAT and will periodically receive additional training as newer versions are made available.

A NEAT audit must be completed and documented in the project file for any project if a subgrantee, for whatever reason, wants to deviate from the Installation Standards. Additionally, DHCD requires that a load calculation be performed whenever a heating system is installed (to include a replacement system). Subgrantees use the load calculation capability in NEAT to complete this requirement. Subgrantees who work with licensed contractors for heating system installations, may allow the contractor use their own professional practices to complete the determination. These determinations must be written and kept in the file. Subgrantees inspect, review and approve the contractors practice during the project final inspection.

Energy audits of multi-unit structures occur infrequently.(once per year or less), and typically addresses low-rise structures that can be audited through a combination of the Installation Standards and NEAT.

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III.2.3 Final Inspection

Subgrantees are required to perform a final inspection of each dwelling unit before the job can be reported to DHCD as a completion. The final inspection must be signed and dated by the individual(s) trained and authorized to complete these inspections. The subgrantee must submit the names and addresses of the clients assisted and the total amount of materials costs for that job. DHCD may require the subgrantee to submit a copy of the signed inspection checklist with the job report.

In most cases, the inspector is someone other than a member of the crew who completed the work. Where this separation of responsibility is not possible because of a limited number of staff, a sampling of the completions is inspected a second time by someone such as the Weatherization Coordinator or some other individual who has knowledge of the program requirements.

In situations where a subcontractor is used to perform a portion or all of the weatherization work, DHCD holds the subgrantee contractually responsible for inspecting and certifying that the job has been completed to the Installation Standards.

DHCD staff also inspects completed work during regular and compliance monitoring visits. Weatherized homes are inspected to verify compliance with the Installation Standards. A minimum of 5 jobs or 10% (rounded to the highest) of the total number of completed and work-in-process jobs, whichever is less, is inspected. The monitor may, at their discretion monitor more houses. Typically, DHCD staff selects the jobs inspected either at random or during the course of a desk review.

III.2.4 Assessment of Effectiveness

July 1 -June 30 is the period of performance in the weatherization contract between DHCD and the subgrantee.

Subgrantee monitoring is ongoing and tied to the performance period in the contract between the subgrantee and DHCD. DHCD's analysis of individual subgrantees, and whether or not continued funding is warranted, includes such considerations as: onsite field and financial/administrative monitoring visits, and demonstrated willingness and ability to produce completed units while coordinating with and utilizing multiple funding sources.

Program production and expenditure rates are tracked on an on-going basis at the state level. This information is shared with the network of subgrantees during semi-annual statewide weatherization "interchanges" held by DHCD. Similar information is provided as part of the "Summary Analysis" prepared with each payment. Future

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training, technical assistance, and monitoring needs are determined based on these analyses and the results of the monitoring and the financial/administrative monitoring.

III.3 Health and Safety

The complete "Virginia Weatherization Assistance Program Health and Safety Procedures" is an integral part of the Virginia Weatherization Installation Standards. The Installation Standards require that subgrantee field staff inspect and test both before weatherization work is performed and after work is completed. In PY2005, in accordance with Virginia law, subgrantees were notified that they are required to work with a licensed HVAC contractor for any inspection activities that require breaching the integrity of the heating system, unless a subgrantee staff is a licensed journeyman or master HVAC tradesman.

The procedures, include, among other measures: Blower door testing for minimum ventilation rates (MVR); inspection and testing for unacceptable levels of carbon monoxide in the flue and ambient areas; power supply inspections; inspection for gas leaks; inspection for adequate combustion air for combustion type heating appliances; draft and pressure tests for combustion appliances; inspection of vent systems, to include the chimney; inspection for adequate clearance from combustibles; inspection of the condition of safety controls on combustion appliances.

DHCD has implemented DOE guidelines which separate Health and Safety expenditures from basic weatherization service costs. DHCD budgets ten percent (10%) of the funds in the subgrantee contract for Health and Safety expenses. This amount may be used for expenditures for energy-related Health and Safety measures, lead-safe weatherization practices and procedures, and equipment. Subgrantees may spend this additional allotment to address specific health and safety issues, including, but not limited to:

- Replacement hot water heater where one is unable to safely vent or is otherwise inoperable. As a general rule, fuel switching will not be allowed.
- Repair of plumbing leaks if leak will cause significant moisture problems.
- Testing and correcting unsafe conditions with combustible appliances.
- Installation of carbon monoxide and smoke detectors.
- Purchasing protective clothing, respirators, masks, gloves, first aid kits, etc.
- Purchasing and maintaining diagnostic tools and tools/equipment necessary for lead-based paint mitigation.
- Cleaning/repair of chimney and flue pipes.
- Pest control.

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Grantee Health and Safety

DHCD will utilize T/TA funds and administrative funds to purchase equipment and materials that will help insure the safety of its staff, including protective suits, respirators, and other equipment necessary to conduct field monitoring visits.

Crew/Contractor Safety

DHCD will continue to provide training services for subgrantees through qualified training organizations, and crew/contractor staff safety will continue to be an important part of these trainings.

DHCD expects subgrantees to adhere to all applicable state and OSHA workplace and building requirements. To help insure adherence, the Field Monitor will visit each subgrantee at least once during the program year. During this visit, the Field Monitor will inspect Weatherization equipment and vehicles and make recommendations as necessary. The Monitor will also visit a house that is in the process of being weatherized, during which time they may observe the safety procedures that are being followed. The Monitor will also observe the estimation and inspection process for thoroughness and adherence to program and regulatory requirements, including adherence to Virginia regulations regarding HVAC contractors are being followed.

Subgrantees are required to maintain Liability, Worker's Compensation, and Pollution Occurrence Insurance.

Client Safety

At the beginning of the weatherization process, a series of tests—discussed above and in the accompanying Installation Standards—assist in identifying any health risks or hazards that exist and must be addressed.

Subgrantees must follow lead-safe weatherization procedures to reduce or eliminate any client exposure to lead dust. Agencies shall be required to ensure that all workers are trained and that their training is documented in personnel files. This training not only provides protection for the client, but it also helps to assure the continued safety of the crew.

Potential Hazard Considerations

DHCD shall develop and continuously refine health and safety procedures to best protect all stakeholders. As part of the Weatherization program, subgrantees may respond to the following conditions:

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Biologicals – harsh odors and unsanitary conditions. Subgrantees are prohibited from using weatherization funds to remediate mold and mold hazards. They are expected to evaluate homes individually to determine if there are identifiable areas of moisture infiltration that can be remediated as part of home weatherization. Clients will be requested to mediate problems, particularly those relating to mold and other unsanitary conditions (failed sewage systems, etc). In cases where the client cannot resolve the problem, the subgrantee may use health and safety funds and/or resources other than weatherization resources to assist. This can include clean up of waste, including sewage, pest control, minor mold cleanup, and so forth. The home will not be weatherized until the house is a safe work environment.

DOE has developed a training and awareness curriculum that provides a basic tutorial of the types of mold, the cause of mold, and what is know about effective remediation methods. This curriculum is available on a compact disc and has been distributed to all subgrantees. The VWAP will not use DOE weatherization funds to remediate mold. Weatherization activities may not proceed until the client resolves the problem.

Combustion Appliances, Combustible Gases, Fire Hazards – Each subgrantee is required to follow testing procedures that will insure that combustible appliances are operating in a safe manner. As previously noted, all testing procedures must comply with Virginia law regulating the activity of licensed HVAC contractors. Upon the discovery of a problem with a combustible appliance, the subgrantee must act immediately to either correct the problem or notify the client of the issue. Weatherization funds can be used to address problems encountered with combustible appliances, including the replacement or repair of the heating system, chimney relining, and proper venting of appliances. DOE funds can be used in conjunction with LIHEAP funds to address these issues. Any work or activities that breach the integrity of the system must be performed by a licensed HVAC contractor. Under LIHEAP regulations in Virginia, a capital-intensive category remains available to provide funds for these repairs. The LIHEAP capital-intensive category provides an average of \$4,000 per job, and can be used in situations when at least \$200 in material costs is used to improve the efficiency of the heating system. This average cost is an increase from \$3,000 which was the allowable average cost the previous year and other years. Additionally, subgrantees are encouraged to leverage other non-Weatherization funds, in particular, Crisis funds, to help address heating system costs. Testing procedures are further detailed in the accompanying Virginia Installation Standards.

Existing Client Health Problems – Subgrantees shall obtain information from clients about pre-existing health problems that may impact the services that can be provided. These problems will be documented and care will be taken to avoid the exacerbation of the problem.

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Indoor Air Quality – Subgrantees are expected to be aware of airborne irritants that may present safety issues for the crew and client. As discussed previously, Virginia has developed testing procedures that will help identify IAQ problems. These tests are related mechanical systems emissions.

Asbestos shall not be addressed through the Weatherization program. The presence of asbestos can suffice as a cause for the deferral or denial of services. In cases where asbestos siding is present, subgrantees are instructed to defer services unless the siding can be replaced using other, non-Weatherization funds. Weatherization services can also be deferred in instances where asbestos has been used to wrap heating system pipes. Only with prior DHCD approval may a subgrantee use Weatherization funds to remove or encapsulate asbestos.

In cases where a radon problem is suspected or has been identified, a subgrantee may elect to defer Weatherization services. Weatherization funds will not be permitted to address issues related to radon or radon gasses.

Building Structure – The Installation Standards set forth an inspection process that helps identify potential structural problems. In cases where unsafe conditions exist, the subgrantee may elect to seek other sources of funding to assist in rehabilitation efforts. Incidental repairs, including plumbing repairs and minor structural repairs—such as to the flooring—are eligible under the Weatherization program, so long as these repairs are necessary in order to successfully complete the installation of weatherization measures. When structural issues are substantial, weatherization work may be deferred until the conditions have been improved.

Electrical Issues – The Installation Standards set forth an inspection process that verifies that the electrical systems is either sound, in need of upgrade, or not suitable for repair or upgrade by the weatherization program. Systems that can not be addressed may represent cause for a deferral or to implement the local walk-away policy. . Serious hazards typically cannot be addressed through the Weatherization program and additional resources will be sought to help with costs. When serious hazards cannot be addressed, Weatherization services can be deferred until they are corrected. Minor, incidental repairs can be made through the program.

In households with knob-and-tube wiring, wall cavities shall not be insulated. Attics containing knob-and-tube wiring must be rewired and inspected by a licensed electrician prior to insulating.

Refrigerant Issues – Subgrantees are required to follow local environmental laws to insure the proper disposal of refrigerants.

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Virginia Lead-Safe Work Practices

Virginia has completed a study of its lead safe weatherization practices. This study identified that clients and crewmembers can be well protected if standard lead safe work practices are utilized. The results of this study will now be combined by the updated guidance from DOE to finalize the Virginia policy and procedures. These practices apply to homes constructed prior to 1978 and occupied by children under the age of six. The revised and updated policy is listed here.

Lead-Safe Weatherization Training, Testing, Liability, Deferral, and Use of Funds

Lead-based paint dust is a hazard that is likely to exist in older homes. Weatherization work may directly disturb lead-based paint, or create hazardous conditions. Workers must be aware of this hazard and conduct Weatherization activities in a safe manner to avoid exposure or contamination to themselves, their families, or the household occupants. When Weatherization crews disturb surfaces that may have lead-based paint, they must exercise caution to keep any dust that is generated from weatherization activities from becoming a hazard. They do this (safeguard persons from lead-based paint hazards) through a set of safe work protocols hereafter referred to as Lead Safe Weatherization (LSW).

Lead based paint abatement, hazard control, or paint stabilization are not allowable activities for weatherization program funds. Activities and practices that occur during or in conjunction with weatherization that is necessary to prevent the generation of lead-based paint dust and residues is allowable if that work is necessary to effectively complete the installation of energy efficiency measures.

Pursuant to Title X of the Residential Lead-Based Paint Hazard Reduction Act of 1992, all weatherization sub-grantees shall follow these Lead Safe Weatherization (LSW) guidelines when weatherizing pre-1978 homes. LSW must be practiced in a manner that ensures adherence to applicable state and federal regulations.

Personal Exposure Limit Study

In August 2005, the Department of Housing and Community Development (DHCD) worked with an environmental services contractor to complete an air exposure level assessment study to determine if lead dust would pose a hazard for weatherization workers. The study found that:

Airborne lead concentrations were below acceptable limits. This data indicates that employees engaged in this type of weatherization activity at this type of structure are not exposed to airborne lead in excess of OSHA's

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action limit (30 μ per cubic meter) or permissible exposure limit (50 μ per cubic meter).

These results indicated that the general protocols that have been in place are adequate. Several recommendations were made of steps to take to strengthen and ensure safety for both clients and workers. These recommendations have been included in this revised policy.

Training

Lead Safe Work Practices (LSWP) training is essential to ensure a safe work environment for all workers, their families, and the weatherization client. DOE Training and Technical Assistance funds may be used for LSWP training.

Each weatherization staff-person or contractor that is directly involved in the installation of weatherization measures must complete one, 8-hour LSWP training course. Refresher classes may be completed as needed. Training must be performed by a training provider licensed to provide this training by the Virginia Department of Professional and Occupational Regulations (DPOR). A copy of the completion certificate must be maintained in the employee’s personnel file by the weatherization agency.

Licensure in any of the following fields may be held in lieu of Worker Certification: Supervisor, Inspector, or Risk Assessor.

Property Evaluation and Intake

All weatherization properties must be evaluated for the use of lead protocols. This evaluation will include a verification of the age of the house, a visual inspection of the exterior and interior painted surfaces that will be affected by the installation of measures, a determination about the presence of lead on windows, doors or friction surfaces that will be weatherized, , and a written verification of the age of the house. LSW is required when weatherization work will occur on properties that:

- were constructed pre-1978, and has not been determined be lead-based paint free, and the amount of painted surface to be disturbed exceeds
-
- two square feet per room of interior surface,
-
- or
-
- 20-square feet of exterior surface,
-
- or

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-
- 10% of a small component,
-
- or
-
- the amount of paint dust that will be generated will exceed OSHA-defined airborne levels for lead,
-
- or
- windows, doors or other friction surfaces will be affected in pre-1978 housing.

Use of Funds

DOE funds may not be used for routine paint testing, abatement, interim controls, or clearance testing, or for the purposes of completing abatement or interim control projects.

DOE funds may be used for periodic testing to determine how to apply Lead Safe Weatherization, if that testing is necessary to adequately assess the degree of lead safe work practices that are necessary to complete the installation of weatherization measures.

DOE Health & Safety funds may be used for the purchase of necessary protective clothing, barrier and containment sheeting, or equipment.

DOE Training and Technical Assistance funds may be used to complete LSWP training.

Lead Testing and Clearance Testing

Pre-testing for lead-based paint may occur to determine the presence of lead based paint, however, testing is not mandatory. Clearance testing must occur when weatherization is completed on a house that is either thought to or known to contain lead based paint.

The following guidelines are offered to aid your evaluation of the time and cost considerations associated with testing:

- Houses built from 1978 on may be assumed to be free of lead-based paint, without testing.

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- In houses built prior to 1930, it is logical to assume the presence of lead-based paint and save the cost of testing.
- In homes built between 1930 and 1978, testing may not be warranted if the amount of paint to be disturbed is small, since it may be cheaper to perform LSW for a small area than to incur the expense of testing. However, where the amount of paint to be disturbed is relatively large, it may be worth the cost of testing, since a negative result would mean that the crews could dispense with having to perform the LSW protocols.

About Clearance Testing - Clearance testing is a requirement for Weatherization work, and is an allowable expenditure of DOE funds. Clearance testing is required to all housing that is verified to be built prior to 1978 and is thought to or known to contain lead based paint. Funds other than DOE funds may be used for clearance testing.

Deferrals (Walk-Away)

Weatherization services shall be made available to eligible property owners where the property may contain lead based paint. Agencies may defer projects that exceed their ability weatherize the property within the program financial guidelines. Each agency should adopt a written internal deferral policy that states when it is prudent to defer Weatherization work in homes that have either **tested positive for or are assumed to have lead-based painted surfaces.**

Weatherization services may be deferred based upon the factors listed below. Service may be deferred only if the property has been determined to contain lead based paint and an evaluation has been made of the following factors:

1. Extent to which weatherization activities will disturb painted surfaces.

Will specific energy efficiency measures determined by the audit disturb painted surfaces that would raise the cost of the job to more than \$4,000?

- 2. Cost of doing lead-safe work practices.** Will the LSW costs represent a large portion of the total job cost? Will it exceed your allowable H&S budget (which could be the case if large amounts of lead-based paint surfaces will be disturbed)?

Second, the grantee should then determine, based on consideration of the above factors, whether to:

- Proceed with all the weatherization work, following LSW work practices, or

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- Defer all of the weatherization work.

Deferral would mean postponing the work either until the Weatherization agency is prepared to work with lead-based paint, or until another agency has corrected the problem such that weatherization can be safely performed. In cases where extensive LSW would be necessary, agencies are encouraged to arrange with other organizations or other funding sources to perform some of the more costly activities, such as risk assessment or clearance testing. In areas where there are no organizations performing such work, Weatherization agencies may choose to develop their capabilities for lead-based paint hazard control work.

Agencies may not defer providing weatherization only because there is lead-based paint in the home; however the capacity to perform lead safe weatherization must be in place.

Virginia Lead-Safe Work Practices

When Lead-Safe Weatherization is Necessary

- 1) If the dwelling was constructed pre-1978, and
- 2) The dwelling has not been determined to be lead-based paint free, and
- 3) The amount of disturbed lead-based painted surface exceeds two square feet per room of interior surface or twenty square feet of exterior surface.
- 4) A visual inspection of the property reveals chipped, cracked or peeling paint at the site(s) where weatherization work must be performed.

Things to Avoid:

- Do not turn leaded paint into leaded dust by dry scraping, sanding, or planing.
- Do not machine sand or grind nor conduct abrasive blasting unless using a HEPA filter exhaust control with the tools.
- Do not use a torch (or open-flame burning) or a high temperature heat gun to remove paint, coatings, or glazing compound.
- Do not smoke, eat, or drink while working with lead-paint.
- Do not allow children or pets in the work area until you have finished and the area is thoroughly cleaned.
- Do not cut lead-painted materials (door jambs, windows, etc...) inside of a house or apartment, unless it will be adequately contained.
- Do not track leaded dust from the work area to other areas.
- Do not use reusable painter's tarps or drop cloths.
- Do not leave anything for the occupant to clean up. Do not use the occupants broom, dustpan, or vacuum in cleaning up.

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- Do not take lead home on your clothes, shoes, tools, or vehicles.

Things to Practice

- ✓ Complete a visual inspection during the project estimation
- ✓ Always use lead-safe work practices when disturbing lead-based paint or presumed lead-based paint (pre-1978).
- ✓ Confine dust and debris by the use of proper containment barriers and work zone signs.
- ✓ Use disposable 6-mil polyethylene (poly) sheeting under all work areas.
- ✓ Work wet when sanding, scraping or planeing.
- ✓ Wear shoe/boot covers. Remember to remove them or wipe them when stepping off of the poly.
- ✓ Clean the work area as often as possible to minimize the accumulation of dust and debris.
- ✓ Use an adequate lead cleaning solutions or disposable wipe to clean work area.
- ✓ If dust lead hazards are observed in the work area, then ensure that necessary containment and protective barriers are in place.
- ✓ Remove visible paint chips and dust at areas where paint disturbing activities were performed daily and at the completion of all weatherization activities.
- ✓ Dispose of lead waste in 6-mil poly trash bags.
- ✓ Use a HEPA vacuum to clean the work area daily and at the completion of all weatherization activities.
- ✓ Wash or wipe down the work area with a detergent solution.
- ✓ Use HEPA attachments on tools that generate dust.
- ✓ A hand wash station must be provided for workers.
- ✓ Wash hands and face before eating, drinking, or engaging in any activity that will bring your hands in contact with your mouth.
- ✓ Change work clothes and shoes; wash tools; wash exposed areas of your body before going home.

General Setup and Containment

- ✓ Place barriers between the work area and non-work area. Use 6-mil poly sheeting as a ground cover.
- ✓ Remove drapes, furniture, curtains, rugs, and other personal items within 6 feet of the work area. If items cannot be moved, cover them with poly sheeting or plastic drop clothes.
- ✓ Set up a debris collection system to catch falling debris as you are working.
- ✓ Where possible, set up a lead-safe work area outside of the building to be used for cutting, sanding, re-glazing, etc...

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Cleaning and Disposal

- ✓ HEPA vacuum the work area. Start at the highest point and work downward.
- ✓ Remove the 6-mil poly and fold it on itself to keep the debris inside. Tape the sheeting closed.
- ✓ Remove any drop cloths and fold it on itself. Do not shake debris out. Tape the drop cloths and dispose.
- ✓ HEPA vacuum the area under the sheeting and at least two feet beyond it.
- ✓ HEPA vacuum the furniture in the surrounding area.
- ✓ If the surface is washable, spray/mist a detergent solution and wipe it clean.
- ✓ Carpeted surfaces should be thoroughly cleaned with the HEPA vacuum.
- ✓ Clean all tools.
- ✓ Lead is a hazardous waste and must be properly disposed of. Amounts weighing less than 50 pounds can be taken to a household hazardous waste facility. Check your locality to be certain.

Insurance/Liability

All weatherization service providers, contractors, or subcontractors must have sufficient liability insurance and pollution occurrence insurance (POI). POI may be available as a rider to an existing liability insurance policy. The cost of such insurance is an allowable DOE expense.

Client Notice

The Environmental Protection Agency (EPA) requires that this pamphlet, “Protect Your Family from Lead (*pamphlet # EPA 747-K-94-001*)” is given to all clients who occupy pre-1978 housing prior to the receipt of any improvement work. Agencies must also document by means of a signed receipt that the client received this pamphlet. This receipt is retained and becomes a part of the client file/job records.

When the EPA Regulation ***does apply***:

The EPA regulation (section 406) applies to all Weatherization work when true:

- The property is pre-1978 housing, and
- The property has not been certified to be lead-based free, and

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- The amount of disturbed lead-based painted surfaces will exceed two square feet per room of interior surfaces or twenty square feet of exterior surface.

When the EPA Regulation **does not apply**:

The EPA rule does not apply to Weatherization work when **any one** of the following three is true:

- It is post-1977 housing, or
- The dwelling has been certified to be lead-based paint free, or
- The amount of disturbed lead-based painted surfaces will be less than two square feet per room of interior surfaces or twenty square feet of exterior surfaces; however, it is recommended that Weatherization agencies do hand out the booklet in all cases involving pre-1978 housing, since it is excellent outreach material and the work may change after the job has begun, involving more disturbance of painted surfaces than originally anticipated.

Website reference: <http://www.epa.gov/lead/>. Also, call 1-800-424-LEAD.

III.4 Rental Procedures

Virginia ensures that benefits accrue to the eligible clients by weatherize only those homes where the tenant is responsible for utility payments, and by the terms of an owner agreement. This agreement is retained and becomes part of the client file/job records. The tenants are offered a copy of the owner agreement so that they may be generally aware of their rights. Virginia currently ensures that rents will not be raised for a reasonable period of time because of the weatherization work performed. Our owner agreement provides legally binding protection against such increases for the tenants, who are "third party beneficiaries" of the agreement. The term of the agreement (and the protection) may be variable, but cannot be less than one year. We may consider varying the period of protection as a function of percentage of landlord contribution to the total cost of the job. Enforcement of the terms of the owner agreement can be as simple as a call by a local agency to the owner to remind them of the terms of the agreement. If it becomes necessary, the client will be referred to a legal services group who represents low-income clients and will see that the agreement is enforced in the courts. The scope of the work will be limited by the Program's Installation Standards to energy-efficiency and health and safety improvements. Protection from eviction is handled the same way as protection from rent increases.

Multifamily

Virginia has developed administrative guidelines for multi-family weatherization projects. Subgrantees may develop a basic approval process that meets criteria

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established by DHCD. This local process must be reviewed and approved by DHCD prior to implementation.

Virginia requires financial participation from owners of all multifamily buildings with more than four units. They will be required to provide a cost match of 15% for direct or administrative costs for weatherization related improvements. These match funds may be used to complete essential property repairs or other energy efficiency activities not addressed by the Virginia WAP. The completion of strictly aesthetic or beautification measures will not be considered as an eligible match activity.

Clients must meet the same income eligibility requirements previously described, however, in a multi-unit property, the number of units that have income eligible clients may vary. At least 66% of all units in a multi-family property must be income eligible before weatherization services can be approved.

On a limited basis, at least fifty percent (50%) of all units in a multi-family property must be income eligible before weatherization services can be approved for those projects that will include leveraged funds. For these types of projects, the proposed work must identify that the completed project will yield a significant energy efficiency improvement

Single-Family

Owners of single-family rental units and multi-family buildings with four or fewer units are requested to contribute a minimum 15% of material and labor costs. Local WAP administrators will be given flexibility in determining policy to address waivers to this requirement. This policy must be written, approved by the Local Administrator's Board, and submitted to DHCD as part of the management plan. Landlords who are income eligible are automatically exempt from this requirement.

III.5 Program Management

III.5.1 Overview

DHCD falls under the Secretary of Commerce and Trade. The Department has a Director, a Principal Deputy Director and a Deputy Director for each of the Department's four Divisions of: Administration, Community Development, Building and Fire Regulations, and Housing. Organizational Charts for the Divisions are on file with DOE.

The Division of Housing has two units: Housing and Homeless Assistance, Housing Finance and Preservation. The Weatherization Assistance Program is located in the Housing Finance and Preservation Unit. The program is one of approximately fifteen (15) programs administered within the Housing Division. Other programs in the

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Housing Division assist with multifamily loans, homeownership, lead-based paint control and abatement, homelessness, and special populations such as individuals with AIDS or disabilities.

One full-time staff and one part-time staff are assigned to the WAP. A small number of other permanent and non-permanent positions provide administrative support, and the amount of DOE funds used to pay the costs associated with these support staff may vary from year-to-year depending on the DOE and LIHEAP allocation.

III.5.2 Administrative Expenditure Limits

Subgrantees with less than \$350,000 in DOE Weatherization funding, may submit a written request for administrative funds in excess of 5%, not to exceed a total of 10% of the total contract amount. The actual amount the subgrantee is provided is the lesser of the amount actually spent and the number of units completed times the current percentage approved. DHCD receives 5% of the total grant for administrative purposes.

Any program income earned must be used to complete additional units. Property owner contributions (landlords) and leveraged resources (utility or state funds) are not considered program income. and leveraged resources that are used in DOE Weatherization Program may be treated as appropriated funds, in which case they could be added to the total appropriated funds to determine overall administrative costs. DOE defines program income as any funds earned by the grantee and/or subgrantee(s) from non-Federal sources during the course of performing DOE Weatherization work. The income generated must be used to complete additional dwelling units in conformance with DOE rules, regulations, and guidance.

No changes to percentage limits will occur. DHCD will review any and all subgrantee program income and leveraged resource funding, being used by subgrantees as appropriated funds, to determine the appropriateness of additional administrative funding.

III.5.3 Monitoring

Financial monitoring shall be completed by the DHCD Financial Analyst and by the Program Administrator. Administrative monitoring will be completed by the Program Administrator, and technical monitoring will be completed by the Field Monitor.

Several methods, such as subgrantee monitoring visits, monitoring instruments (checklists), and written reports will be used to evaluate performance, provide substantive feedback, and ensure the quality of work and adequate financial management control at the subgrantee level. Each Weatherization subgrantee is expected to receive a minimum of one monitoring visit per year. Additional

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monitoring may be scheduled if needed, and follow-up visits will be conducted by the monitor to evaluate “re-works” or to resolve any client complaints. DHCD plans to monitor a minimum of 5 jobs (weatherized homes) or 10% of the completed jobs or jobs-in-process, whichever is less. The focus of an individual subgrantee monitoring will depend upon the results of previous monitoring, audits, etc. Site visits include a pre-conference and a post conference with the Executive Director.

Field and financial/administrative monitoring are conducted separately and will include the following areas:

- a. Applications
- b. Program files and records
- c. Outreach
- d. Inventory
- e. Vehicles used in weatherization
- f. Job inspections
- g. Financial records
- h. Subcontracting records
- i. Program compliance

A written monitoring report, summarizing strengths and deficiencies and a suggested or required course of action to correct any deficiencies, is sent to the subgrantee within 30 days after each visit. A subgrantee is given up to 45 days to respond to the report. Failure to do so can result in delay of reimbursement for work performed, or in repeated cases, suspension or termination of the WAP contract.

DHCD staff performs “desk monitoring” of production and financial reports submitted to DHCD. Monitoring includes a review for accuracy and compliance with contractual requirements and federal regulations. Failure to submit accurate reports in a timely manner may result in a withholding of a reimbursement.

DHCD reviews and summarizes, at least annually, the results of subgrantee monitoring reports in order to assess subgrantee needs, strengths, and weaknesses. Annual subgrantee audits, conducted by an independent CPA, are a contractual provision. Audit reviews are performed on an on-going basis.

III.5.4 Training and Technical Assistance Plan

T/TA funds will be used by DHCD staff to provide statewide training and technical assistance including T/TA visits, training and technical assistance, the sponsoring of a once or twice a year subgrantee Interchange and ad hoc regional roundtable discussions to participate in regional and national training and conferences, and to promote energy conservation education.

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Subgrantees will be provided training and technical assistance funding so that they can meet specific, individual needs. The subgrantee activities include costs associated with quality control, training, required contractor licensing and certification.

Beginning with PY 2005, subgrantee expenditure of T/TA funds to pay for in-state and out-of-state conferences, including registration, materials, travel, lodging, per diem, and other associated costs is limited to fifty percent (50%) of the subgrantee's allocation for T/TA.

Beginning with PY 2007, subgrantees who maintain in-house work crews are allocated \$7,000 for T/TA activities. Subgrantees may determine their training needs, or complete training that is specified or required by DHCD in response to mandated or regulatory performance requirement such as mandatory Lead Safe Weatherization training or HVAC licensing requirements. Subgrantees who do not maintain an in-house crew are now allowed to use up to \$4,000.

Beginning with PY 2007, these amounts will be increased to \$8,000 for subgrantees who maintain in-house work crews are allocated \$8,000 for T/TA activities, and to \$5,000 for subgrantees complete weatherization services through a subcontractor.

Additional T/TA funds may be made available to a subgrantee upon request and on a case-by-case basis, in consideration of special or extenuating circumstances.

Grantee T/TA funding will be used to provide on-site financial and programmatic monitoring and training and technical assistance by DHCD staff to the subgrantees, and for limited peer monitoring arranged by DHCD if necessary. Where possible, the Weatherization Program coordinates training and monitoring with DHCD non-WAP programs to encourage resource leveraging, program expansion, and coordination of services for a more complete job.

DHCD will also continue to conduct "interchanges" once or twice each year and ad hoc regional roundtable discussions with WAP subgrantees. These meetings allow agency staff and subgrantees an opportunity to meet face-to-face and address any questions or concerns, plus they provide a forum for subgrantees to provide input for program policy and design. The interchange(s) will also be used to facilitate the coordination of WAP and other non-DOE programs—such as Crisis—and staff from the Virginia Department of Social Services are invited to attend as well.

Technical assistance will be provided to local weatherization programs as they are monitored. This assistance occurs during the monitoring process because, as deficiencies are identified, the monitor will explain and show local agency personnel how the deficiencies can be corrected. Any deficiencies that appear to be program wide or affecting a significant portion of subgrantees will result in defining training needs for all subgrantees.

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III.5.5 Leverage Funds

DHCD encourages the federally allowable practice of leveraging resources by the subgrantees to generate additional weatherization program income. Leveraged resources must produce a documented return of more than one dollar for every dollar spent. The leveraged resources should expand energy efficiency services and/or increase the number of DOE-eligible dwelling units weatherized. Landlord contributions are not leveraged resources. Subgrantees are required to report all leveraged resources appropriately.

DHCD reserves the option to retain up to 15% of the DOE grant for leveraging resources as allowed by federal guidance. As allowed, these leveraged resources may also be used for the preparing of technical materials and briefs. All leveraging activities will be reported appropriately.