

Example Policies and Procedures (Your Locale's Requirements May Vary)

MANAGEMENT PLAN:

The City of Anytown, through its Department of Community Development Staff, will work in cooperation with eight (8) Community Based Organizations, (CBO's) and the Williams County Lead Poisoning Control Division to continue operating the Lead Hazard Control Program (LHCP). Based upon these existing relationships the LHCP will continue to provide all technical and financial assistance necessary to reduce lead hazards in approximately 235 low to very low income households targeting pre 1940 rental units with EBL children. The work will be performed by lead licensed contractors. The LHCP will coordinate more training for workers and contractors in order to have an adequate pool of licensed individuals.

Under the current Round 10 Grant, the staffing for the new Lead Hazard Reduction Demonstration Grant will be the same individuals with their salaries paid by both the HUD Grant and matching Community Development Block Grant (CDBG) funding. All administrative procedures and forms under the Round 10 Grant were updated in February 2003 incorporating any new federal lead regulations. The contracts with the Community Based Organizations (CBO's) have been renewed for a one year period, along with the Williams County Health Department's Lead Poisoning Division. Our NLLAP approved laboratory contract with Acme Laboratories' was renewed in July 2003 with their firm providing analysis for dust, water and soil samples. The Interim Lead Safe Housing Contract that provides relocation services has been extended for an additional year. The Environmental Review process has begun for the Lead Hazard Reduction Demonstration Grant, and the comment period completed by December 5, 2003.

Program administration activities will be ongoing throughout the forty-two (42) month grant period. The Program Manager has the management capability and technical expertise to oversee all aspects of the program, including administration, data collection, laboratory analysis review, lead based paint specifications and project monitoring. The Program Manager will be Mary (Betsy) Jones, who possesses these management skills through a Masters in Public Administration from Anytown University Maxwell School, and the technical expertise as an EPA Licensed Lead Inspector /Risk Assessor, and Contractor Supervisor and a Code Enforcement Official of New York State. Mrs. Jones has been the Program Manager of the LHCP overseeing the development of the program and its projects since its inception in May 1995. Mrs. Jones will continue to be the primary contact with HUD, the Williams County Health Department, the Community Based Organizations, the New York State Department of Health, the U.S. Environmental Protection Agency, and all daily contacts needed for the successful administration of the program.

The Senior Lead Coordinator for the program will be Mr. Timothy Timothy, an EPA Licensed Risk Assessor and Contractor/Supervisor. He has extensive knowledge and expertise in the lead abatement and asbestos fields with over ten years experience. He will be responsible for managing and scheduling personnel to perform the necessary risk assessments. He will write all technical lead specifications for bid, and monitor the contractors' adherence to these scope of services. He will manage the day to day inspections, and contractor operations for the lead program and report directly to the Program Manager.

The Lead Inspector for the program will be Mr. Edward Edwards, an EPA Licensed Lead Risk Assessor and Code Enforcement Official, NYS. Mr. Edwards has the knowledge and expertise in remodeling, rehabilitating and renovating, along with extensive training in various lead disciplines. Mr. Edwards's primary responsibilities will be the day-to-day project monitoring, along with providing daily progress reports to the Program Manager. Mr. Edwards will be in charge of compiling and maintaining all job log books, which contain the following information; contractor submittals, lead hazard control specifications, work plans, and required employee medical information. Mr. Edwards will continue to oversee the lead based paint inspections and assist in the development of the work specifications and floor plans for each project.

The key staff personnel provided by the Department of Community Development, through both in-kind services and Lead Hazard Reduction Demonstration Grant funding will be Ms. Lorraine Lorraine, Lead Program Secretary, Mr. Michael Micheals, Outreach and Education Coordinator, Jason Jasons and Adam Adams, and David Davids Lead Coordinators.

Ms. Lorraine Lorraine, Lead Program Secretary: Her duties include processing all contractor documentation, packaging contractor bids, developing lead status reports, and input of case documentation into the lead tracking data system. Ms. Lorraine is also responsible for the development and implementation of the loan closing process for all properties. She is responsible for managing the day to day office affairs and completes various tasks assigned by the Program Manager.

Mr. Michael Michaels, the Outreach and Education Coordinator: He will report directly to the Program Manager. His primary duties include: maintaining the lead licensed contractor files, (which includes their licenses, Section 3, MBE/WBE, and insurance records), and performing all outreach and education to the community. He is the primary liaison between the CBO's and the LHCP.

Adam Adams, Lead Coordinator is an EPA Licensed Risk Assessor, and Contractor/Supervisor. His primary responsibility will be to perform lead inspections/risk assessments for the LHCP.

Jason Jasons, Lead Coordinator, is an EPA Licensed Risk Assessor, and Contractor/Supervisor and will be performing lead risk assessments/Inspections, clearances and project monitoring of contracts performing lead risk reduction activities.

David Smith, Lead Coordinator, is an EPA Licensed Risk Assessor; his primary duties will include lead inspection/risk assessments and clearances.

No obstacles are anticipated in order to plan and administer the lead grant funding.

All subcontracts under the LHCP are required to adhere to the City's standard procurement process. This involves an extensive solicitation process established by the City's Purchase Department, approval and review by the Corporation Counsel, a majority vote by the Common Council and final approval granted by the Mayor of Anytown.

SELECTION PROCESS FOR SUB-GRANTEES, SUBCONTRACTORS, SUBRECIPIENTS:

A. Contractors:

The Contractors selected for each project will be EPA Region 2 licensed lead contractors. They must meet the City of Anytown Lead Hazard Control Program's Selection Criteria process which includes; insurance, both general and lead liability, lead licensing and certification, MBE and WBE requirements. **See Attached** for the Contractor Criteria for acceptance onto Bidder's List.

B. Community Based Organizations:

The Community Based Organizations are selected through the City of Anytown Request for Proposal Process (R.F.P.). The agencies must submit a commitment letter and a plan of action for approval by the Program Manager. These Commitments are then forwarded to the City of Anytown Common Council to vote on and approve. Once approved by the majority vote of the council, the ordinance is submitted to the Mayor of the City of Anytown. If approved by the Mayor, a formal contractual agreement is formulated and signed by the Director of the Agency and the Mayor. **See Attached** for CBO Agreement.

C. Laboratory Services:

The City of Anytown's formal Request for Professional Services process is followed. This process is monitored by the City of Anytown Purchase Department. The Laboratory currently under contract is Acme Laboratories, Inc., of Virginia. An R.F.P. was placed out to bid for an NLLAP approved laboratory to

analyze water, soil, and dust wipe samples and provide a written data report on the results to the Program Manager for inclusion in the risk assessment reports.

INDENTIFICATION, SELECTION & PRIORITIZATION OF PROPERTIES:

The City of Anytown LHCP offers its services city-wide to eligible homeowners, but will emphasize the six community development revitalization areas and pre-1940 rental housing units with an EBL child. Homes are selected according to the age and condition of the structure, the number of children under the age of six, and the relative degree of poverty. An assessment of the condition of the lead based paint in the housing will be conducted because merely the presence of lead paint does not always constitute a hazard. The older and more deteriorated the surfaces containing lead based paint, the higher the leaded dust, and the more extensive the renovations, the greater the potential for lead poisoning. The condition of the housing unit is assessed for lead based paint which meets one of the following criteria:

1. Peeling, flaking, chipping, chalking or otherwise noticeably deteriorated on friction, impact or accessible surfaces.
2. Present in excessive amounts in accessible locations such as floors, window sills or wells.
3. Excessive levels of leaded dust.

The existence of lead hazards becomes more self-evident when one considers the City of Anytown's housing stock, its condition, the number of pre-1940 housing units, median family income, number of vacant structures, number of single headed households, increased number of rental properties, and the number of children under age six with elevated blood lead levels. The City's median family income in the target areas is approximately \$24,635 with 88% of the housing stock pre-dating 1978. There are 14,101 children under the age of six residing in the revitalization areas and over 19% of these children are experiencing an elevated blood lead level. Statistics indicate that the City is primarily renters who occupy 73% of the housing units. These demographics and other socio-economic factors make the need for future lead hazard control activities evident.

The LHCP receives potential applicants through referrals from the CBO's and the Williams County Health Department and their eligibility is reviewed in accordance with the criteria requirements for acceptance into the program. Enrollment is open year-round to all residents of the City of Anytown who qualify according to income guidelines and have a child under the age of six with an elevated blood lead level residing in the structure. Applicants who are owner-occupants must meet the following guidelines:

- * Low to very low income
- * Have children under the age of six residing in household with an EBL at or above 10 ug/dl
- * Reside in a one or two family dwelling
- * Provide proof of ownership, i.e., a Deed
- * Provide proof of property insurance and be current on payments (Flood insurance if located in floodplain)
- * Be current on all City of Anytown Property & Water taxes (as applicable)
- * Have a property with no structural deficiencies

These applicants who qualify for the program will be eligible for a deferred loan up to a maximum of \$10,000/unit, which will be forgiven if the owner resides on the premises for three years.

Applicants who are investor-owners must meet the following guidelines:

- * Have low to very low income tenants
- * Have the qualifying unit occupied by a child under the age of six with a EBL at or above 10 ug/dl
- * Own between one to four units
- * Provide proof of ownership, i. e., Deed

- * Provide proof of property insurance and be current on payments (flood insurance if located in floodplain)
- * Provide proof of mortgage and be current on payments
- * Have a current Certificate of Compliance as required by State and local building codes
- * Have no structural deficiencies
- * Be current on all City of Anytown Property & Water taxes
- * Vacant units- Owner-Investor must have signed and notarized addendum that they will rent to low income to very low income families for a period of three years.
- * Receive and initiate Fair Housing practices

Applicants who qualify for the program will be allowed up \$10,000 per unit, \$20,000 maximum on a three year deferred promissory note. Payment is due only:

- a. If the lead-abated property is sold within three years of the date of loan closing or,
- b. If the owner no longer occupies the property as his or her principal residence.

See Attached for LHCP Requirements for Owner/Occupants and Investor/Owners.

FUNDING FLOW

Loan funds for the LHCP are accessed and paid to the contractor upon final inspection and approval of completed work by the homeowner, Program Manger and Lead Risk Assessor. Following the completion of the project, a Disposition of Funds Statement is forwarded to the homeowner, which is the final accounting of payments made to the contractor, along with dates payments were made on said project. If the homeowner is in agreement with the accounting, the form is signed and returned to Community Development Fiscal Department and the escrowed account is closed.

The loans to the homeowner are a three-year deferred promissory note. If the homeowner owns the property for a three year period, the loan is deferred and no pay-back to the City of Anytown is required. The selection and prioritization process section describes the funding flow in more detail. **See Attached** for a sample Promissory Note (Loan Closing) Document, Table of Contents of a Case File, Standard Form of Agreement and Proceed Order.

DESCRIPTION OF THE FINANCING MECHANISM:

As described under sections, "funding flow" and the "identification and selection of properties" once property owners are selected they must meet all the financial criteria listed. Once the preliminary financial approval stage for property owners has taken place and the job is awarded to the contractor, a three-party meeting is scheduled between the property owner, contractor and Senior Lead Coordinator to review the contract work specifications. Once these members are in agreement, the contract package is given to the Finance Specialist to schedule a loan closing. At this closing, the property owner signs a promissory note stating they will own the property for the next three years, and the loan will be forgiven. If the property is sold within three years from the date of closing, the entire amount of the loan is due and payable to the City of Anytown LHCP. The administering agency is the City of Anytown, Department of Community Development. The eligibility requirements for property owners are set forth in the Identification and Selection Section. The LHCP Grant pays for the entire amount of deferred loan.

INSPECTION/RISK ASSESSMENT TESTING PROCEDURES:

Early in a case's process, an initial inspection of the subject property is performed. At this time, the Program's EPA Licensed Risk Assessors perform tests on all painted surfaces and collects the necessary samples. These samples include dust wipes, soil, and XRF analysis. All samples are analyzed, and within 24 hours a laboratory report from Acme Laboratories, Inc. of Richmond, Virginia, an EPA, NLLAP accredited firm, is sent to the Program Manager who reviews the laboratory analysis. A Lead Risk Assessment Report is compiled by the Senior Lead Coordinator. The report includes XRF analysis, sampling results, a visual inspection of the lead paint areas, the floor plan, and a

recommended plan of action. This report becomes the basis of the scope of services for contractors to bid. The risk assessment report is given to the property owner at the three party meeting along with notification to the owner describing his/her legal duty to disclose the results in the future to perspective owners and/or tenants. **See Attached** for a sample Risk Assessment Questionnaire, a Sample Lead Based Paint Risk Assessment, a Visual Clearance Report, and a Lead Hazard Risk Reduction Report and Owner Receipt of Report.

The following methods of testing are utilized during the lead based paint inspections/risk assessments.

1. Testing by XRF (X-RAY Fluorescence) measures both direct read and spectrum analyzer.
2. Paint chip collection and confirmation testing of any inconclusive readings
3. Soil sampling.
4. Dust wipe sampling.

A lead paint risk assessment/ inspection is performed by the City of Anytown LHCP in accordance with the HUD Guidelines which establishes 1.0 mg/cm² or .5% by weight as the criteria for leaded paint. The LHCP strictly adheres to this protocol for all permissible exposure limits for all samples as noted in Chapter 1 of the HUD Guidelines and the EPA Established Regulatory limits. In one and two-family owner-occupied buildings, the entire structure, interior and exterior, are inspected and tested. In dwellings with more than two units, the unit where the child with the elevated blood lead level resides is inspected and lead hazard control measures instituted. However, if upon inspection, the adjoining units or entire exterior of the structure appears to have lead paint hazards and could contribute to the child's poisoning as secondary sources; these units will be tested and addressed during remediation.

The Risk Assessment Report assists the Program Manager and the Senior Lead Coordinator in selecting the best possible lead hazard control methods. The following chart is another tool utilized in this decision making process:

<u>Paint</u>	<u>Excessive Lead Dust</u>	<u>Non-Excessive Lead Dust</u>
Non Intact Lead Paint	Abate Paint Treat Surfaces	Abate Paint
Intact Lead Paint	Abate Paint	Selective Abatement
No Lead Paint	Treat Surfaces	No Action

Once the initial lead paint inspection is performed and the test results are compiled, the Senior Lead Coordinator decides which components in the structure will undergo lead hazard control and which methodology will be applied. These decisions are reviewed and approved by the Program Manager. The units will be completed a combination of lead hazard methodologies depending upon the structure's lead amounts analyzed and reported. Historical requirements also dictate the type of lead hazard control methodology selected for any structure. Each case enrolled in the program is reviewed for historic content by the State of New York Historic Preservation Board.

The decision on which methodology to implement will also depend upon accessibility, lead concentrations, vulnerability to deterioration, presence of lead poisoned children and budgetary considerations. The City of Anytown Lead Hazard Reduction Demonstration Grant Proposal will consist of the following:

<u>Type of Method</u>	<u># of Units</u>	<u>Cost/Unit</u>	<u>Total/Units</u>
Hazard Control Risk Reduction	155	12,000	1,860,000
Interim Controls	80	6,000	480,000

Total Estimated Amount: \$ 2,340,000

Selection of units will include vacant structures, one and two family owner-occupied, and multiple dwellings up to four units. As described earlier, the City of Anytown's housing stock is older, primarily wood frame construction, predominantly two story single family structures, with two to four bedrooms. The proposed will be paid directly to licensed, EPA lead contractors for the lead hazard control activities specified in the scope of services.

PROCESS FOR DEVELOPING WORK SPECIFICATION AND BIDS:

Once the Lead Inspection/Risk Assessment report is completed along with the initial visual assessment of the property, the Williams County Environmental Control Division report of any cited lead violations, and the elevated blood lead test results of the children are gathered, a full analysis can then be made to determine where lead hazards exist. The Senior Lead Coordinator will make a site visit to the unit with all of the above documentations in order to determine the components that will require some form of lead hazard risk reduction. The following Lead Hazard Control Methodologies may be utilized:

1. Replacement or removal of lead based paint components
i.e. windows, doors, baseboards, cabinets
2. Enclosure of lead based paint components
i.e. sheet rocking, dry wall
3. Encapsulation of lead based paint surfaces
i.e. using an approved encapsulate, on stair stringers, baseboards
4. Paint Film Stabilization
i.e. exterior painting especially for Historic Structures
5. Friction Surface treatment
i.e. Door jambs, window stops
6. Dust Removal
i.e. Specifying 3-step cleaning process for all surfaces
7. Complete removal of lead based paint by mechanical or chemical methods
i.e. utilizing approved strippers or a heat gun below 1100 F
8. Mitigation of Bare Soil
i.e. placing new sod, shrubs, groundcover, raised boxes, plantings
9. Off-site Stripping
i.e. has been utilized on historic window and door components

Once the work specifications are written, they are submitted to the Program Manager for final approval. Upon approval, the work specifications are placed out to bid in packages of 2 units to a maximum of 6 units. This allows the contractor who is awarded a package to be guaranteed a certain amount of work. **See attached** for Required Bid Process documents, a Job Start-up Inspector Check List, and a Site Preparation Guide Sheet.

LEVELS OF INTERVENTION & CLEARANCE PROCEDURES:

Several assurances and controls have been instituted by the current LHCP in order for lead hazard control activities to be properly performed: this includes a detailed lead hazard control plan. The plan must include a description of the lead hazards and the methodologies selected to remediate the lead hazards. The plan contains the worker protection and safety plan, the occupant protection plan, a description of the procedures and equipment, a

product materials list along with any MSDS information. It gives the general description of work procedures, techniques, enclosures, decontamination and any other information that may be unique to the project. It includes the personnel roster, all personnel licenses and medicals, the respiratory fit plan and a detailed waste disposal plan for both hazardous and non hazardous debris. All of the above mentioned documentation is kept in a Job Log Book at the site for the duration of the project.

The contractor is responsible to perform all lead hazard control activities in accordance with the HUD Guidelines, the HUD Lead Safe Housing Rule and any applicable E.P.A. Regulations. The Contractor is responsible for all pre-submittals, the lead hazard control plan and documents, and an Emergency Plan. A job start-up inspector check list is reviewed before the commencement of each work day in order to assure complete compliance with the regulations.

Proposed for the Lead Hazard Reduction Demonstration Grant application is the completion of an additional 350 housing units. These units will be completed according to the Logic Model and Work Plan Performance Benchmark Standards. There are 80 units slated for interim controls which could include any of the following activities; paint film stabilization, friction surface treatment, paint repair, or dust removal. The other 155 units could receive any of the stated methodologies listed under the "Process for developing work Specifications and bids".

Clearances will continue to be performed by a City of Anytown EPA Licensed Risk Assessor. This individual will first perform a visual assessment upon the completion of lead hazard control activities and then take clearance dust wipe samples in accordance with the HUD Guidelines and EPA Federal Regulations. An independent NLLAP approved laboratory will analyze the samples and report the results to the Program Manager. Relocation back into the dwelling of occupants will take place once clearance standards are met. Contractors are charged a fee for any failures and are responsible to re-clean areas until clearances have been achieved.

RELOCATION PLAN:

Relocation of all occupants whose dwelling unit is undergoing lead hazard control activities are provided the option of temporary relocation. The City of Anytown has a contract with the Williams County Health Department's Interim Lead Safe Housing Program. The Relocation staff make arrangements to conduct a home visit to provide the occupants, wishing to participate in relocation, the initial information regarding lead hazard control activities that have been selected for the structure. The staff also provides information on blood lead testing, nutrition, the process involving relocation, fair housing counseling and the basic information about food, transportation, busing of school age children, and pets.

When temporary relocation is required, the staff explores the various options available to the occupant, based upon needs expressed and expenses that will be incurred. The City utilizes the Salvation Army's Lead Safe apartments or one of three local hotels. The relocation staff make the final arrangements once the start date of the project is determined. The staff assists the family with the move providing transportation and car seats when needed. On-going counseling, support, and problem solving is also provided to occupants for the duration of the project. No eligible person is denied access to relocation services, and agreement for payment of eligible costs is based upon services performed in accordance with adequate documentation for actual costs incurred. The average cost of relocation per family under the LHCP is \$90.00 per day. The homeowner/occupant is responsible for moving and storage of all valuables. The relocation staff does assist with an inventory checklist of all household valuables not placed in storage. The Contractor provides polyethylene coverage for all objects or furniture not moved by the occupants. The City of Anytown LHCP will provide a pre-inspection video upon request of the premises prior to any work commencing.

Once the lead hazard control activities are completed along with any interior rehabilitation work, a City of Anytown EPA Licensed Risk Assessor will perform a visual inspection and take clearance samples as prescribed by federal guidelines and regulations. An independent, NLLAP approved laboratory analyzes the dust samples and provides a 24 hour verbal analysis of the results to the Program Manager. If the clearance standards are met,

occupants are allowed to return to the unit. **See Attached** for Relocation Letter to Occupants, Relocation Agreement and the Interim Lead Safe Housing Brochure.

BLOOD LEAD TESTING AND HEALTH MEASURES TO BE TAKEN:

The City of Anytown LHCP contracts with the Williams County Health Department's Lead Poisoning Control Division to provide blood lead screening and counseling to the City of Anytown residents involved in the program. The Lead Poisoning Division counsels the residents on how and where to obtain blood lead tests for their children, information on the New York State law involving testing, proper nutritional guidance, and general information regarding tenants rights. The W.C.H.D. Lead Poising Division gives several lead presentations a week. The County's outreach and education efforts regarding the effects of lead poisoning and its consequences coupled with the CBO's efforts have reached a significant number of households within the City of Anytown. During the lead hazard risk reduction activities occupants will be given the option of participating in the Interim Lead Safe Housing Relocation Program, a subcontract to the OCHP, or to find housing with a friend, relative or neighbor. No occupants are allowed to re-enter the premises until clearances are met.

THE EVALUATION PROCESS:

The City of Anytown participated in a national HUD survey of its Round 3 grant in cooperation with the National Center for Healthy Housing and Battelle Associates in July 2001. The results of the evaluation led to the development of a new data base for tracking all aspects of a case. The recently developed Lead Tracking System contains all information on Round 7 and Round 10 cases.

The information collected in the Lead Tracking System is used to compile the HUD Quarterly Reports. It is useful in tracking all activities of a specific case, and is vital to the lead operation by assisting in the selection of the most cost effective methodologies to be implemented. The Lead Tracking System will be the cornerstone for a lead registry currently under development with the Williams County Health Department, Section 8 Housing, and the Department of Social Services.

Another result of the National Evaluation was the need to develop an in-house evaluation of the work performed. **See Attached** for the Evaluation Survey. This Survey is given to each property owner.

The feedback obtained on an on-going basis will be vital for the continued development of the LHCP in meeting the needs of the property. Currently, oral feedback is obtained at the final inspection when the homeowner must sign the voucher for payment of services to the contractor. At this meeting, any complaints are immediately addressed to the satisfaction of the owner. A disposition of funds statement is mailed to the property owner one year after the work is completed and they must sign this form in order for the contractor to receive the 5% retainage fee. This fee is 5% of the total cost of the project held by the City of Anytown Department of Community Development to cover any warranties on materials during a one year time period. Any complaints received during that time from the Property owner are addressed by the LHCP and the contractor.