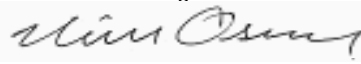


ASSISTANCE AGREEMENT

1. Award No. DE-EE0007948		2. Modification No. 0003	3. Effective Date 07/01/2017	4. CFDA No. 81.042	
5. Awarded To HUMAN SERVICES, RHODE ISLAND DEPT OF Attn: JAMES BESSEL 480 METACOM AVE BRISTOL RI 02809		6. Sponsoring Office Energy Effcy & Renewable Energy EE-1 U.S. Department of Energy 1000 Independence Avenue, S.W. Washington DC 20585		7. Period of Performance 07/01/2017 through 06/30/2022	
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority PL 109-58, Energy Policy Act (2005)		10. Purchase Request or Funding Document No. 21EE001452		
11. Remittance Address HUMAN SERVICES, RHODE ISLAND DEPT OF Attn: JAMES BESSEL RI VETERANS HOME 480 METACOM AVENUE BRISTOL RI 02809-5119		12. Total Amount Govt. Share: \$6,781,136.00 Cost Share : \$0.00 Total : \$6,781,136.00	13. Funds Obligated This action: \$1,451,556.00 Total : \$6,781,136.00		
14. Principal Investigator	15. Program Manager Jonny M. Muckey Phone: 202-287-1809		16. Administrator Golden Field Office U.S. Department of Energy Golden Field Office 15013 Denver West Parkway Golden CO 80401		
17. Submit Payment Requests To Payment - Direct Payment from U.S. Dept of Treasury		18. Paying Office Payment - Direct Payment from U.S. Dept of Treasury		19. Submit Reports To See Reporting Checklist	
20. Accounting and Appropriation Data See Schedule					
21. Research Title and/or Description of Project WEATHERIZATION ASSISTANCE PROGRAM - RHODE ISLAND					
For the Recipient			For the United States of America		
22. Signature of Person Authorized to Sign			25. Signature of Grants/Agreements Officer 		
23. Name and Title		24. Date Signed	26. Name of Officer Nicholas C. Oscarsson		27. Date Signed 06/28/2021

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EE0007948/0003

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NAME OF OFFEROR OR CONTRACTOR
HUMAN SERVICES, RHODE ISLAND DEPT OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 929922706</p> <p>In addition to this Assistance Agreement, this award consists of the items listed on the Cover Page of the Special Terms and Conditions.</p> <p>Current Budget Period: 07/01/2021 - 06/30/2022</p> <p>Project Period: 07/01/2017 - 06/30/2022</p> <p>In Block 7 of the Assistance Agreement, the Period of Performance reflects the beginning of the Project Period through the end of the current Budget Period.</p> <p>The purposes of this action are to obligate Program Year 2021 funds and to authorize performance of Program Year 2021 activities.</p> <p>Funding for all awards and future budget periods is contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.</p> <p>DOE Award Administrator: Janice Callahan E-mail: janice.callahan@ee.doe.gov Phone: 240-562-1682</p> <p>DOE Project Officer: Jon Muckey E-mail: jon.muckey@ee.doe.gov Phone: 202-287-1809</p> <p>Recipient Business Officer: Frederick Sneesby E-mail: frederick.sneesby@dhs.ri.gov Phone: 401-462-1669</p> <p>Recipient Principal Investigator: Julie Capobianco E-mail: julie.capobianco@dhs.ri.gov Phone: 401-462-6420</p> <p>"Electronic signature or signatures as used in this document means a method of signing an electronic message that-- (A) Identifies and authenticates a particular person as the source of the electronic message; (B) Indicates such person's approval of the information contained in the electronic message; and, (C) Submission via FedConnect constitutes electronically signed documents."</p> <p>Continued ...</p>				

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED

DE-EE0007948/0003

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3

NAME OF OFFEROR OR CONTRACTOR

HUMAN SERVICES, RHODE ISLAND DEPT OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	ASAP: YES Extent Competed: NOT AVAIL FOR COMP Davis-Bacon Act: NO PI: Capobianco, Julie				

Special Terms and Conditions

The Grantee (“Recipient”), which is identified in Block 5 of the Assistance Agreement, and the Office of Energy Efficiency and Renewable Energy (“EERE”), an office within the United States Department of Energy (“DOE”), enter into this Award, referenced above, to achieve the project objectives stated in this Award.

This Award consists of the following documents including all terms and conditions therein:

	Assistance Agreement Form
	Special Terms and Conditions
Attachment 1	Intellectual Property Provisions
Attachment 2	Federal Assistance Reporting Checklist and Instructions
Attachment 3	Budget Information SF-424A
Attachment 4	Annual File
Attachment 5	Master File
Attachment 5a	Health and Safety Plan
Attachment 6	NEPA Determination

The following are incorporated into this Award by reference:

- DOE Assistance Regulations, 2 CFR part 200 as amended by 2 CFR part 910 at <http://www.eCFR.gov>.
- National Policy Assurances, to be incorporated as Award Terms in effect on date of award at <http://www.nsf.gov/awards/managing/rtc.jsp>
- The Recipient’s application/proposal as approved by EERE.
- Applicable program regulations at <http://www.eCFR.gov>, including 10 CFR Part 440 – Weatherization Assistance for Low-Income Persons.

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Subpart A. General Provisions

Term 1. Legal Authority and Effect

A DOE financial assistance award is valid only if it is in writing and is signed, either in writing or electronically, by a DOE Contracting Officer.

The Recipient may accept or reject the Award. A request to draw down DOE funds or acknowledgement of award documents by the Recipient’s authorized representative through electronic systems used by DOE, specifically FedConnect, constitutes the Recipient's acceptance of the terms and conditions of this Award. Acknowledgement via FedConnect by the Recipient’s authorized representative constitutes the Recipient's electronic signature.

Term 2. Flow Down Requirement

The Recipient agrees to apply the terms and conditions of this Award, as applicable, including the Intellectual Property Provisions, to all subrecipients (and subcontractors, as appropriate) as required by 2 CFR 200.101 and to require their strict compliance therewith. Further, the Recipient must apply the Award terms as required by 2 CFR 200.326 to all subrecipients (and subcontractors, as appropriate) and to require their strict compliance therewith.

Term 3. Compliance with Federal, State, and Municipal Law

The Recipient is required to comply with applicable Federal, state, and local laws and regulations for all work performed under this Award. The Recipient is required to obtain all necessary Federal, state, and local permits, authorizations, and approvals for all work performed under this Award.

Term 4. Inconsistency with Federal Law

Any apparent inconsistency between Federal statutes and regulations and the terms and conditions contained in this Award must be referred to the DOE Award Administrator for guidance.

Term 5. Federal Stewardship

EERE will exercise normal Federal stewardship in overseeing the project activities performed under this Award. Stewardship activities include, but are not limited to, conducting site visits; reviewing performance and financial reports; providing technical assistance and/or temporary intervention in unusual circumstances to address deficiencies that develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to ensure that the project objectives have been accomplished.

Term 6. Federal Involvement

A. Review Meetings

The Recipient, including but not limited to, the principal investigator (or, if applicable, co-principal investigators), is required to participate in periodic review meetings with EERE. Review meetings enable EERE to assess the work performed under this Award and determine whether the Recipient has timely achieved the program goals stated in Attachment 4 (Annual Plan) and deliverables stated in Attachment 2 (Federal Assistance Reporting Checklist) to this Award.

EERE shall determine the frequency of review meetings and select the day, time, and location of each review meeting and shall do so in a reasonable and good faith manner. EERE will provide the Recipient with reasonable notice of the review meetings.

For each review meeting, the Recipient is required to provide a comprehensive overview of the project, including:

- The Recipient's program progress compared to the Annual Plan stated in Attachment 4 to this Award;
- The Recipient's actual expenditures compared to the approved budget in Attachment 3 to this Award; and
- Other subject matter specified by the DOE Technical Project Officer.

B. Project Meetings

The Recipient is required to notify EERE in advance of scheduled tests and internal project meetings that would entail discussion of topics that could result in major changes to the baseline project technical scope/approach, cost, or schedule. Upon request by EERE, the Recipient is required to provide EERE with reasonable access (by telephone, webinar, or otherwise) to the tests and project meetings. The Recipient is not expected to delay any work under this Award for the purpose of government insight.

C. Site Visits

EERE's authorized representatives have the right to make site visits at reasonable times to review project accomplishments and management control systems and to provide technical assistance, if required. The Recipient must provide, and must require subrecipients to provide, reasonable access to facilities, office space, resources, and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations must be performed in a manner that does not unduly interfere with or delay the work.

D. EERE Access

The Recipient must provide any information, documents, site access, or other assistance requested by EERE for the purpose of its Federal stewardship or substantial involvement.

Term 7. NEPA Requirements**A. Authorization**

DOE must comply with the National Environmental Policy Act (NEPA) prior to authorizing the use of Federal funds.

For Recipients with a DOE executed Historic Preservation Programmatic Agreement (PA), EERE has determined that the "Allowable activities" listed in the Weatherization Assistance Program NEPA Determination (Attachment 6) are categorically excluded and require no further NEPA review. The Recipient is thereby authorized to use Federal funds for the "Allowable activities" listed in the Weatherization Assistance Program NEPA Determination, subject to the Recipient's compliance with paragraphs B. "Conditions" and C. "Future Modifications," and the restrictions listed in Attachment 6.

B. Conditions

- i. This authorization does not include activities involving ground-breaking activities, new construction, or projects involving the installation of onsite renewable energy technology that generate electricity from renewable sources, except those "Allowable activities" specifically listed in Attachment 6.
- ii. All "Allowable activities" must meet the restrictions set forth in Attachment 6.
- iii. The Recipient must adhere to the terms and restrictions of its DOE executed PA.
- iv. The Recipient must manage all incidental measures relating to hazardous materials in accordance with applicable Federal, state and local legal requirements.

C. Activities Not Listed As "Allowable Activities"

If the Recipient seeks to fund activities that do not qualify as "Allowable activities" as defined in Attachment 6, those activities or modified activities are subject to additional NEPA review which requires submission of an environmental questionnaire found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and those activities are not authorized for Federal funding unless and until the DOE Contracting Officer provides written authorization for those activities. Should the Recipient elect to undertake activities prior to written authorization from the

Contracting Officer, the Recipient does so at risk of not receiving Federal funding for those activities, and such costs may not be recognized as allowable cost share.

Term 8. Historic Preservation

A. Authorization

DOE must comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA) prior to authorizing the use of Federal funds. Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places. Recipients with a DOE-executed Programmatic Agreement (PA) must comply with the requirements identified in paragraph B. Conditions below.

B. Conditions

Recipients with a DOE executed PA for Historic Preservation

(AL, AK, AS, AZ, AR, CA, CO, CT, DE, DC, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, ND, NE, NV, NH, NJ, NM, NY, NC, OH, OK, OR, PA, RI, PR, SC, SD, TN, TX, UT, VT, VA, WA, WI, WV, WY)

Recipients with a DOE executed historic preservation Programmatic Agreement (PA) must adhere to all the Stipulations of their PA. All DOE executed PAs are available on the Weatherization and Intergovernmental Programs website:

<https://www.energy.gov/eere/wipo/historic-preservation-executed-programmatic-agreements>

In addition to the Stipulations in their PAs, Recipients must notify EERE via GONEPA@ee.doe.gov whenever:

- Either the Recipient or the State Historic Preservation Office (SHPO)/Tribal Historic Preservation Office (THPO) believes that the Criteria of Adverse Effect pursuant to 36 CFR § 800.5, apply to the proposal under consideration by EERE;
- There is a disagreement between an Applicant, or its authorized representative, and the SHPO/THPO about the scope of the area of potential effects, identification and evaluation of historic properties and/or the assessment of effects;
- There is an objection from a consulting party or the public regarding their involvement in the review process established by 36 CFR Part 800, Section 106 findings and determinations, or implementation of agreed upon measures; or

There is the potential for a foreclosure situation or anticipatory demolition as defined under 36 CFR §800.9 (b) and 36 CFR § 800.9 (c).

Term 9. Performance of Work in United States

A. Requirement

All work performed under this Award must be performed in the United States unless the Contracting Officer provides a waiver. This requirement does not apply to the purchase of supplies and equipment; however, the Recipient should make every effort to purchase supplies and equipment within the United States. The Recipient must flow down this requirement to its subrecipients.

B. Failure to Comply

If the Recipient fails to comply with the Performance of Work in the United States requirement, the Contracting Officer may deny reimbursement for the work conducted outside the United States and such costs may not be recognized as allowable Recipient cost share regardless if the work is performed by the Recipient, subrecipients, vendors or other project partners.

C. Waiver for Work Outside the U.S.

All work performed under this Award must be performed in the United States. However, the Contracting Officer may approve the Recipient to perform a portion of the work outside the United States under limited circumstances. Recipient must obtain a waiver from the Contracting Officer prior to conducting any work outside the U.S. To request a waiver, the Recipient must submit a written waiver request to the Contracting Officer, which includes the following information:

- The rationale for performing the work outside the U.S.;
- A description of the work proposed to be performed outside the U.S.;
- Proposed budget of work to be performed; and
- The countries in which the work is proposed to be performed.

For the rationale, the Recipient must demonstrate to the satisfaction of the Contracting Officer that the performance of work outside the United States would further the purposes of the FOA or Program that the Award was selected under and is in the economic interests of the United States. The Contracting Officer may require additional information before considering such request.

Term 10. Foreign National Access Under DOE Order 142.3A, “Unclassified Foreign Visits and Assignments Program”

The Recipient may be required to provide information to DOE in order to satisfy requirements for foreign nationals’ access to DOE sites, information, technologies, equipment, programs or personnel. A foreign national is defined as any person who is not a U.S. citizen by birth or naturalization. If the Recipient (including any of its subrecipients, contractors or vendors) anticipates involving foreign nationals in the performance of its award, the Recipient may be required to provide DOE with specific information about each foreign national to ensure

compliance with the requirements for access approval. National laboratory personnel already cleared for site access may be excluded. Access approval for foreign nationals from countries identified on the U.S. Department of State's list of [State Sponsors of Terrorism](#) must receive final approval authority from the Secretary of Energy or the Secretary's assignee before they commence any work under the award.

Term 11. Notice Regarding the Purchase of American-Made Equipment and Products – Sense of Congress

It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Award should be American-made.

Term 12. Domestic Preference – Infrastructure Projects

As appropriate and to the extent consistent with law, the Recipients must ensure and document that, to the greatest extent practicable, iron and aluminum as well as steel, cement, and other manufactured products (items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber) used in the project under this Award must be produced in the United States. This Recipient must flow this requirement to all sub-awards, contracts, subcontracts and purchase orders for work performed under the Award.

Term 13. Reporting Requirements

A. Requirements

The reporting requirements for this Award are identified on the Federal Assistance Reporting Checklist, attached to this Award. Failure to comply with these reporting requirements is considered a material noncompliance with the terms of the Award. Noncompliance may result in withholding of future payments, suspension, or termination of the current award, and withholding of future awards. A willful failure to perform, a history of failure to perform, or unsatisfactory performance of this and/or other financial assistance awards, may also result in a debarment action to preclude future awards by Federal agencies.

B. Dissemination of Scientific and Technical Information

Scientific and Technical Information (STI) generated under this Award will be submitted to DOE via the Office of Scientific and Technical Information's Energy Link ([E-Link](#)) system. STI submitted under this Award will be disseminated via DOE's [OSTI.gov](#) website subject to approved access limitations. Citations for journal articles produced under the Award will appear on the [DOE PAGES](#) website.

C. Restrictions

Scientific and Technical Information submitted to E-Link must not contain any

Protected Personal Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

Term 14. Lobbying

By accepting funds under this Award, the Recipient agrees that none of the funds obligated on the Award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. § 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

Term 15. Publications

The Recipient is required to include the following acknowledgement in publications arising out of, or relating to, work performed under this Award, whether copyrighted or not:

- *Acknowledgment:* “This material is based upon work supported by the U.S. Department of Energy’s Office of Energy Efficiency and Renewable Energy (EERE) under the Weatherization Assistance Program Award Number DE-EE0007948.”
- *Full Legal Disclaimer:* “This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof.”

Abridged Legal Disclaimer: “The views expressed herein do not necessarily represent the views of the U.S. Department of Energy or the United States Government”

Recipients should make every effort to include the full Legal Disclaimer. However, in the event that recipients are constrained by formatting and/or page limitations set by the publisher, the abridged Legal Disclaimer is an acceptable alternative.

Term 16. No-Cost Extension

As provided in 2 CFR 200.308, the Recipient must provide the Contracting Officer with notice in advance if it intends to utilize a one-time, no-cost extension of this Award. The notification must include the supporting reasons and the revised period of performance. The Recipient must submit this notification in writing to the Contracting Officer and DOE Technology

Manager/ Project Officer at least 30 days before the end of the current budget period.

Any no-cost extension will not alter the project scope, milestones, deliverables, or budget of this Award. Extensions require explicit prior Federal awarding agency approval when carrying forward unobligated balances to subsequent budget periods.

Term 17. Property Standards

The complete text of the Property Standards can be found at 2 CFR 200.310 through 200.316. Also see 2 CFR 910.360 for additional requirements for real property and equipment for For-Profit recipients.

Term 18. Insurance Coverage

See 2 CFR 200.310 for insurance requirements for real property and equipment acquired or improved with Federal funds. Also see 2 CFR 910.360(d) for additional requirements for real property and equipment for For-Profit recipients.

Term 19. Real Property

Subject to the conditions set forth in 2 CFR 200.311, title to real property acquired or improved under a Federal award will conditionally vest upon acquisition in the non-Federal entity. The non-Federal entity cannot encumber this property and must follow the requirements of 2 CFR 200.311 before disposing of the property.

Except as otherwise provided by Federal statutes or by the Federal awarding agency, real property will be used for the originally authorized purpose as long as needed for that purpose. When real property is no longer needed for the originally authorized purpose, the non-Federal entity must obtain disposition instructions from DOE or pass-through entity. The instructions must provide for one of the following alternatives: (1) retain title after compensating DOE as described in 2 CFR 200.311(c)(1); (2) Sell the property and compensate DOE as specified in 2 CFR 200.311(c)(2); or (3) transfer title to DOE or to a third party designated/approved by DOE as specified in 2 CFR 200.311(c)(3).

See 2 CFR 200.311 for additional requirements pertaining to real property acquired or improved under a Federal award. Also see 2 CFR 910.360 for additional requirements for real property for For-Profit recipients.

Term 20. Equipment

Subject to the conditions provided in 2 CFR 200.313, title to equipment (property) acquired under a Federal award will conditionally vest upon acquisition with the non-Federal entity. The non-Federal entity cannot encumber this property and must follow the requirements of 2 CFR 200.313 before disposing of the property.

A state must use equipment acquired under a Federal award by the state in accordance with state laws and procedures.

Equipment must be used by the non-Federal entity in the program or project for which it was acquired as long as it is needed, whether or not the project or program continues to be supported by the Federal award. When no longer needed for the originally authorized purpose, the equipment may be used by programs supported by DOE in the priority order specified in 2 CFR 200.313(c)(1)(i) and (ii).

Management requirements, including inventory and control systems, for equipment are provided in 2 CFR 200.313(d).

When equipment acquired under a Federal award is no longer needed, the non-Federal entity must obtain disposition instructions from DOE or pass-through entity.

Disposition will be made as follows: (1) items of equipment with a current fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of with no further obligation to DOE; (2) Non-Federal entity may retain title or sell the equipment after compensating DOE as described in 2 CFR 200.313(e)(2); or (3) transfer title to DOE or to an eligible third party as specified in 2 CFR 200.313(e)(3).

See 2 CFR 200.313 for additional requirements pertaining to equipment acquired under a Federal award. Also see 2 CFR 910.360 for additional requirements for equipment for For-Profit recipients. See also 2 CFR 200.439 Equipment and other capital expenditures.

Term 21. Supplies

See 2 CFR 200.314 for requirements pertaining to supplies acquired under a Federal award. See also 2 CFR 200.453 Materials and supplies costs, including costs of computing devices.

Term 22. Property Trust Relationship

Real property, equipment, and intangible property, that are acquired or improved with a Federal award must be held in trust by the non-Federal entity as trustee for the beneficiaries of the project or program under which the property was acquired or improved. See 2 CFR 200.316 for additional requirements pertaining to real property, equipment, and intangible property acquired or improved under a Federal award.

Term 23. Record Retention

Consistent with 2 CFR 200.333 through 200.337, the Recipient is required to retain records relating to this Award.

Term 24. Audits

A. Government-Initiated Audits

The Recipient must provide any information, documents, site access, or other assistance requested by EERE, DOE or Federal auditing agencies (e.g., DOE Inspector General, Government Accountability Office) for the purpose of audits and investigations. Such assistance may include, but is not limited to, reasonable access to the Recipient's records relating to this Award.

Consistent with 2 CFR part 200 as amended by 2 CFR part 910, DOE may audit the Recipient's financial records or administrative records relating to this Award at any time. Government-initiated audits are generally paid for by DOE.

DOE may conduct a final audit at the end of the project period (or the termination of the Award, if applicable). Upon completion of the audit, the Recipient is required to refund to DOE any payments for costs that were determined to be unallowable. If the audit has not been performed or completed prior to the closeout of the award, DOE retains the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

DOE will provide reasonable advance notice of audits and will minimize interference with ongoing work, to the maximum extent practicable.

B. Annual Independent Audits (Single Audit or Compliance Audit)

The Recipient must comply with the annual independent audit requirements in 2 CFR 200.500 through 521 for institutions of higher education, nonprofit organizations and state and local governments (Single audit), and 2 CFR 910.500 through 521 for for-profit entities (Compliance audit).

The annual independent audits are separate from Government-initiated audits discussed in part A. of this Term, and must be paid for by the Recipient. To minimize expense, the Recipient may have a compliance audit in conjunction with its annual audit of financial statements. The financial statement audit is **not** a substitute for the compliance audit. If the audit (Single audit or Compliance audit, depending on Recipient entity type) has not been performed or completed prior to the closeout of the award, DOE may impose one or more of the actions outlined in 2 CFR 200.338, Remedies for Noncompliance.

Subpart B. Financial Provisions

Term 25. Maximum Obligation

The maximum obligation of DOE for this Award is the total "Funds Obligated" stated in Block 13

of the Assistance Agreement to this Award.

Term 26. Continuation Application and Funding

A. Continuation Application

A continuation application is a non-competitive application for an additional budget period and extended project period. The continuation application shall be submitted to EERE in accordance with the annual Announcement/Grant Guidance that is issued.

B. Continuation Funding

Continuation funding is contingent on (1) the availability of funds appropriated by Congress for the purpose of this program; (2) the availability of future-year budget authority; (3) Recipient's satisfactory progress towards meeting the objectives of the Weatherization Assistance Program; (4) Recipient's submittal of required reports; (5) Recipient's compliance with the terms and conditions of the Award; (6) the Recipient's submission of a continuation application; and (7) written approval of the continuation application by the Contracting Officer.

Term 27. Refund Obligation

The Recipient must refund any excess payments received from EERE, including any costs determined unallowable by the Contracting Officer. Upon the end of the project period (or the termination of the Award, if applicable), the Recipient must refund to EERE the difference between (1) the total payments received from EERE, and (2) the Federal share of the costs incurred.

Term 28. Allowable Costs

EERE determines the allowability of costs through reference to 2 CFR part 200 as amended by 2 CFR part 910. All project costs must be allowable, allocable, and reasonable. The Recipient must document and maintain records of all project costs, including, but not limited to, the costs paid by Federal funds, costs claimed by its subrecipients and project costs that the Recipient claims as cost sharing, including in-kind contributions. The Recipient is responsible for maintaining records adequate to demonstrate that costs claimed have been incurred, are reasonable, allowable and allocable, and comply with the cost principles. Upon request, the Recipient is required to provide such records to EERE. Such records are subject to audit. Failure to provide EERE adequate supporting documentation may result in a determination by the Contracting Officer that those costs are unallowable.

The Recipient is required to obtain the prior written approval of the Contracting Officer for any foreign travel costs.

Term 29. Indirect Costs

A. Fringe Benefit Costs

The budget for this Award includes fringe benefits but does not include indirect charges. Therefore, indirect charges shall not be charged to nor shall reimbursement be requested for this project nor shall any indirect charges for this project be allocated to any other federally sponsored project. In addition, indirect charges shall not be counted as cost share unless approved by the Contracting Officer. This restriction does not apply to subrecipients' indirect costs.

B. Subrecipient Indirect Costs

Recipient must ensure its subrecipient's indirect costs are appropriately managed, allowable and otherwise comply with the requirements of this Award and 2 CFR part 200 as amended by 2 CFR part 910.

Term 30. Decontamination and/or Decommissioning (D&D) Costs

Notwithstanding any other provisions of this Award, the Government shall not be responsible for or have any obligation to the Recipient for (1) Decontamination and/or Decommissioning (D&D) of any of the Recipient's facilities, or (2) any costs which may be incurred by the Recipient in connection with the D&D of any of its facilities due to the performance of the work under this Award, whether said work was performed prior to or subsequent to the effective date of the Award.

Term 31. Pre-Award Costs

As stated in the Contracting Officer's Pre-Award Costs Letter dated June 23, 2017, the Recipient is authorized to request reimbursement for costs incurred on or after July 1, 2017, if: (1) such costs are allowable in accordance with 2 CFR part 200 as amended by 2 CFR part 910; (2) such costs are not otherwise restricted by the Term titled "NEPA Requirements;" and (3) such costs are not otherwise restricted by any other Term. If the Recipient elects to undertake activities that are not authorized for Federal funding by the Contracting Officer in advance of DOE completing the NEPA review, the Recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share. Nothing contained in the pre-award cost reimbursement regulations or any pre-award costs approval letter from the Contracting Officer overrides these NEPA requirements to obtain the written authorization from the Contracting Officer prior to taking any action that may have an adverse effect on the environment or limit the choice of reasonable alternatives.

Term 32. Use of Program Income

If the Recipient earns program income during the project period as a result of this Award, the Recipient must add the program income to the funds committed to the Award and used to further eligible project objectives.

Term 33. Payment Procedures

A. Method of Payment

Payment will be made by reimbursement through the Department of Treasury's ASAP system.

B. Requesting Reimbursement

Requests for reimbursements must be made through the ASAP system.

C. Adjusting Payment Requests for Available Cash

The Recipient must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from EERE.

D. Payments

All payments are made by electronic funds transfer to the bank account identified on the Bank Information Form that the Recipient filed with the U.S. Department of Treasury.

E. Unauthorized Drawdown of Federal Funds

For each budget period, the Recipient may not spend more than the Federal share authorized to that particular budget period, without specific written approval from the Contracting Officer. The Recipient must immediately refund EERE any amounts spent or drawn down in excess of the authorized amount for a budget period. The Recipient and subrecipients shall promptly, but at least quarterly, remit to DOE interest earned on advances drawn in excess of disbursement needs, and shall comply with the procedure for remitting interest earned to the Federal government per 2 CFR 200.305, as applicable.

F. Supporting Documents for Agency Approval of Payments

DOE may require Agency pre-approval of payments. If the Agency approval requirement is in effect for the Recipient's Award, the ASAP system will indicate that Agency approval is required when the Recipient submits a request for payment.

The Recipient must notify the DOE Technical Project Officer and DOE Award Administrator identified on the Assistance Agreement that a payment request has been submitted.

The following items are required to be submitted to the Performance and Accountability for Grants in Energy (PAGE) system at <https://www.page.energy.gov/>:

- Summary cost data, for the billing period and cumulative cost data, showing all categories listed in the SF-424A and identifying Federal, non-Federal, and total

- amounts;
- SF-270;
- If there are unauthorized phases and/or tasks for the current budget period in the NEPA Requirements term in these Special Terms and Conditions, a statement affirming that no invoiced costs are related to tasks or activities prohibited by the NEPA Requirements term; and
- *Applicable to for-profit recipients and subrecipients:* UCC filing proof for all equipment acquired with project funds (i.e., Federal share or Recipient share) and equipment offered as cost share; and

The DOE payment authorizing official may request additional information from the Recipient to support the payment requests prior to release of funds, as deemed necessary. Recipient is required to comply with these requests. Supporting documents include invoices, copies of contracts, vendor quotes, and other expenditure explanations that justify the payment requests.

Term 34. Budget Changes

A. Budget Changes Generally

The Contracting Officer has reviewed and approved the SF-424A in Attachment 3 to this Award.

Any increase in the total project cost, whether DOE share or Cost Share, which is stated as "Total" in Block 12 to the Assistance Agreement of this Award, must be approved in advance and in writing by the Contracting Officer.

Any budget change that alters the project scope, milestones or deliverables requires prior written approval of the Contracting Officer. EERE may deny reimbursement for any failure to comply with the requirements in this term.

B. Transfers of Funds Among Direct Cost Categories.

The Recipient is required to submit written notification via email (not in PAGE) to the Project Officer identified in the Assistance Agreement of any transfer of funds among direct cost categories and/or functions where the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total project cost, which is stated as "Total" in Block 12 to the Assistance Agreement Form of this Award.

Upon receipt of adequate notification documentation by the Project Officer, the recipient is hereby authorized to transfer funds among direct cost categories for program activities consistent with their approved State/Annual Plan, without prior approval by the awarding agency.

Limitations in existing rules and guidance, including Administration and Training and Technical Assistance (T&TA), along with prior approval of equipment as detailed in the respective year's WAP Grant Guidance and in the regulations still apply.

C. Transfer of Funds Between Direct and Indirect Cost Categories

The Recipient is required to obtain the prior written approval of the Contracting Officer for any transfer of funds between direct and indirect cost categories. If the Recipient's actual allowable indirect costs are less than those budgeted in Attachment 3 to this Award, the Recipient may use the difference to pay additional allowable direct costs during the project period so long as the total difference is less than 10% of total project costs and the difference is reflected in actual requests for reimbursement to DOE.

Term 35. Carryover of Unobligated Balances

The recipient is hereby authorized to carry over unobligated balances of Federal and non-Federal funds from one budget period to a subsequent budget period, for program activities consistent with their approved State/Annual Plan, without prior approval by the Contracting Officer. Should the recipient wish to use carryover funds for activities that are not consistent with the approved State/Annual Plan, a budget revision application must be submitted for approval by DOE.

For purposes of this award, an unobligated balance is the portion of the funds authorized by DOE that have not been obligated by the recipient at the end of a budget period. Recipients are advised to carefully manage grant funds to minimize unobligated balances each year, but especially at the end of the grant project period.

Subpart C. Miscellaneous Provisions

Term 36. Reporting Subawards and Executive Compensation

A. Reporting of first-tier subawards

- i. *Applicability.* Unless the Recipient is exempt as provided in paragraph D. of this award term, the Recipient must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph E. of this award term).
- ii. *Where and when to report.*
 1. The Recipient must report each obligating action described in paragraph A.i. of this award term to <https://www.fsrs.gov>.

2. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
- iii. *What to report.* The Recipient must report the information about each obligating action that the submission instructions posted at <https://www.fsrc.gov> specify.

B. Reporting Total Compensation of Recipient Executives

- i. *Applicability and what to report.* The Recipient must report total compensation for each of its five most highly compensated executives for the preceding completed fiscal year, if
 1. The total Federal funding authorized to date under this Award is \$25,000 or more;
 2. In the preceding fiscal year, the Recipient received;
 - a. 80 percent or more of the Recipient's annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - b. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 3. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>)
- ii. *Where and when to report.* The Recipient must report executive total compensation described in paragraph B.i. of this award term:
 1. As part of the Recipient's registration profile at <https://www.sam.gov>.

2. By the end of the month following the month in which this award is made, and annually thereafter.

C. Reporting of Total Compensation of Subrecipient Executives

- i. *Applicability and what to report.* Unless the Recipient is exempt as provided in paragraph D. of this award term, for each first-tier subrecipient under this award, the Recipient shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if
 1. In the subrecipient's preceding fiscal year, the subrecipient received;
 - a. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - b. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 2. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>)
- ii. *Where and when to report.* The Recipient must report subrecipient executive total compensation described in paragraph C.i. of this award term:
 1. To the recipient.
 2. By the end of the month following the month during which the Recipient makes the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), the Recipient must report any required compensation information of the subrecipient by November 30 of that year.

D. Exemptions

If, in the previous tax year, the Recipient had gross income, from all sources, under \$300,000, it is exempt from the requirements to report:

- i. Subawards and;
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

E. Definitions

For purposes of this Award term:

- i. Entity means all of the following, as defined in 2 CFR Part 25:
 1. A Governmental organization, which is a State, local government, or Indian tribe;
 2. A foreign public entity;
 3. A domestic or foreign nonprofit organization;
 4. A domestic or foreign for-profit organization;
 5. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- ii. Executive means officers, managing partners, or any other employees in management positions.
- iii. Subaward:
 1. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which the Recipient received this award and that the recipient awards to an eligible subrecipient.
 2. The term does not include the Recipient's procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.501 Audit requirements, (f) *Subrecipients and Contractors* and/or 2 CFR 910.501 Audit requirements, (f) *Subrecipients and Contractors*).
 3. A subaward may be provided through any legal agreement, including an agreement that the Recipient or a subrecipient considers a contract.

- iv. Subrecipient means an entity that:
 - 1. Receives a subaward from the Recipient under this award; and
 - 2. Is accountable to the Recipient for the use of the Federal funds provided by the subaward.

- v. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - 1. Salary and bonus.
 - 2. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - 3. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - 4. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - 5. Above-market earnings on deferred compensation which is not tax-qualified.
 - 6. Other compensation, if the aggregate value of all such other compensation (*e.g.* severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

Term 37. System for Award Management and Universal Identifier Requirements

A. Requirement for Registration in the System for Award Management (SAM)

Unless the Recipient is exempted from this requirement under 2 CFR 25.110, the Recipient must maintain the currency of its information in SAM until the Recipient submits the final financial report required under this Award or receive the final payment, whichever is later. This requires that the Recipient reviews and updates

the information at least annually after the initial registration, and more frequently if required by changes in its information or another award term.

If the Recipient had an active registration in the CCR, it has an active registration in SAM.

B. Requirement for Data Universal Numbering System (DUNS) Numbers

If the Recipient is authorized to make subawards under this Award, the Recipient:

- i. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from the Recipient unless the entity has provided its DUNS number to the Recipient.
- ii. May not make a subaward to an entity unless the entity has provided its DUNS number to the Recipient.

C. Definitions

For purposes of this award term:

- i. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <https://www.sam.gov>).
- ii. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- iii. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR Part 25, subpart C:
 1. A Governmental organization, which is a State, local government, or Indian Tribe;
 2. A foreign public entity;
 3. A domestic or foreign nonprofit organization;
 4. A domestic or foreign for-profit organization; and
 5. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

iv. Subaward:

1. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which the Recipient received this Award and that the Recipient awards to an eligible subrecipient.
2. The term does not include the Recipient's procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.501 Audit requirements, (f) *Subrecipients and Contractors* and/or 2 CFR 910.501 Audit requirements, (f) *Subrecipients and Contractors*).
3. A subaward may be provided through any legal agreement, including an agreement that the Recipient considers a contract.

v. Subrecipient means an entity that:

1. Receives a subaward from the Recipient under this Award; and
2. Is accountable to the Recipient for the use of the Federal funds provided by the subaward.

Term 38. Nondisclosure and Confidentiality Agreements Assurances

- A. By entering into this agreement, the Recipient attests that it **does not and will not** require its employees or contractors to sign internal nondisclosure or confidentiality agreements or statements prohibiting or otherwise restricting its employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- B. The Recipient further attests that it **does not and will not** use any Federal funds to implement or enforce any nondisclosure and/or confidentiality policy, form, or agreement it uses unless it contains the following provisions:
 - i. *“These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions,*

requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”

- ii. The limitation above shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.
- iii. Notwithstanding provision listed in paragraph (a), a nondisclosure or confidentiality policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure or confidentiality forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

Term 39. Subrecipient Change Notification

Except for subrecipients specifically proposed as part of the Recipient’s Application for award, the Recipient must notify the Contracting Officer and Project Manager in writing 30 days prior to the execution of new or modified subrecipient agreements, including naming any To Be Determined subrecipients. This notification does not constitute a waiver of the prior approval requirements outlined in 2 CFR part 200 as amended by 2 CFR part 910, nor does it relieve the Recipient from its obligation to comply with applicable Federal statutes, regulations, and executive orders.

In order to satisfy this notification requirement, the Recipient documentation must, as a minimum, include the following:

- A description of the research to be performed, the service to be provided, or the equipment to be purchased;
- Cost share commitment letter if the subrecipient is providing cost share to the Award;
- An assurance that the process undertaken by the Recipient to solicit the subrecipient complies with their written procurement procedures as outlined in 2 CFR 200.317 through 200.329.

- An assurance that no planned, actual or apparent conflict of interest exists between the Recipient and the selected subrecipient and that the Recipient's written standards of conduct were followed¹;
- A completed Environmental Questionnaire, if applicable;
- An assurance that the subrecipient is not a debarred or suspended entity; and
- An assurance that all required award provisions will be flowed down in the resulting subrecipient agreement.

The Recipient is responsible for making a final determination to award or modify subrecipient agreements under this agreement, but the Recipient may not proceed with the subrecipient agreement until the Contracting Officer determines, and provides the Recipient written notification, that the information provided is adequate.

Should the Recipient not receive a written notification of adequacy from the Contracting Officer within 30 days of the submission of the subrecipient documentation stipulated above, Recipient may proceed to award or modify the proposed subrecipient agreement.

Term 40. Minimum Privacy Protections Regarding Applicant Information

- A. States, Tribes and their subawardees, including, but not limited to subrecipients, subgrantees, contractors and subcontractors that participate in the Weatherization Assistance Program (WAP) are required to treat all requests for information concerning applicants and recipients of WAP funds in a manner consistent with the federal government's treatment of information requested under the Freedom of Information Act (FOIA), 5 U.S.C. 552, including the privacy protections contained in Exemption (b)(6) of the FOIA, 5 U.S.C. 552(b)(6). Under 5 U.S.C. 552(b)(6), information relating to an individual's eligibility application or the individual's participation in the program, such as name, address, or income information, are generally exempt from disclosure.
- B. A balancing test must be used in applying Exemption (b)(6) in order to determine:
 - i. whether a significant privacy interest would be invaded;
 - ii. whether the release of the information would further the public interest by shedding light on the operations or activities of the Government; and

¹ It is DOE's position that the existence of a "covered relationship" as defined in 5 CFR 2635.502(a)&(b) between a member of the Recipient's owners or senior management and a member of a subrecipient's owners or senior management creates at a minimum an apparent conflict of interest that would require the Recipient to notify the Contracting Officer and provide detailed information and justification (including, for example, mitigation measures) as to why the subrecipient agreement does not create an actual conflict of interest. The Recipient must also notify the Contracting Officer of any new subrecipient agreement with: (1) an entity that is owned or otherwise controlled by the Recipient; or (2) an entity that is owned or otherwise controlled by another entity that also owns or otherwise controls the Recipient, as it is DOE's position that these situations also create at a minimum an apparent conflict of interest.

- iii. whether in balancing the privacy interests against the public interest, disclosure would constitute a clearly unwarranted invasion of privacy.
- C. A request for personal information including but not limited to the names, addresses, or income information of WAP applicants or recipients would require the state or other service provider to balance a clearly defined public interest in obtaining this information against the individuals' legitimate expectation of privacy.
- D. Given a legitimate, articulated public interest in the disclosure, States and other service providers may release information regarding recipients in the aggregate that does not identify specific individuals. However, a State or service provider must apply a FOIA Exemption (b)(6) balancing test to any request for information that cannot be satisfied by such less-intrusive methods.

Term 41. Conference Spending

The Recipient shall not expend any funds on a conference not directly and programmatically related to the purpose for which the grant or cooperative agreement was awarded that would defray the cost to the United States Government of a conference held by any Executive branch department, agency, board, commission, or office for which the cost to the United States Government would otherwise exceed \$20,000, thereby circumventing the required notification by the head of any such Executive Branch department, agency, board, commission, or office to the Inspector General (or senior ethics official for any entity without an Inspector General), of the date, location, and number of employees attending such conference.

Term 42. Recipient Integrity and Performance Matters

A. General Reporting Requirement

If the total value of your currently active Financial Assistance awards, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this term. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

B. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

- i. Is in connection with the award or performance of a Financial Assistance, cooperative agreement, or procurement contract from the Federal Government;
- ii. Reached its final disposition during the most recent five year period; and
- iii. Is one of the following:
 1. A criminal proceeding that resulted in a conviction, as defined in paragraph E of this award term and condition;
 2. A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 3. An administrative proceeding, as defined in paragraph E of this term, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 4. Any other criminal, civil, or administrative proceeding if:
 - a. It could have led to an outcome described in paragraph B.iii.1, 2, or 3 of this term;
 - b. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
 - c. The requirement in this term to disclose information about the proceeding does not conflict with applicable laws and regulations.

C. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph B of this term. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

D. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph A of this term, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, Financial Assistance awards, (including cooperative agreement awards) with a cumulative total value greater than \$10,000,000, must disclose semiannually any information about the criminal, civil, and administrative proceedings.

E. Definitions

For purposes of this term:

- i. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or Financial Assistance awards. It does not include audits, site visits, corrective plans, or inspection of deliverables.
- ii. Conviction means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of *nolo contendere*.
- iii. Total value of currently active Financial Assistance awards, cooperative agreements and procurement contracts includes—
 1. Only the Federal share of the funding under any Federal award with a recipient cost share or match; and
 2. The value of all expected funding increments under a Federal award and options, even if not yet exercised.

Term 43. Export Control

The U.S. government regulates the transfer of information, commodities, technology, and software considered to be strategically important to the U.S. to protect national security, foreign policy, and economic interests without imposing undue regulatory burdens on legitimate international trade. There is a network of federal agencies and regulations that govern exports that are collectively referred to as “Export Controls”. To ensure compliance with Export Controls, it is the Recipient’s responsibility to determine when its project activities trigger Export Controls and to ensure compliance.

Export Controls may apply to individual projects, depending on the nature of the tasks. When Export Controls apply, the Recipient must take the appropriate steps to obtain any required governmental licenses, monitor and control access to restricted information, and safeguard all controlled materials. Under no circumstances may foreign entities (organizations, companies or persons) receive access to export controlled information unless proper export procedures have been satisfied and such access is authorized pursuant to law or regulation.

BUDGET INFORMATION - Non-Construction Programs

1. Program/Project Identification No. EE0007948		2. Program/Project Title Weatherization Assistance Program	
3. Name and Address State of Rhode Island 25 Howard Avenue Cranston, RI 029200000	4. Program/Project Start Date 07/01/2021		
	5. Completion Date 06/30/2022		

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. DOE 2021 WAP Formula Funds	81.042	\$ 4,654,640.00		\$ 1,451,556.00		\$ 6,106,196.00
2. STATE			\$ 0.00		\$ 0.00	\$ 0.00
3.						
4.						
5. TOTAL		\$ 4,654,640.00	\$ 0.00	\$ 1,451,556.00	\$ 0.00	\$ 6,106,196.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) GRANTEE ADMINISTR ATION	(2) SUBGRANTE E ADMINISTR ATION	(3) GRANTEE T&TA	(4) SUBGRANTE E T&TA	
a. Personnel	\$ 60,641.00	\$ 0.00	\$ 35,344.00	\$ 0.00	\$ 95,985.00
b. Fringe Benefits	\$ 30,512.00	\$ 0.00	\$ 21,323.00	\$ 0.00	\$ 51,835.00
c. Travel	\$ 1,500.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,500.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
e. Supplies	\$ 3,586.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 3,586.00
f. Contract	\$ 10,400.00	\$ 108,867.00	\$ 215,000.00	\$ 12,000.00	\$ 5,951,063.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
h. Other Direct Costs	\$ 2,227.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 2,227.00
i. Total Direct Charges	\$ 108,866.00	\$ 108,867.00	\$ 271,667.00	\$ 12,000.00	\$ 6,106,196.00
j. Indirect Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
k. Totals	\$ 108,866.00	\$ 108,867.00	\$ 271,667.00	\$ 12,000.00	\$ 6,106,196.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

BUDGET INFORMATION - Non-Construction Programs

1. Program/Project Identification No. EE0007948		2. Program/Project Title Weatherization Assistance Program	
3. Name and Address State of Rhode Island 25 Howard Avenue Cranston, RI 029200000	4. Program/Project Start Date 07/01/2021		
	5. Completion Date 06/30/2022		

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. TOTAL		\$ 4,654,640.00	\$ 0.00	\$ 1,451,556.00	\$ 0.00	\$ 6,106,196.00

SECTION B - BUDGET CATEGORIES					
6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) PROGRAM OPERATIONS	(2) HEALTH AND SAFETY	(3) LIABILITY INSURANCE	(4) FINANCIAL AUDITS	
a. Personnel	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 95,985.00
b. Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 51,835.00
c. Travel	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,500.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
e. Supplies	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 3,586.00
f. Contract	\$ 5,334,796.00	\$ 255,000.00	\$ 12,000.00	\$ 3,000.00	\$ 5,951,063.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
h. Other Direct Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 2,227.00
i. Total Direct Charges	\$ 5,334,796.00	\$ 255,000.00	\$ 12,000.00	\$ 3,000.00	\$ 6,106,196.00
j. Indirect Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
k. Totals	\$ 5,334,796.00	\$ 255,000.00	\$ 12,000.00	\$ 3,000.00	\$ 6,106,196.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

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IV.1 Subgrantees

Subgrantee (City)	Planned Funds/Units
Community Action Partnership of Providence County (Providence)	\$1,202,389.00 147
Blackstone Valley Community Action Program (Pawtucket)	\$1,202,389.00 147
Comprehensive Community Action Programs (Cranston)	\$744,338.00 91
East Bay Community Action (Riverside)	\$687,079.00 84
Tri-County Community Action (North Providence)	\$1,202,389.00 147
Westbay Community Action Program (Warwick)	\$687,079.00 84
Total:	\$5,725,663.00 700

IV.2 WAP Production Schedule

Planned units by quarter or category are no longer required, no information required for persons.

Weatherization Plans	Units
Total Units (excluding reweatherized)	700 700
Reweatherized Units	0 0

Average Unit Costs, Units subject to DOE Project Rules

VEHICLE & EQUIPMENT AVERAGE COST PER DWELLING UNIT (DOE RULES)

A Total Vehicles & Equipment (\$5,000 or more) Budget	\$0.00
B Total Units Weatherized	700
C Total Units Reweatherized	0
D Total Dwelling Units to be Weatherized and Reweatherized (B + C)	700
E Average Vehicles & Equipment Acquisition Cost per Unit (A divided by D)	\$0.00

AVERAGE COST PER DWELLING UNIT (DOE RULES)

F Total Funds for Program Operations	\$5,334,796.00
G Total Dwelling Units to be Weatherized and Reweatherized (from line D)	700
H Average Program Operations Costs per Unit (F divided by G)	\$7,621.14
I Average Vehicles & Equipment Acquisition Cost per Unit (from line E)	\$0.00
J Total Average Cost per Dwelling (H plus I)	\$7,621.14

IV.3 Energy Savings

Method used to calculate savings: WAP algorithm Other (describe below)

	Units	Savings Calculator (MBtus)	Energy Savings
This Year Estimate	700	29.3	20510
Prior Year Estimate	526	29.3	15412
Prior Year Actual	56	29.3	1641

Method used to calculate savings description:

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Rhode Island will use the calculation based on the energy savings study conducted by the Oak Ridge National Laboratory to support this figure for projected energy savings (multiplier of 29.3 MBTU).

IV.4 DOE-Funded Leveraging Activities

Rhode Island is not planning to use any DOE funds for our continuing leveraging efforts. This does not mean that we will not continue our efforts and seek additional non-federal funds, only that we will not require DOE funds for this effort. The personnel that will be involved in these leveraging efforts are:

Chief of Program Development: This person serves as Weatherization Assistance Program Manager and is responsible for the preparation of the State Plan/Application and its administration and implementation. The CPD will direct the leveraging portion of the grant, attend all leveraging related meetings and search for new leveraging opportunities. DHS will continue to actively pursue sources of leveraged funds to enhance and support RI WAP.

To the maximum extent practical, DHS will work to coordinate WAP with other federal, state, local, and privately-funded programs in order to improve thermal efficiency, conserve energy and foster healthy housing. Coordination efforts have taken place with LIHEAP, Community Development Block Grant (CDBG), USDA, GHHI and other federally funded programs.

Since 2013, CLEAResult has operated as the lead vendor for National Grid's Eligible Services (IES) program. In order to provide the best possible service to our clients, DHS and CLEAResult work collaboratively to deliver weatherization services to eligible Rhode Islanders. The CLEAResult team brings another element of energy efficiency knowledge and expertise to the Rhode Island weatherization program, and both DHS and CLEAResult share many of the same goals for process improvement and enhanced quality assurance. DHS and CLEAResult have also worked collaboratively on the development and updates of RI WAP/IES Operations Manual which will incorporate all applicable elements of WPN 15-4.

Beginning in PY21, RI will allow blending of DOE WAP funds with National Grid weatherization funds.

No state funds are used to support RI WAP.

IV.5 Policy Advisory Council Members

Check if an existing state council or commission serves in this category and add name below

Energy Efficiency Resource and Management Council	Type of organization: Unit of State Government Contact Name: Anthony Hubbard Phone: 4012737528 Email: ahubbard@ybpprep.org
Housing Resources Commission	Type of organization: Unit of State Government Contact Name: Mr. Raymond Neirinckx Phone: (401)450-1356 Email: raymond.neirinckx@doa.ri.gov
National Grid	Type of organization: Utility Contact Name: Mr. David MacLellan Phone: 4013511800 Email: david.maclellan@clearesult.com
Office of Energy Resources	Type of organization: Unit of State Government Contact Name: Becca Trietch Phone: 4015749106 Email: Becca.Trietch@energy.ri.gov
Providence Green and Healthy Homes Initiative	Type of organization: Other Contact Name: Margarita Robledo-Guedes Phone: 4014008425 Email: mrobledo@ghhi.org
Rhode Island Community Action Agency Association	Type of organization: Non-profit (not a financial institution) Contact Name: Paul Salera Phone: 4017324666

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Rhode Island Housing	Email: psalera@westbaycap.org Type of organization: Unit of State Government Contact Name: Ms. Stacy Wasserman Phone: 4014571242 Email: swasserman@rhodeislandhousing.org
RI Department of Health	Type of organization: Unit of State Government Contact Name: Ms. Bonnie CassaniBrandt Phone: 4012227784 Email: Bonnie.CassaniBrandt@health.ri.gov
RI Department of Health and Human Services	Type of organization: Unit of State Government Contact Name: Mr. Fred Sneesby Phone: 4014621669 Email: Frederick.Sneesby@dhs.ri.gov

IV.6 State Plan Hearings (Note: attach notes and transcripts to the SF-424)

Date Held Newspapers that publicized the hearings and the dates the notice ran

04/15/2021 The Notice of Public Hearing on the 2021 DOE WAP state plan application was posted on the RI Department of Human Services' website (www.dhs.ri.gov) on 04/01/2021. A copy of the notice has been uploaded to the document library. When available, the stenographer's official transcript of the Public Hearing will be uploaded to the SF-424. The script that was read into the record is uploaded to the SF 424. The RI WAP Policy Advisory Council met on 4/16/2021 via Teams. The notes from the PAC meeting have been uploaded to the SF-424.

IV.7 Miscellaneous

1. Recipient Business Officer and Recipient Principal Investigators

Recipient Business Officer

Mr. Frederick Sneesby
Administrator, Children and Family Services
Department of Human Services
25 Howard Avenue, Bldg. 57
Cranston, RI 02920
(401) 462-1669
Frederick.Sneesby@dhs.ri.gov

Recipient Principal Investigator

Ms. Julie Capobianco
Chief Program Development
Weatherization Assistance Program
Department of Human Services
25 Howard Avenue, Bldg. 57
Cranston, RI 02920
(401) 462-6420
Julie.Capobianco@dhs.ri.gov

2. The allocation requirements and priorities set forth in Section 440.15 (A) have been implemented. DHS ensures that all Weatherization assistance funds are allocated to non-profit corporations operating under Title II of the Economic Opportunity Act of 1964, 42 USC - 2809. The allocation process is based upon negotiation of individual contracts with non-profit corporations. The determining factors are: past performance by Subgrantee, incidence of poverty in the service area covered; number of LIHEAP households assisted in the service area; and the ability of the agency to weatherize homes effectively.

3. Per WPN 10-12, RI WAP will comply with Section 106 of 16 USC 470 of the National Historic Preservation Act (NHPA). DHS entered into a Memorandum of Understanding with the Rhode Island Historical Preservation and Heritage Commission (February 2010) relating to the reporting of historic properties and weatherization. In 2015, the MOU was updated and extended. In 2020, this MOU was replaced with a Programmatic Agreement (PA) which has been signed by the Office of Energy Resources, the Department of Human Services, the RI Historic Preservation and Heritage Commission, and the U.S. Department of Energy. All CAP agencies submit addresses for historic review and clearance per the guidelines established by the RI Historical Preservation and Heritage Commission (RIHPHC). Historic Preservation reports are submitted to DOE as required. A copy of the PA has been uploaded to the SF-424.

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4. National Grid and LIHEAP funding continue to be the largest funding sources for WAP. RI WAP received a 15% allocation from LIHEAP in 2021, totaling \$3,367,596. LIHEAP funds provide leveraged dollars for National Grid's Income Eligible Services (IES) program.
5. The Rhode Island PAC met on 04/xx/2021 via Teams to collectively review and discuss the 2021 RI DOE WAP state plan application. Members were provided a copy of the plan in advance of the meeting, and were also e-mailed the notice of public hearing. A copy of the PAC meeting notes has been uploaded to the SF-424.
6. All six Subgrantees were provided a copy of the draft state plan application as part of an "Interested Parties" email distribution from DHS on 4/xx/2021. The Interested Parties notice also included information about the Public Hearing on 4/xx/2021.
6. RI has established an average cost per unit for DOE jobs at \$7,708. LIHEAP funds will be used for leveraging measures not covered with DOE funds, or any measures which may not meet the DOE SIR requirement.
7. The Weatherization Policy Advisory Council is a stand alone PAC, and meets for DOE Weatherization purposes only.
8. This plan has been prepared for PY 2021, but may be impacted by the Covid-19 pandemic.

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This worksheet should be completed as specified in Section III of the Weatherization Assistance Program Application Package.

V.1 Eligibility

V.1.1 Approach to Determining Client Eligibility

Provide a description of the definition of income used to determine eligibility

All dwelling units to be weatherized shall be determined eligible in such a manner to ensure that each weatherized unit meets the qualifications of CFR 440.22 - Eligible Dwelling Units.

Rhode Island elects to use LIHEAP income guidelines - 60% of state median income- to determine eligibility for WAP. For families with eight (8) or more in the household, DHS has revised WAP eligibility to be 200% of federal poverty level to meet the requirements of 10 CFR 440.22 and the most recent version of DOE WAP Poverty Income Guidelines and Definition of Income available. All Subgrantees will be provided with this information and have been instructed to refer to 2021 DOE LIHEAP and WAP Income Guidelines, attached to the SF-424.

440.22 Eligible dwelling units. (a) A dwelling unit shall be eligible for weatherization assistance under this part if it is occupied by a family unit: (1) Whose income is at or below 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, (2) Which contains a member who has received cash assistance payments under Title IV or XVI of the Social Security Act or applicable State or local law at any time during the 12-month period preceding the determination of eligibility for weatherization assistance; or (3) If the State elects, is eligible for assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

According to the RI LIHEAP manual, all Primary Applicants and Household Members shall report income. Income documentation shall represent gross income earned in the most recent three months, except when the document clearly states that the income amount is constant, and also clearly lists the period of the benefit. Income types include: wages, unemployment benefits, fixed income, self-employment, odd jobs, worker's compensation, alimony and child support, interest income, dividends, rental income, support from family and friends, cash prizes and lottery winnings, estate or trust income, or No-Income - Dependent.

Describe what household eligibility basis will be used in the Program

RI WAP elects to use a single application process in conjunction with LIHEAP which is also administered by DHS. Both LIHEAP and WAP use the Hancock Energy Software program. The single application process simplifies the application process for clients and enables subgrantees to share staff and resources in the certification process. The process also provides consistency for eligibility for all income-eligible weatherization programs including National Grid's Income Eligible Services (IES) program.

No dwelling unit may be weatherized without documentation that the unit is an eligible dwelling unit. Applications for assistance under this Program will be made through the Weatherization Service Agency (the Subgrantee) who has the responsibility of ensuring that the applicant represents a family unit whose income is at or below minimum income guidelines. Only families with income no higher than the figures listed below may be assisted. Rhode Island elects to use LIHEAP income guidelines - 60% state median income - for the RI Weatherization Assistance Program for households with eight or less. In order to comply with 10 CFR 440.22, households with eight (8) or more will follow a different eligibility threshold - 200% of Poverty Level - using the most recent version of DOE WAP Poverty Income Guidelines and Definition of Income available.

PY 2021 Low-Income Guidelines for DOE WAP

FAMILY SIZE (12 Month Income may not exceed):

- 1 - \$32,265
- 2 - \$42,193
- 3 - \$52,120
- 4 - \$62,048
- 5 - \$71,976

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- 6 - \$81,903
- 7 - \$83,765
- 8 - \$85,626 **DOE WAP Eligibility: \$89,300 200% Poverty**
- 9 - \$87,488 **DOE WAP Eligibility: \$98,400 200% Poverty**
- 10 - \$89,349 **DOE WAP Eligibility: \$107,480 200% Poverty**
- 11 - \$91,211 **DOE WAP Eligibility: \$116,560 200% Poverty**
- 12 - \$93,072 **DOE WAP Eligibility: \$125,640 200% Poverty**

LIHEAP intake workers will be provided guidance on following the provisions of WPN 20-3. Families with 8 or more that do not qualify for LIHEAP may still be eligible for weatherization services, and it is incumbent on the Subgrantees to refer these families to WAP for further information. If a family does qualify for WAP, but not for LIHEAP, a separate intake will be done in HES by the weatherization office. If eligible for services, these jobs will be 100% DOE funded, with no LIHEAP funds leveraged.

In addition, DHS will work with HES to determine if families with 8 or more in the household that are denied for LIHEAP, but below 200% FPL, could be flagged for follow-up by the Subgrantee.

The contract between the Department of Human Services (DHS) and the Weatherization Community Action Agency (Subgrantee) mandates that each agency certifies the income eligibility of those recipients of weatherization assistance. DHS will ensure compliance through examination of records and reports for each non-profit corporation. DHS has developed a statewide application that ensures that all information requested from the client allows to the maximum extent possible, the most accurate and complete data to determine income eligibility. LIHEAP clients are certified in the Hancock Energy Systems (HES) database. All CAP Agencies use HES, and are able to access the Hancock database for referrals and to maintain waiting lists.

The term "child" shall mean person under eighteen (18) years of age.

Describe the process for ensuring qualified aliens are eligible for weatherization benefits

DHS uses the LIHEAP application certification process to determine eligibility for LIHEAP and WAP. Non-U.S. citizens with "Qualified Alien" status are entitled to LIHEAP/WAP benefits as long as they meet identity, income, and residency requirements.

V.1.2 Approach to Determining Building Eligibility

Procedures to determine that units weatherized have eligibility documentation

No dwelling unit may be weatherized without documentation that unit is eligible under DOE guidelines. Applications for assistance under this program will be made through the Weatherization Service Agency (Subgrantee). The Subgrantee is responsible for ensuring that the applicant represents a family unit whose income is at or below minimum income guidelines. The contract between DHS and Subgrantees mandates that each agency certifies the income eligibility of prospective recipients of weatherization assistance. DHS will ensure compliance through examination of records and reports for each CAP Agency. DHS has also developed a statewide application that ensures, to the maximum extent possible, that all information requested from the client is accurate and contains complete data necessary to determine income eligibility. LIHEAP and WAP are fully integrated with both systems residing in the Hancock Cloud.

Clients who are home owners are required to show proof of homeownership, and clients who are renters must have signed permission from the building owner/landlord before work can begin.

DHS helps to ensure that the benefits of weatherization are protected for tenants of rental units by requiring 1) An executed copy of the "Authorization to Perform Work" and 2) the "Rhode Island Weatherization Assistance Program Rental Units Building Agreement". These two forms help ensure that written permission of the building owner or his agent is given before commencing work; the benefits of

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the services accrue primarily to the low-income tenants residing in such units; that for a reasonable period of time after completion, the household will not be subjected to rent increases (unless those increases are demonstrably related to other matters other than the weatherization work performed).

When altering the exterior to any home built before 1966, Historic Preservation protocols must be followed. The Programmatic Agreement between the state (DHS and OER), DOE and the RI Historical Preservation and Heritage Commission (RIHPHC) has been executed, and is uploaded to the SF-424. In addition, the Hancock Energy System has developed and added a "Historic Preservation Review" section on the "Audit Information" screen of the audit tool where users must indicate compliance with Historic Preservation requirements, as applicable.

RI WAP Authorization to Perform Work - uploaded to the SF-424

RI WAP Rental Units Building Agreement - uploaded to the SF-424

Describe Reweatherization compliance

RI will implement the revised re-weatherization policy described in the The Consolidated Appropriations Act of 2021:

(h) AMENDING RE-WEATHERIZATION DATE.—Paragraph (2) of section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended to read as follows: “ Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as ‘previous weatherization’), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.”.

Subgrantees are required to maintain historical records of previously weatherized units. The current Hancock client database, as well as older databases (e.g. Access Database, Captain excel spreadsheet, card catalog files) are checked for any previous WAP activity before an audit is scheduled. DHS also reviews the Subgrantee approach to determining building eligibility during the annual subgrantee monitoring.

Describe what structures are eligible for weatherization

Structures eligible for weatherization include single family, manufactured housing, and multi-family dwellings. All structures must be stationary and have a specific mailing/street address. Campers and non-stationary trailers are not eligible for weatherization services. Shelters and group homes may also be weatherized. Eligibility is specified in the "Definitions" section of 10 CFR440.

According to the 2019 Housing Fact Book published by HousingWorksRI at Roger Williams University, RI's population is 1,056,138 which includes 412,028 households. 60% of households are owners and 40% are renters.

It is estimated that one-third of the housing units in the state are at least 70 years old. Another half of the housing units in the state were built between 1940 and 1980. 42% of the occupied housing units are at or below "low income" levels (80% Average Median Income). Of the 173,460 occupied low income housing units, 104,076 (60% (25.2% of overall occupied housing units) are renters and 69,384 (40% (16.8% of overall occupied housing units) are homeowners.

Describe how Rental Units/Multifamily Buildings will be addressed

1. In order to ensure that the benefits of weatherization are protected in accordance with 440.22(b)(3), all weatherization rental units are required to obtain the owner's consent on the "Authorization to Perform Work" Form, and by also signing the "RI WAP Rental Units Building Agreement". Among other things, the Rental Units Building Agreement helps ensure that the benefits of Weatherization services accrue primarily to the low income tenants residing in the units and that for a reasonable period of time after completion that the household will not be subject to a rent increase unless the increases can be attributable to other causes.
2. DHS does not plan to weatherize any large multi-family weatherization buildings with this grant award. In RI, multifamily weatherization needs are addressed through the National Grid Income Eligible Multi-Family Program, administered by RISE Engineering. Where appropriate, DHS refers inquiries for multi-family

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weatherization services to RISE. For 2020 and 2021, \$3,196,250 has been allocated to RISE for the electric sector and \$2,655,700 for gas. In 2020 the gas program served 768 units and the electric program served 1424 units.

<https://www1.nationalgridus.com/files%5CAddedPDF%5CPOA%5CRI MF Flyer.pdf>

In RI, multi-family is defined by:

- Buildings with 5+ units and/or properties consisting of four or more 1-4 unit buildings that meet both of the following requirements:
- Are connected or adjacent to each other, or to a 5+ unit building, and;
- Are owned by the same individual or firm.

Stand-alone 1-4 unit buildings that do not meet the above requirements are considered “single-family” and will be served traditionally through WAP or National Grid’s Income Eligible Services Program as appropriate.

As provided for in 10 CFR 440.22, a subgrantee may weatherize a building containing rental dwelling units using financial assistance for dwelling units eligible for weatherization assistance under where:

- (1) The subgrantee has obtained the written permission of the owner or his agent;
- (2) Not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large multi-family buildings) of the dwelling units in the building:
 - (i) Are eligible dwelling units, or
 - (ii) Will become eligible dwelling units within 180 days under a Federal, State, or local government program for rehabilitating the building or making similar improvements to the building..

Procedures for Weatherizing Buildings with Two or More Units.

DOE funding for MF projects may be used only where allowed where minimum program requirements are met.

A. Buildings with Less than 50% of the Dwelling Units Eligible

When less than 50% of the dwelling units in a building are eligible for weatherization, the following procedures must be followed:

- All applicable major air sealing/general heat waste, heating system and wall insulation must be completed on the eligible unit;
- All common areas (hallways, attics, basements) that are immediately adjacent to the eligible unit must be weatherized;
- The building’s ineligible units cannot be weatherized.
- Allowable expenditures are limited to those of the eligible unit or units and production credit will be granted for the eligible unit(s) only.

B. Buildings Where 50% of the Units in a Two (2) or Four (4) Unit Building, or 66% of the Units in Any Building, Are Eligible

When 50% of the units in a two (2) or four (4) unit building, or 66% of the units in any building are eligible for weatherization, the Subgrantee may weatherize the entire dwelling with DOE funds.

- All applicable major air sealing/general heat waste, heating system and wall insulation must be completed
- All common areas (hallways, attics, basements) regardless of their location, must be weatherized

Describe the deferral Process

Deferral of weatherization services may be necessary when Health and Safety issues cannot be adequately addressed. Deferral does not mean that the home cannot or will not be weatherized, but that the work must be postponed until the problems leading to the deferral are corrected. If the reasons for deferral are resolved, the home may be considered for weatherization services provided that the application still meets eligibility guidelines.

Auditors must use professional judgment when determining if there are conditions present which may endanger the health/safety of the workers or occupants. Subgrantee staff are expected to refer or connect clients to alternate sources of assistance (i.e. CDBG, Green and Healthy Homes or local government home repair programs) where appropriate. Deferral may also be necessary where occupants are uncooperative, abusive or threatening.

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Deferral conditions may include the following: The client has known health conditions that prohibit the installation of insulation and other weatherization materials; The building structure or its mechanical systems, including electrical and plumbing, are in such a state of disrepair that the conditions cannot be resolved within the guidelines and at reasonable costs (repairs are beyond incidental); The house has sewerage or other sanitary problems including pet/animal excrement that can't be corrected through weatherization and would further endanger the client and weatherization installers if weatherization work were performed; The house has been condemned or electrical, plumbing or other equipment has been red tagged by local or state building officials or utility companies and weatherization funds are not sufficient or corrective measures are not allowable costs; Moisture or potential moisture problems are present and cannot be resolved under existing health and safety guidelines and with minor repairs; Dangerous conditions in the home due to high carbon monoxide levels in combustion appliances or their venting which cannot be resolved under existing health and safety guidance. Subgrantees should take immediate action to ensure the combustion appliance is not used, including instructing the client to contact a combustion appliance repair/replacement specialist; The client is uncooperative, abusive, or threatening to the auditor, subcontractors, inspectors, or others who must work on or visit the home; The extent and condition of lead based paint or any other identified hazardous condition in the house which could potentially create further health and safety hazards; Pest infestation that cannot be reasonably removed or poses health concerns for workers; In the judgment of the energy auditor, any condition exists which may endanger the health and/or safety of the subcontractors; Homes with conditions that have the potential to create a health concern requiring more than incidental repair.

A copy of the RI WAP Deferral Form is uploaded to the SF-424. The HES database allows for tracking of deferrals.

V.1.3 Definition of Children

Definition of children (below age): **18**

V.1.4 Approach to Tribal Organizations

Recommend tribal organization(s) be treated as local applicant?

If YES, Recommendation. If NO, Statement that assistance to low-income tribe members and other low-income persons is equal.

The low-income members of an Indian Tribe shall receive benefits equivalent to the assistance provided to other low-income persons within the State. According to the 2019 US Census, there are approximately 5,277 Native Americans living in the State of Rhode Island. Native Americans will be serviced in the Weatherization Assistance Program in the same manner that all other low-income Rhode Islanders are: through the local Community Action Agency that serves the city/town in which they live.

V.2 Selection of Areas to Be Served

All 39 cities and towns in the state will be served by six subgrantees:

East Bay Community Action Agency: East Providence, Barrington, Warren, Bristol, Jamestown, Little Compton, Newport, Portsmouth, Tiverton, Middletown

Comprehensive Community Action Agency: Cranston, Foster, Scituate

Tri-County Community Action Agency: Glocester, North Providence, Burrillville, Smithfield, Johnston, Hopkinton, Narragansett, North Kingstown, Westerly, Exeter, South Kingstown, West Greenwich, Charlestown, New Shoreham, Richmond

Westbay Community Action Agency: Warwick, Coventry, West Warwick and East Greenwich

Providence Community Action Agency: Providence

Blackstone Valley Community Action Agency: Woonsocket, North Smithfield, Pawtucket, Lincoln, Cumberland, Central Falls

DHS may suspend or terminate a contract with a weatherization subgrantee any time for any cause. "For cause" shall mean a finding of non-compliance with the procedures established in this section. In case of subgrantee failure to comply substantially with the provisions of the Energy Conservation in Existing Building Act of 1976, or 10 CFR, Part 440, DHS may take immediate steps to suspend or terminate the contract with that agency. Cause for suspension or termination

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of contracts shall include:

- Failure to maintain adequate fiscal controls and accounting procedures
- Filing late and inaccurate financial and programmatic reports
- Misuse of program funds
- Inability of the subgrantee to account for materials and equipment purchased
- Failure to adhere to the schedule for goals and objectives established
- Provision of weatherization services that are not done in a quality manner
- Failure to use weatherization materials that meet or exceed Federal specifications
- Failure of a subgrantee to comply with the terms of a contract
- Failure to comply with audit requirements
- Failure to comply with required purchasing procedures
- Discrimination of employees
- If a project is supported over two or more funding periods, suspension or termination may occur due to the failure to submit reports still due from the prior period

DHS may at its discretion either following notice and a hearing or by agreement with a weatherization subgrantee place an "agency at risk" status as an alternative to suspending or terminating a contract for cause; a finding of non-compliance by a subgrantee with an "agency at risk" status designation shall be cause for suspension or termination of a contract with a weatherization subgrantee.

Should any of the service providers which are identified in this plan cease to administer the Weatherization Program during the year covered by this plan, or are unable to utilize the funds allocated, a temporary service provider may be selected. The temporary service provider may be selected from the existing list of subgrantees.

V.3 Priorities

Department of Energy (DOE) 10 CFR Part 440, Section 440.16 requires that grantees develop procedures to ensure that priority is given to identifying and providing assistance to: elderly persons; persons with disabilities; families with children; high residential energy users; and Households with a high energy burden.

Where all of the above is equal, applicants who have been waiting for weatherization services longer, may be prioritized for service over an applicant who has not been on the waiting list as long.

Priority Categories

1. Senior Citizen Household Member: _____
60-65.....1 point
66-71.....2 points
72-77..... 3 points
78-83..... 4 points
84 + 5 points

2. Disabled: _____
1 point for each disabled household member

3. Families with Children: _____
Under age 1.....5 points
1-2.....4 points
3-5.....3 points
6-9..... 2 points
10-17..... 1 point

4. High Energy User: _____
1 point for High Energy Users

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5. High Energy Burden: _____

1 point for High Energy Burden

Parameters are set up in Hancock to calculate if a customer is a High Energy User, and/or have a High Energy Burden. A recent study by ACEEE "Lifting the High Energy Burden in America's largest cities revealed that Providence, RI has the highest percentage of low-income energy burden in the Northeast (Providence, Pittsburgh, Philadelphia, Hartford, New York City, Baltimore, Boston, and Washington DC) based on the average of the median energy burdens across all groups.

RI WAP considers a household that spends more than 10% of their income on energy costs as having a High Energy Burden and priority points are given.

V.4 Climatic Conditions

In Hancock, Subgrantees can choose from the following weather stations for modeling audits and should select the location of the nearest weather station:

Block Island State Arpt

Pawtucket

Providence

Providence TF Green Airport

Because Rhode Island has a short cooling season, RI WAP does not address cooling measures in the DOE Weatherization Assistance Program.

V.5 Type of Weatherization Work to Be Done

V.5.1 Technical Guides and Materials

RI contracted with Saturn Resource Management to develop the SWS-aligned *Rhode Island Weatherization Field Guide*, and its recent update in 2019. RI's Weatherization Technical Committee (WTC) was an integral part of the review and editing of this document. On 4/9/19, DOE notified RI that the Field Guide had been approved with 2 variance requests. Hard copies of the RI Field Guide were distributed to all subgrantees, CLEARresult staff, DHS weatherization staff, and weatherization contractors. Recipients signed Acknowledgement of Receipt forms.

Energy auditors and state technical monitors are encouraged to download the RI Field Guide onto their iPads for reference while in the field, or when a hard copy is not available.

Electronic copies are available at:

<http://wxfieldguide.com/ri> (website)

http://wxfieldguide.com/ri/RI_WxFG_SWS_print.zip (print files)

http://wxfieldguide.com/ri/RhodeIslandWxFg_SWS_edition.pdf (pdf)

These links are noted on the Bulletin Board on the main page of Hancock.

The "RI WAP IES Operations Manual" has been uploaded to the SF-424 and is accessible for all Hancock users in Hancock Weatherization Guidelines. Energy auditors and state technical monitors are encouraged to upload the Operations Manual to their iPads for easy access while working in the field. In 2020, the OM was updated with the assistance of an ad hoc working group comprised of energy auditors, state monitors, weatherization coordinators, DHS program manager and CLEARresult staff. The OM will be bound and printed with removable pages for updating ease and convenience.

DHS will ensure that all expectations and requirements are communicated and codified in appropriate agreements and contracts. This will include all DHS/CAP

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Agency contract agreements. All CAP Agency/Weatherization contractor contract agreement and will include the following language:

SPECIFIC TERMS

During the Term, the Subgrantee shall weatherize eligible dwelling units in compliance with the terms of the RI WAP Operations Manual, the RI Weatherization Field Guide, this Agreement, as well as any Federal or State statutes or regulations pertaining thereto, including but not limited to 42 U.S.C. section 6861 et seq.; and 10 C.F.R. Part 440 and 600; the requirements specified in Office of Management and Budget (“OMB”) 2 CFR 200 and all other applicable Federal, State, and local laws, rules, regulations, administrative procedures, guides, manuals, program rules, regulations, and definitions, and any amendments thereto, in performing its obligations under this Agreement. Subgrantee specifically acknowledges that it must comply with all applicable Federal, State, and local laws, rules, and regulations pertaining to wages, hours, conditions of employment, and all health and safety standards.

Subgrantee shall perform weatherization services during the Term in accordance with the U.S. Department of Energy Weatherization Assistance Program State Plan for the State of Rhode Island, the Rhode Island Weatherization Field Guide, the Rhode Island Operations Manual, other State Weatherization directives as applicable, and any amendments thereto (collectively “State Weatherization Plan and Directives”). Subgrantee shall abide by and perform all work in accordance with the RI Weatherization Field Guide which has been aligned with the Department of Energy’s Standard Work Specifications (SWS). The Subgrantee’s signature on this agreement signifies its responsibility to follow all work standards as outlined in the documents referenced in this paragraph.

Subgrantee shall comply with all of the training and certification requirements that are specified in the RI Weatherization Operations Manual, and WPN 15-4 as required by the DOE.

No subcontractor of Subgrantee shall be paid for any work performed until such time as Subgrantee has performed an inspection of all of the weatherization work completed and has determined that any such work has been performed in a satisfactory manner (“Final Inspection”).

Subgrantee shall ensure that all Weatherization staff and subcontractors who perform or provide Weatherization services to client homes receive and adhere to all standards as outlined in Rhode Island’s Weatherization Field Guide, The Rhode Island Weatherization Assistance Program Operations Manual, the Department of Energy Weatherization Assistance Program State Plan for Rhode Island and other State Weatherization directives as applicable. The Subgrantee’s signature on this agreement signifies its responsibility to follow all work standards as outlined in the documents referenced in this paragraph as well as its responsibility to ensure that its Weatherization staff and subcontractors receive and review these documents and use them to guide the Weatherization work performed in client homes by them.

Subgrantee shall include language in subcontractor contracts detailing that all Weatherization services will be performed in accordance with the standards outlined within the documents as described in this Agreement.

The type of weatherization work to be performed by the subgrantees will include energy measures identified by the Hancock Energy Audit Tool (HEAT). All materials will be installed in accordance with the DOE-approved energy audit and Appendix A of 10 CFR 440. RI conducts HEAT audits for every single family-site built unit.

In September 2020, DHS submitted single family and manufactured housing energy audit approval packages to DOE. At this time, the status of the approvals are pending.

Electric baseload measures are addressed through National Grid's Income Eligible Services (IES) Appliance Management Program (AMP). Every weatherized home receives an AMP audit and evaluation, and if conditions warrant, electric baseload measures are addressed (eg. refrigerator replacement, CFL's (unlimited), LED's (limited), Smart Strips, washing machines, etc.).

Field guide types approval dates

Single-Family: 4/8/2019
Manufactured Housing: 4/8/2019
Multi-Family:

V.5.2 Energy Audit Procedures

Audit Procedures and Dates Most Recently Approved by DOE

Audit Procedure: Single-Family
Audit Name: HEAT
Approval Date:

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Audit Procedure: Manufactured Housing
Audit Name: HEAT
Approval Date:

Audit Procedure: Multi-Family
Audit Name: Other (specify)

Approval Date:

Comments

Single Family Audits - HEAT

Rhode Island's single family audit procedures were approved on 8/31/15.

DOE moved RI to "Conditional Audit Approval" on 9/6/17.

DHS submitted single family and manufactured housing energy approval packages to DOE in September 2020. Approvals are pending.

Mobile Home Audit

DHS recognizes that it is not in compliance with the requirement for an approved mobile home audit. DOE funds are never used to weatherize mobile homes - it is not allowable in Hancock. RI uses LIHEAP and/or utility funds to weatherize mobile homes so this population can continue to be served. Mobile homes account for 0.9% of the total housing units in the state. A full HEAT audit is modeled for every mobile home weatherization job.

Multi-Family Weatherization

DHS does not plan to complete any large multi-family projects with DOE funds. Rhode Island has a utility-funded low-income multi-family weatherization program that is administered by RISE Engineering and all requests for weatherization services in large multi-family buildings are referred to that program.

https://www1.nationalgridus.com/files/5CAddedPDF%5CPOA%5CRI_MF_Flyer.pdf

Small multi-family weatherization (2-4 units) are modeled in HEAT audit to determine appropriate cost-effective measures.

V.5.3 Final Inspection

As specified in 10 CFR 440.16, one hundred percent (100%) of weatherized dwelling units shall be inspected and certified as complete by the Subgrantee's authorized agent, prior to reporting said dwelling units as completed home. This provision is included in DHS/Subgrantee contract agreements. The QCI form certifies that each home has been completed and is signed and dated by the client, the QCI inspector, and the weatherization coordinator. Final inspections must include all health and safety testing including combustion efficiency, CO testing of all combustion appliances and worst case draft testing of all vented combustion appliances. DHS recommends that subgrantees perform "real time" final inspections whenever possible, on the last day of scheduled work, and while the weatherization contractor is still on-site. This practice improves responsiveness and efficiency of program operations by allowing contractors to immediately address any unsatisfactory work. Subgrantees are strongly encouraged to conduct "work in progress" inspections on at least 20% of jobs to review contractor work, discuss issues and concerns, check for lead safe work practices, and inspect attic air sealing work.

Disciplinary actions for inadequate inspection practices are reviewed on a case-by-case basis, and are identified through state monitoring visits. When disciplinary action is warranted, a subgrantee corrective action plan may be requested by the state, and should reflect the significance of the finding or concern. Examples of when disciplinary action may be warranted include:

- A. Repeated occurrences of failed CAZ testing resulting in re-work;
- B. Repeated monitoring finding related to the contractor performing the work;
- C. Repeated incidents of unsatisfactory, sub-standard work performance;
- D. Repeated incidences of violating DHS, DOE or LIHEAP program requirements;

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E. Fraudulent activity or fraudulent charges that are being reimbursed by the Weatherization Assistance Program;

F. Negligent work performance that leaves clients or other workers in imminent danger (i.e. Health and Safety such as carbon monoxide allowed to enter the home or a gas leak not addressed).

Depending on the severity of the issue, consequences may include:

1. Remedial Training, Category A. A worker (auditor or contractor) that falls under **Category A** will be recommended for remedial training and may be denied from participating in the program until the remedial training is completed. In addition to remedial training, an increase of on-the-job training or supervision may be warranted as well.

2. Denial of Participation. A contractor or worker performing work that falls under categories **B, C and D** may be denied participation for up to 2 years.

3. Permanent Debarment - A contractor or persons performing work that falls under category **E and F** may be permanently debarred from providing weatherization services through DHS' Weatherization Assistance Program.

In all disciplinary cases, an increase in the number of units monitored will be implemented.

At this time, there are 12 QCI inspectors in RI.

Status of CAP Agency QCI Inspectors

BVCAP - 2 QCI (Steve Calise, Ed Fisk)

CCAP - 1 QCI (Merredith Plante)

Eastbay - 0 QCI

CAPPRI - 2 QCI (Steve Santos, Keith Shillan)

Tri-County - 2 QCI (Sal Estacio, Steve Saccoccio)

Westbay - 2 QCI (Bill Larocque, Kevin O'Grady)

State Monitors

John Costello - QCI

Ramon Lantigua - QCI

Derek DeCosta - QCI

All QCI individuals must submit copies of their certifications (lead renovator, BA, QCI, EA, other HEP certifications) to DHS.

The RI WAP Field Inspection Form has been uploaded to the SF-424.

QCI Inspection Procedures

The following procedures are provided as a guide for performing the quality control inspection services:

1. QCI Inspector schedules an appointment with the customer to visit the dwelling and perform the inspection;
2. QCI Inspector arrives at dwelling equipped to conduct all necessary tests and services at the appointed time; Inspector performs blower door test verify results of air infiltration reduction achieved by the local agency; combustion efficiency test, and walk-through inspection as appropriate and required;
3. QCI Inspector records comments and quality assessment on the quality control form. Inspector also records variances in resource accountability between work order and/or invoice and inspection findings;
4. Signature of customer is obtained (signature must be a resident adult); and
5. Complete the Quality Control Inspection Form in the prescribed manner and forward a copy to the local agency.

The purpose of the Quality Control inspection is to:

- To provide services in a manner that meets the highest level of professionalism and to comply with standards established by DHS, the federal government, and the industry; and
- To provide services in a timely fashion and with the highest level of resource accountability possible in accordance with the scope of work provided.

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The subgrantee is responsible for ensuring that all Quality Control Inspectors are adequately trained and credentialed.

Quality Control Inspectors should be independent of the work they are inspecting. Ideally, the QCI inspector should not be the same individual who audited the property or performed any of the work for the property they are inspecting. In instances where this is not possible due to staffing, DHS will increase monitoring to 10% of completed units.

Where the auditor and the final inspector are the same, at least 10 percent of quality assurance reviews will be conducted where the auditor and the QCI inspector are the same.

It is the responsibility of the Quality Control Inspector to ascertain the completeness and quality of work according to the work order, of each dwelling unit before certifying in the Hancock system that the unit is complete.

BPI Technical Standards, The Rhode Island Weatherization Field Guide installation processes and SWS quality of standards should all be considered in this process. At a minimum, Quality Control Inspections must contain these elements:

- Perform a blower door test to verify results of air infiltration reduction achieved;
- Perform a combustion efficiency test of the central heating system;
- Perform a walk-through inspection of the property to verify the presence of installed materials and that the installation of materials as recorded on the Work Order and Invoice documents meet SWS quality;
- Document customer comments and obtain customer signature on the QCI Form verifying the work performed; and
- Certify completeness and quality of all items listed in the work scope in the Hancock system.
- Perform all diagnostic testing, including CAZ testing, as part of the inspection process.

DHS' QCI inspectors are required to review not less than 10% of completed units. If the QCI Inspector finds a pattern of missing or poor quality work in the random sampling, a higher percentage or all dwelling units of that agency may be inspected.

The agency must access Hancock and create a work order of all items that failed. When the work has been corrected, the subgrantee will notify DHS and arrange for the QCI re-inspection.

Units with failed measures must be resolved within five working days. Failure to adhere to this policy could result in the withholding of funds, stopping payment on current invoices and, in extreme cases, suspension or removal from one or more of RI WAP/IES weatherization programs.

DHS requires that all outstanding "failed" units be resolved and treated as a priority. Repeated failures may result in DHS requesting a corrective work plan to be developed by the agency.

Acceptance of Work

To clarify standard inspection protocols, please note the following:

- A unit will fail inspection if materials reported as installed cannot be found;
- A unit will receive a poor QA inspection if measures were not installed to standards;
- No unit will be failed for missed opportunities regarding air infiltration reduction, unless the inspector uses a blower door and can verify that substantial air leakage still exists;
- A unit may fail if major weatherization services or leveraging opportunities were missed (e.g., no attic insulation installed and could have been, no furnace work performed etc.) and the file does not indicate why the service was omitted.
- A unit will fail if additional, uninstalled health and safety measures are still required to protect the family.

Customer "No-Show" Policy

It is anticipated that a small percentage of units will not receive Quality Control inspections due to a variety of extenuating circumstances including:

- Customer moves/dies & property is vacant or occupied by a second party;
- Customer is unavailable after several attempts to re-enter and inspect.

The following are the procedures for reporting "no show" properties:

1. Local agency completes the weatherization services.
2. QCI Inspector will be responsible for contacting landlords/property managers to seek assistance in completing the inspection process, as required.

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3. QCI Inspector must make several attempts to enter the property, including:
- a. Contacting the customer by telephone to schedule appointment;
 - b. Forwarding of a letter setting a time and date for the inspection;
 - c. Conducting an unscheduled site visit to the dwelling; and
 - d. In the case of rental properties, performing the previous steps with the landlord as well as the customer.
4. Where QCI inspections are not possible, an alternative (non-DOE) funding source must be used. The unit cannot be reported to DOE as a completed unit without a QCI inspection.

The subgrantee is required to notify DHD that the unit cannot be accessed and provide documentation of each attempt to contact.

Because RI WAP does not use DOE resources to weatherize multi-family buildings at this time, there is no plan to receive training on the NREL Multifamily Quality Control Inspector JTA.

Contract language (see Special Terms) is included in Subgrantee Contractor Agreements which codify the signatory's responsibility to perform work to the specifications outlined in WPN 15-4 and in accordance with other state and federal requirements.

QCI - Overall Job Rating

- Good (no missed opportunities, all work installed according to standards)
- Poor (measures were not installed to standards, client files incomplete)
- Fail (materials reported as installed are not found, major weatherization opportunities were missed without an explanation of why the measure(s) were omitted in the client file, uninstalled health and safety measures that are still required to protect the family)

No unit will be failed for missed opportunities regarding air infiltration reduction, unless the inspector uses a blower door and can verify that substantial air leakage still exists

Disciplinary actions for non-compliance with post inspection protocols will be classified as:

- Level 1: Subgrantee has routinely responded to corrective actions, 100% effective.
- Level 2: Subgrantee has had marginal or insufficient results responding to corrective improvement on initial responses, but ultimately addressing all concerns and demonstrating improvement. Subgrantee will be subject to increased state monitoring and inspection
- Level 3: Subgrantee has failed to address corrective actions and/or deficiencies repeatedly. This designation may result in temporary suspension and disallowed costs.
- Level 4: Indefinite suspension, defunding of Subgrantee and contract termination.

SPECIFIC TERMS

During the Term, the Subgrantee shall weatherize eligible dwelling units in compliance with the terms of the RI WAP Operations Manual, the RI Weatherization Field Guide, this Agreement, as well as any Federal or State statutes or regulations pertaining thereto, including but not limited to 42 U.S.C. section 6861 et seq.; and 10 C.F.R. Part 440 and 600; the requirements specified in Office of Management and Budget ("OMB") 2 CFR 200 and all other applicable Federal, State, and local laws, rules, regulations, administrative procedures, guides, manuals, program rules, regulations, and definitions, and any amendments thereto, in performing its obligations under this Agreement. Subgrantee specifically acknowledges that it must comply with all applicable Federal, State, and local laws, rules, and regulations pertaining to wages, hours, conditions of employment, and all health and safety standards.

Subgrantees shall perform weatherization services during the Term in accordance with the U.S. Department of Energy Weatherization Assistance Program State Plan for the State of Rhode Island, the Rhode Island Weatherization Field Guide, the Rhode Island Operations Manual, other State Weatherization directives as applicable, and any amendments thereto (collectively "State Weatherization Plan and Directives").

Subgrantees shall abide by and perform all work in accordance with the RI Weatherization Field Guide which has been aligned with the Department of Energy's Standard Work Specifications (SWS).

Subgrantees shall comply with all of the training and certification requirements that are specified in the RI Weatherization Operations Manual, and WPN 15-4.

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Subgrantees shall provide in-home energy education regarding reducing energy consumption and health and safety concerns to the persons who receive the weatherization services pursuant to this Agreement.

No subcontractor of Subgrantee shall be paid for any work performed until such time as Subgrantee has performed an inspection of all of the weatherization work completed and has determined that any such work has been performed in a satisfactory manner ("Final Inspection").

Subgrantee shall select subcontractors in a manner that assures competitive procurement of services in compliance with all applicable laws, including but not limited to 10 CFR 600.236, and 2 CFR 200.318 through 2 CFR 200.326. Neither Subgrantee nor any subcontractor of Subgrantee shall be reimbursed until such time as Subgrantee has performed an inspection of the work performed and has determined in writing that any such work has been completed in a satisfactory manner.

Subgrantee shall ensure that all Weatherization staff and subcontractors who perform or provide Weatherization services to client homes receive and adhere to all standards as outlined in Rhode Island's Weatherization Field Guide, The RI WAP Operations Manual, the Department of Energy Weatherization Assistance Program State Plan for Rhode Island and other State Weatherization directives as applicable. The Subgrantee's signature on this agreement signifies its responsibility to follow all work standards as outlined in the documents referenced in this paragraph as well as its responsibility to ensure that its Weatherization staff and sub-contractors receive and review these documents and use them to guide the Weatherization work performed in client homes by them.

Subgrantee shall include language in subcontractor contracts detailing that all Weatherization services will be performed in accordance with the standards outlined within the documents as described in this Agreement.

In making any procurement or entering into any contract that requires the expenditure of funds provided pursuant to this Agreement, Subgrantee shall adhere to the applicable provisions of 10 CFR. 440, 10 CFR 600 and 2 CFR 200.318 through 2 CFR 200.326, and Minority Business Enterprise (MBE) policies including R.I.G.L. 37-14.1, regarding procurement.

Subgrantee acknowledges and agrees that funds provided through this Agreement shall not be used for the purchase or improvement of land, or for the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

Subgrantee acknowledges and agrees that it must maintain an overall average cost per dwelling amount not to exceed \$7,708 for PY 2021.

Subgrantee acknowledges and agrees that the funds provided through this Agreement shall be used to supplement, and not supplant, State or local funds and, to the extent practicable, to increase the amounts of such funds that would be made available in the absence of Federal funds for carrying out activities specified in this Agreement.

V.6 Weatherization Analysis of Effectiveness

Although DHS has not conducted a formal program evaluation of cost effectiveness, adhering to the SIR requirement helps ensure that the program maintain its mainstay of cost-effectiveness.

EA and QCI Inspector training and certification will also help ensure that high quality work standards and cost effective energy conservation practices are followed. Recent DOE requirements for Quality Work Plans and Quality Management Plans will help improve the overall efficiency of WAP. DHS will continue its efforts for program and process improvement by providing technical and program training for state and subgrantee staff as needed.

Subgrantees are subject to ongoing fiscal and program monitoring. Subgrantees are required to inspect 100% of the work completed and maintain control over expenditures in accordance with federal financial management guidelines and generally accepted accounting procedures.

Annual program and fiscal assessments provide a second level of weatherization program analysis. The monitoring effort focuses on accountability and technical proficiency. Subgrantee records, client files, and invoices are checked for consistency and compliance. At least 10% of the housing units completed are physically inspected by DHS state monitors. Work orders are cross-checked with the measures that have been installed in the home. The technical monitors also evaluate the workmanship and techniques employed by weatherization contractors, focusing on compliance with weatherization priorities and the quality of work.

In addition to the annual assessments and regular field monitoring, DHS and CLEAResult will continue to hold Weatherization Manager Meetings and "NGRID Best Practices" meetings for subgrantees, DHS and utility representatives. These meetings serve as opportunities to discuss any programmatic changes, discuss

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areas of concern and general peer to peer exchange.

DHS will continue to hold daily "huddles" of the state monitoring team, and weekly staff meetings to review reports and monitoring findings from the previous week. The weekly meetings will be a chance to discuss trends, T&TA recommendations, best practices and more.

DHS and CLEAResult (lead vendor for the National Grid Income Eligible Services Program) hold monthly KPI meetings with the 6 subgrantee weatherization coordinators. A copy of the KPI worksheet is attached to the SF 424 for reference. The purpose of the monthly KPI meetings is to review and discuss: the prior months' production goals and spending, T&TA and staffing and provide support for program development as needed.

In PY 21, DHS plans to work with Hancock to collect and analyze data on CFM reductions for completed units. This data will be sorted by agency, by auditor, and by contractor.

In response to the recent ACSI survey, DHS will continue to implement corrective actions particularly surrounding effective communication strategies. DHS has enlisted additional staff to support these efforts, and promote process improvement.

V.7 Health and Safety

DHS and its Weatherization subgrantees have always considered the health and safety of its weatherization clients a high priority. Health and Safety measures are measures that are necessary to maintain the physical well-being of both the occupants and the weatherization workers where the actions are necessary as a result of weatherization work. The reason for all health and safety work must be documented in the client file, including pictures and written documentation.

The 2021 RI WAP Health and Safety Plan, uploaded to the SF-424, is a working document and has been provided to all RI WAP subgrantees. The document will be updated as necessary, and follows all requirements of WPN 17-7.

The budget matrix included in RI's Health and Safety Plan includes the following information:

Avg. Health & Safety Cost/Unit	\$906.67
Est Production	700
Est Program Operations	\$5,334,789
H&S Budget (total avg H&S cost per unit * Est production)	\$634,670.40
Requested H&S % per unit (H&S Budget/Program Operations)	11.9%

DHS has budgeted/requested \$255,000 for health and safety in the PY21 state plan application. RI will use LIHEAP and/or NGRID funds on jobs as needed to supplement the DOE H&S allocation.

The WAP Hancock database allows the state and subgrantees to track and manage H&S measures and costs more efficiently. Subgrantees can quickly see spending percentages by category and funding source by accessing the Production and Job Cost Report in Hancock.

Additionally, Hancock has a feature whereby jobs that exceed the H&S average job funding limit (\$900) are sent to "state approval" before they can be sent to work order. This control allows the agencies, and DHS, to track Health and Safety averages and address any issues before a work order is created.

Job Funding Limits:

DOE WAPHealth and Safety 900.00
DOE WAPMaterials and Labor - On-Site7,500.00

Subgrantees are encouraged, but not required, to maintain Pollution Occurrence Insurance.

Clients must be informed of any Health and Safety risk discovered during the inspection process. In the case of a rental property, the property owner and/or authorized agent must also be notified. As potential hazards are identified, an assessment must be made on severity, and how they will be addressed, up to and including deferral. Deviations from the RI Health and Safety Plan must be requested in the form of a waiver, and must include a thorough assessment (including photo documentation) of the situation and a detailed plan for addressing the issue.

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At-Risk Customers

RI WAP provides AC assistance through the Appliance Management Program. Any A-60 (discount rate) customers is eligible for AC replacement, if the InDemand audit (baseload audit) deems it cost effective. Window AC's are replaced with energy star models; almost all AC's are replaced. There is no assesment of an "at risk" situation; if the customer is income eligible, they are eligible to participate in the program. Window AC's are replaced 1:1 (eg. like for like).

The RI WAP IES "Audit Instructions Form" seeks to obtain customer health and safety information that may be affected by the weatherization work set to occur. If it is found that a customer may be considered "At Risk" based on the information provided, the job will be deferred for the health and safety of the customer.

V.8 Program Management

V.8.1 Overview and Organization

LIHEAP and WAP programs are under the jurisdiction of the Department of Human Services, Division of Community Services. DHS is an organization of opportunity, working hand-in-hand with other resources in Rhode Island to offer a full continuum of services for families, adults, children, elders, individuals with disabilities and veterans. The goals of DHS are to create families that are strong, productive, healthy and independent; adults that are healthy and reach their maximum potential; Children that are safe, healthy, ready to learn and reach their full potential; ensure that elders and individuals with disabilities receive a full continuum of services to enhance their quality of life; and that veterans are cared for and honored.

An organizational chart which show's RI WAP placement within the Department of Human Services has been uploaded to the SF-424.

An organizational chart for the Weatherization Assistance Program itself has been uploaded to the SF-424.

The State Energy Plan (SEP) program remains at the Office of Energy Resources in the RI Department of Administration. The Office of Housing and Community Development (OHCD) administers all CDBG grants awarded to the State of Rhode Island. The State Community Development Block Grant (CDBG) program is intended to develop viable communities by providing decent housing, expanding economic opportunities and creating suitable living environments - primarily for low/moderate income persons (those earning at or below 80% of Area Median Income). Each year the State of Rhode Island receives a formula allocation of CDBG funding from the Department of Housing and Urban Development (HUD) to be distributed to eligible Rhode Island communities.

The weatherization assistance program is operated by six community action agencies statewide. Historically, RI Community Action Agencies have implemented WAP at the local level with the exception of the multi-family program that was administered by RI Housing during the ARRA-era.

V.8.2 Administrative Expenditure Limits

DHS will comply with the rules for administrative limits which states that not more than 15% of any grant made to a state may be used by the grantee and subgrantee for administrative purposes in carrying out duties under this part, except that not more than 7.5% may be used by the state for such purposes, and not less than 7.5% must be made available to subgrantees by states.

For PY 21, RI does not have any Subgrantees with allocations less than \$350,000.

V.8.3 Monitoring Activities

In accordance with 10 CFR 440, DHS, as the Grantee for the Weatherization Assistance Program, will perform monitoring and oversight of WAP program, and establish monitoring procedures for evaluating Subgrantee performance. Monitoring functions as the state's principal method for determining Subgrantee compliance and evaluating the effectiveness of WAP policies and procedures. All monitoring activities will be conducted in compliance with DOE WPN 15-4, the RI Weatherization Field Guide, the approved DOE state plan, the RI WAP/IES Operations Manual, and DOE WPN 20-4.

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DHS program, fiscal, and technical staff will monitor Subgrantee activities to ensure that the highest quality weatherization services are provided to eligible low-income Rhode Islanders. Effective monitoring provides objective reporting to and from Subgrantees and makes recommendations to address program and administrative deficiencies and needs. Subgrantee monitoring is an on-going process which involves the coordinated and cooperative efforts of both DHS and its Subgrantees. DHS will follow the updated monitoring approach outlined in WPN 20-4: Updated Weatherization Assistance Program Monitoring Guidance.

Subgrantee Programmatic and Management Monitoring includes the following areas: Subgrantee Review; Financial/Administrative; Equipment/Inventory/Materials; Eligibility; Rental; Feedback and Reporting; Energy Audits; Field Work; Health and Safety; Quality Assurance; Training and Technical Assistance; Staff or Entity performing the monitoring; and How monitoring results are handled and required follow-up procedures. Subgrantee Monitoring includes an evaluation of the following areas: Program Overview (Client File Review, Work Orders etc); Financial/Administration; Inventory; Energy Audits; Qualifications and Training; Weatherization of Units; Health and Safety; Final Inspections; Staff or entity performing the monitoring; and How monitoring results are handled and required follow-up procedures. Financial Monitoring will evaluate the following: Financial Management/Accounting Systems and Operations; Audits; Payroll/Personnel; Vehicles and Equipment; Procurement; Sub-awards/Subgrantee Monitoring; Invoicing; Records Retention; Staff or entity performing the monitoring and; How monitoring results are handled and required follow-up procedures.

Each subgrantee is required to submit a copy of their annual audit report to DHS within six (6) months of their fiscal close date. Those audit reports, along with their A-133 single audit are reviewed for findings. Any finding related to either the Weatherization Assistance Program (DOE or LIHEAP) and/or the Low Income Home Energy Assistance Program (LIHEAP) must be addressed in a corrective action plan to DHS. The state may take additional actions as it deems necessary.

During the grant period, DHS staff will conduct an annual comprehensive on-site monitoring visit to each Subgrantee. Monitoring tasks are shared by the DHS weatherization manager (Chief Program Development), three state monitors, and DHS Financial Management. This visit includes a review of client files, administrative systems, client priorities, leveraging activities, contractor procurement, utilization and file maintenance, technical procedures (energy audits, health and safety testing, work orders, contractor invoices, quality control inspections). The monitoring will also include a review by a state fiscal monitor to ensure the soundness of the subgrantees accounting systems so that grant funds are expended in accordance with applicable law, including regulations contained in 2 CFR 200, Weatherization Program Notices; and other procedures that DOE may issue. Whenever possible, WAP monitoring reviews will be coordinated with LIHEAP on-site monitoring to maximize utilization and efficiency of resources.

Findings such as waste, fraud, or abuse will be reported to DOE immediately.

Subgrantees are subject to removal from the program and will be defunded of all remaining allocations in the event that findings remain consistently non-compliant with either state or federal requirements. Such findings may include, but are not limited to: consistent sub-standard workmanship with no measureable improvement within 90 days of notification; inadequate fiscal or management policies, procedures, or enforcement of controls; failure to improve current management systems within stated notification timeframes and/or implementation of corrected policies, procedures and practices.

Technical field staff will review inventory (weatherization tools and equipment), and field work. Each subgrantee will be visited by a QCI-certified technical field monitor at least once per monitoring year to review no less than 10% of completed units and 10% of client files to ensure quality workmanship and that DOE guidelines are followed. The state technical monitors detail inspection findings on a "QCI Inspection Report", and provide a copy to the Subgrantee within 10 days, whenever possible. If follow-up work is ordered, the agency will arrange for the necessary work to be performed, and notify the technical monitor once the work is complete. In all instances, if significant deficiencies are discovered, such as health and safety violations, poor quality of materials, major measures missed, DHS will require that the Subgrantee take appropriate corrective action to resolve the outstanding issues, usually within 30 days. The inspector will also increase the number of units reviewed and the frequency of monitoring visits for that CAP Agency until they can be assured that all deficiencies are resolved. Once deficiencies are corrected and procedures are put in place to prevent reoccurrence, DHS will resume its regular monitoring procedures for that agency.

DHS will conduct an exit conference at the close of each annual assessment. Within 30 calendar days after each visit, Subgrantees will be provided a written report that includes programmatic strengths, programmatic weaknesses, training needs and recommendations, and deficiencies requiring immediate attention. These reports will summarize the findings and, when necessary, direct the Subgrantees to take specific actions to correct issues of non-compliance and/or to develop a plan of action to improve performance. Reports are sent to the CAP Agency Executive Director who must respond within 30 days and provide evidence or assurance, as appropriate, of all corrective actions taken. Monitoring reports will include a reminder that suspension of funding is possible if a Subgrantee fails to respond within the allowable time frame.

DHS has developed a "Subgrantee Monitoring Analysis Overview" in as described in WPN 20-4, using an Excel spreadsheet, which tracks and summarizes each Subgrantees' financial reviews, program monitoring reports, outstanding issues, and will identify each Subgrantees' needs, strengths, and weaknesses. By organizing state monitoring information onto one spreadsheet, DHS will be better able to gauge and measure success and improvements at the agencies from year to year.

DHS will also include a copy of the overview with its T&TA, Monitoring and Leveraging Report. As described in WPN 20-4, DHS will also provide information on: Subgrantees monitored; Any major findings (waste, fraud and abuse) and resolutions; Trends with respect to findings, concerns or other issues; Needed T&TA (programmatic/administrative, technical, financial); Any Subgrantees that are considered high risk and plan for how to resolve; and outcome

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activities involving T&TA and monitoring training.

ON-GOING TECHNICAL MONITORING

State monitors visit with subgrantees regularly to perform file reviews, conduct field inspections with contractors, auditors, and final inspectors; and provide technical assistance as necessary. The three state technical monitors (Ramon Lantigua, John Costello* and Derek DeCosta) devote a significant portion of their time to in-field monitoring activities including monitoring completed jobs (10%) and in-progress jobs, conducting contractor quality assurance reviews, providing on-site T&TA, resolution of auditor and contractor issues, addressing questions and concerns, responding to client complaints etc. Because of Rhode Island's small geographical size - 37 miles wide and 40 miles long - DHS field monitors are routinely "out in the field" providing T&TA to auditors and contractors and responding to requests for assistance while jobs are in progress.

*As of the date of this application submission, John Costello has not been approved to review DOE work due to outstanding/unresolved findings associated with RI's Corrective Action Plan with DOE. DHS expects that Mr. Costello will be submitting the required documentation for clearance prior to the start of the 2021 grant period (7/1).

Technical monitors also inspect units "in progress" beyond the 10% completed units in order to assess: quality and compliance; appropriate and allowable materials; appropriateness of energy audits (no missed opportunities); comprehensive final inspections; safe work practices, such as lead safe weatherization protocols; and other factors that are relevant to on-site work.

Targeted training and technical visits are conducted if problems are identified, and until the issue or concern is resolved. State technical monitors complete written field reports after each monitoring visit, and a copy is sent to the agency for their files. If there are any call backs as a result of the technical monitoring visit, the Subgrantee must provide DHS with the resolution of the call back. Monitoring visits are also used to identify problems and potential training opportunities. Call backs related to the work of WAP contractors are completed at no cost to WAP. If additional work that was not identified by the Subgrantee but is needed and is identified by DHS inspectors, and the unit has already been reported to DOE, no DOE funds can be used to complete the work. Typically, LIHEAP funds are used to cover such costs.

All field monitors have received extensive training in all aspects of weatherization including:

BPI Building Analyst Professional Certification;
Quality Control Inspector Training and Certification ;
Advanced Blower Door/Pressure Diagnostics Training;
Combustion Safety Training;
Thermal Imaging Camera Training;
EPA Lead RRP Certified Renovator;
Lead Safe Work Practices Training
OSHA Confined Space Training
ASHRAE 62.2 2016 Training
Advanced Air Sealing Training;
HEAT Audit Training;
Appliance Management Training;
CAZ/Worst Case Training

In addition to these formal trainings, the state technical monitors have also attended continuing education opportunities at HPC Conferences, local training opportunities (RI Building Code, RI Builders Association, CLEAResult etc.), CHP, NYSWDA, and others.

Grantee T&TA funds are used to support personnel costs for the three technical monitors. 21% of grantee T&TA funds are used to support state monitoring.

Quality Control Inspection

RI WAP requires Quality Control inspection for every unit assisted through all weatherization programs. Every weatherized unit reported as a completed unit must receive a quality control inspection to ensure that all work meets the minimum specifications outlined in the SWS.

QCI Inspection Procedures

The following procedures are provided as a guide for performing the quality control inspection services:

1. QCI Inspector schedules an appointment with the customer to visit the dwelling and perform the inspection;

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2. QCI Inspector arrives at dwelling equipped to conduct all necessary tests and services at the appointed time; Inspector performs blower door test verify results of air infiltration reduction achieved by the local agency; combustion efficiency test, and walk-through inspection as appropriate and required;
3. QCI Inspector records comments and quality assessment on the quality control form. Inspector also records variances in resource accountability between work order and/or invoice and inspection findings;
4. Signature of customer is obtained (signature must be a resident adult); and
5. Complete the Quality Control Inspection Form in the prescribed manner and forward a copy to the local agency.

The purpose of the Quality Control inspection is to:

- To provide services in a manner that meets the highest level of professionalism and to comply with standards established by DHS, the federal government, and the industry; and
- To provide services in a timely fashion and with the highest level of resource accountability possible in accordance with the scope of work provided.

The Subgrantee is responsible for ensuring that all Quality Control Inspectors are adequately trained and credentialed.

Quality Control Inspectors must be independent of the work they are inspecting. The Quality Control Inspector should not be the same individual who audited the property or performed any of the work for the property they are inspecting. In cases where the initial auditor and the QCI inspector are the same person, QCI inspections will be increased to ensure that audits are being performed consistently and correctly (10% minimum).

It is the responsibility of the Quality Control Inspector to ascertain the completeness and quality of work according to the work order, of each dwelling unit before certifying in the Hancock system that the unit is complete. BPI Technical Standards, The Rhode Island Weatherization Field Guide installation processes and SWS quality of standards should all be considered in this process.

At a minimum, Quality Control Inspections must contain these elements:

- Perform a blower door test to verify results of air infiltration reduction achieved;
- Perform a combustion efficiency test of the central heating system (fossil fuels) to verify results of furnace service contractor;
- Perform a walk-through inspection of the property to verify the presence of installed materials and that the installation of materials as recorded on the Work Order and Invoice documents meet SWS quality;
- Document customer comments and obtain customer signature on the Customer Quality Control form which verifying the work performed; and
- Certify completeness and quality of all items listed in the work scope in the Hancock system.

If the QCI Inspector finds a pattern of missing or poor quality work in the random sampling, a higher percentage or all dwelling units of that agency may be inspected.

“Poor” rated units must be resolved within five working days. Failure to adhere to this policy could result in the withholding of referrals, stopping payment on current invoices and, in extreme cases, suspension or removal from one or more of RI WAP/IES weatherization programs.

Acceptance of Work

To clarify standard inspection protocols, please note the following:

- A unit will fail inspection if materials reported as installed cannot be found;
- A unit will receive a poor QCI inspection if measures were not installed to standards;
- No unit will be failed for missed opportunities regarding air infiltration reduction, unless the inspector uses a blower door and can verify that substantial air leakage still exists;
- A unit may fail if major weatherization services or leveraging opportunities were missed (e.g., no attic insulation installed and could have been, no furnace work performed etc.) and the file does not indicate why the service was omitted.
- A unit will fail if additional, uninstalled health and safety measures are still required to protect the family.

Customer “No-Show” Policy

It is anticipated that a small percentage of units will not receive Quality Control inspections due to a variety of extenuating circumstances including:

Customer moves/dies & property is vacant or occupied by a second party; or Customer is unavailable after several attempts to re-enter and inspect.

The following are the procedures for reporting "no show" properties:

1. Local agency completes the weatherization services and forwards the Work Order to the QCI Inspector.

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2. QCI Inspector will be responsible for contacting landlords/property managers to seek assistance in completing the inspection process, as required.

3. QCI Inspector must make several attempts to enter the property, including:

- a. Contacting the customer by telephone to schedule appointment;
- b. Forwarding of a letter setting a time and date for the inspection;
- c. Conducting an unscheduled site visit to the dwelling; and
- d. In the case of rental properties, performing the previous steps with the landlord as well as the customer.

The QCI Inspector alerts DHS staff that the unit cannot be accessed and provides documentation of each attempt to contact. Units that do not receive a full QCI inspection may not be charged to DOE. NGRID or LIHEAP funds must be used.

Beginning in 2021, state technical monitors will perform regular auditor performance evaluations using the "Energy Auditor Evaluation Tool" which assigns weighted values to seven categories of auditing including Building Assessment, Health and Safety, Heating System, Client Education, Blower door diagnostics, Tools and Equipment, and Post Audit. A baseline score will be developed for each energy auditor in 2021. The tool will also guide statewide and individual training and technical assistance needs. A copy of the tool has been uploaded to the SF 424.

V.8.4 Training and Technical Assistance Approach and Activities

In RI, training and technical assistance activities are directed at assessing and improving the overall delivery of weatherization services to income eligible households. Maximizing energy savings, minimizing production costs, improving program management, improving the technical skills of all weatherization workers (auditors and contractors), ensuring health and safety of weatherization workers and clients, and reducing the potential for waste, fraud and abuse are the overall goals of a comprehensive T&TA program.

In 2021, RI plans to use the majority of its T&TA allocation to support the hiring of a "Training and Technical Assistance Coordinator". DHS plans to contract with CLEAResult, the lead vendor for RI's Income Eligible Services (IES) program, on this new initiative. The T&TA Coordinator will collaborate with DHS program and technical staff to create a customized training plan for RI WAP. The training will include a virtual component for classroom requirements. The plan will include, at a minimum, the following list of required trainings and any others as identified by DHS.

- Energy Auditor Certification Training (BPI)
- EPA Certified Renovator Training
- Quality Control Inspector (QCI) Training (BPI)
- Combustion Appliance Zone (CAZ) Refresher Training
- Health and Safety training to include ASHRAE 62.2 2016,
- Personal Protection Equipment and other health and safety trainings as identified by DHS
- HEAT Training - New Users and Refresher Training

The T&TA Coordinator will develop a system for tracking training effectiveness and will report monthly progress. Upon completion of the full plan the provider will deliver a comprehensive assessment report that details the overall impact of the WAP training for the State of RI. The report will include both qualitative and quantitative data reflective of improvements in network capacity and knowledge in each identified training area.

State Technical Monitors

All state monitors have received extensive training in all aspects of weatherization including:

- BPI Building Analyst Professional Certification
- QCI Training and Certification
- Advanced blower door/pressure diagnostics training
- Combustion Safety/Worst Case Scenario training
- Thermal Imaging Camera training
- Certified Lead Renovator
- ASHRAE 62.2 2016
- Advanced Air Sealing training

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- HEAT audit training

Observations of trends during field monitoring are a determining factor in developing Single Topic training opportunities.

DHS has implemented weekly WAP monitoring meetings to review and track field and QCI reports. State monitors will provide copies of any field reports, post inspections, or QCI inspection reports and an overview of their findings. These reports will be tracked on a spreadsheet to identify auditor, agency, and contractor issues and trends. This feedback is also beneficial to other state monitors who may be facing similar issues and concerns with their agencies. DOE monitoring observations and recommendations are also factored into the development of RI's annual T&TA plan.

Attendance for all training is tracked in a database maintained by DHS. The database is also used to track renewals for licenses and certifications. See "Summary of Qualifications", uploaded to the SF-424.

DHS technical monitors use diagnostic equipment as a means to monitor weatherization work and train Subgrantee energy auditors and weatherization contractors. Infrared cameras, blower doors, gas leak detectors and combustion and carbon monoxide detectors are required and used extensively in monitoring of WAP. These tools are necessary to evaluate the quality of weatherization work and assess health and safety concerns of the home. All Subgrantees are required to have blower doors and have been trained on its proper use. In addition, Subgrantees are required to use combustion efficiency test equipment, carbon monoxide detectors and gas leak detectors to help ensure health and safety concerns regarding combustion appliances are addressed. All subgrantees also have multiple infrared cameras to be used in conjunction with blower door testing to identify air leakage areas and as a quality assurance tool to verify that wall, slope and ceiling insulation and air sealing work was completed properly.

Energy Auditors

All energy auditors are required to have BPI Building Analyst Certification before performing any energy audits on their own. On a case by case basis, an energy auditor without BA certification may be allowed to perform energy audits independently. In all cases, DHS must approve this request and will ensure that audits are reviewed by a qualified person before a work order is issued. Throughout PY 21, energy auditors and state monitors will attend HEP Energy Auditor training as needed.

Weatherization Auditor Requirements

1. BPI Building Analyst certification is required to perform audits for the RI WAP/IES program, unless prior approval has been obtained by DHS.
2. Rhode Island Lead Safe Renovator Remodeler certification (RRP) is required to perform Audits for the RI WAP/IES program. All Auditors must attend Lead Safe Work Practices training within six months of hire.
3. All energy auditors must have OSHA 10 certification.
4. All RI WAP/IES Weatherization Auditors must pass the National Grid Background Check
5. Auditors must possess and maintain proper use of all "*Required Tools for Weatherization Auditors*" listed in the RI WAP Operations Manual.

Quality Control Inspectors

A Quality Control Inspector (QCI Inspector) is an evaluator who verifies the work performed against the work plan, specifications and standards, performs building diagnostics, records/reports findings and concerns, and specifies corrective actions; by conducting a methodological audit/inspection of the building, performing safety and diagnostic tests, and by observing the retrofit work; in order to ensure the completion, appropriateness and quality of the work providing for the safety, comfort, and energy savings of the building occupants.

Quality Control Inspector (QCI) Requirements for DOE Funded Work

Quality Control Inspectors must be certified as Home Energy Professional Quality Control Inspectors for all DOE inspections.

There are 9 QCI inspectors in RI at this time. DHS will not limit the number of auditors that can receive the EA and QCI training and certification. To the greatest extent possible, LIHEAP funds will be used to supplement T&TA activities where DOE funding falls short.

RI WAP Implementation Plan for WPN 15-4

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DOE WPN 15-4 describes requirements to support and verify quality work in the Department of Energy's (DOE) Weatherization Assistance Program (WAP). It defines what constitutes a quality installation of weatherization measures, outlines how those measures are inspected and validated, and prescribes acceptable training and credentialing of workers.

Due to the technical and changing nature of the Weatherization Assistance Program (WAP), a high priority has been placed on the training aspect of the program. Training and monitoring are the tools that RI WAP uses to ensure that weatherization measures are applied consistently and that Rhode Island maintains a high standard of work. Along with increasing flexibility in the combining of funds, RI WAP will implement training requirements to help ensure that monies provided are used on weatherization measures that will guarantee energy savings. By including all staff and contractors in this process, it will assure organizational performance while providing the means for evaluating our achievements, as well as developing plans to improve upon our successes.

If funding allows, RI will also offer HEP Crew Leader and Retrofit Installer training and certification to eligible RI WAP contractors. Contractors will be required to sign a retention agreement with the subgrantee. The retention agreement shall require that contractors will work in the program for a specific amount of time, and must align with the cost of the T&TA provided.

Subgrantees are provided T&TA funds with their HHS WAP and DOE Contracts. Subgrantees are required to utilize these resources to maintain and improve program operations across all levels of RI WAP. The subgrantee is responsible for tracking the compliance of its auditors with training requirements. Travel to attend training, is to be budgeted and charged to either the T&TA or administrative categories. Out-of-state travel for Subgrantee personnel requires prior written approval by DHS if not included in the T&TA Plan.

Training for all WAP workers (aligned with the NREL JTA for the position in which the worker is employed) will be phased in. In PY 2021, "Comprehensive" training will be focused primarily on EA and QCI training and certification for all energy auditors and state monitors. If a mandatory training is missed, the individual must re-schedule the training on their own, or take the class/course online. DHS will determine what trainings are mandatory. Attendance for all training is tracked.

Comprehensive Training (formerly called Tier 1 training)

Comprehensive training is occupation-specific training which follows a curriculum aligned with the JTA for that occupation. Comprehensive training must be administered by, or in cooperation with, a training program that is accredited by a DOE-approved accreditation organization for the JTA being taught. All DOE funded Comprehensive training will be provided by DOE-approved accredited training programs. Accredited training can be administered in a number of ways including traveling training programs, distance learning programs and other options approved by DOE. All Weatherization field staff may receive regular Comprehensive training. Trainings will be based on an analysis of training needs and a plan for meeting those needs over a defined period of time, which can span multiple Program Years.

Specific Training (formerly called Tier 2 training)

Specific Training is single-issue, short-term, training to address acute deficiencies in the field such as dense packing, ASHRAE 62.2 2016, etc. Conference trainings are included in this category. DHS will initiate Specific Training from time to time. These trainings can take place in the field, at a subgrantees office, college or technical school or other locations.

DHS will also assess subgrantee and contractor compliance with OSHA requirements. All crew/contractor leaders/supervisors are required to attend a 30-hour OSHA construction training and must attend future trainings to maintain currency as indicated by OSHA. Subgrantees may utilize their T&TA funds to attend necessary trainings to comply with this and other requirements and to monitor their contractors to ensure this requirement is being followed.

The final component of our T&TA objectives is client education and outreach. This critical component enables DHS to learn directly from our clients how satisfied they are with the work performed and also enables our state monitors to follow up on client education about reducing their energy consumption. All RI WAP customers are provided with a self-addressed and stamped "Client Satisfaction Card" at the post inspection. All customers are given the customer satisfaction card, regardless of the funding source. CLEAResult compiles all responses on a spreadsheet, and shares results with with DHS and Subgrantees. At the final inspection, the customer is given a copy of the Hancock Energy Savings Report for the weatherization work completed. Each energy auditor has a portable printer and Ipad for convenience in providing this important report.

In addition, client education packets have been provided to all Subgrantees and include materials such as: *The Lead Safe Certified Guide to Renovate Right (required for every weatherization job)*; *Brief Guide to Mold and Moisture and the Home*; *Save Energy on Your Own*; *Top 10 Ways Homeowners Can Ensure Good Air Quality*; *EPA's Citizen's Guide to Radon*; *Asbestos Safety Information*; *Top 20 Asbestos Questions*; *An Overview of Domestic Hot Water Tanks*; *Electrical Safety Workbook and Seven Tips for Keeping a Healthy Home*. These materials will be distributed to customers as needed, and are included as an Appendix to the RI WAP Operations Manual. Other client education materials will be added or updated to the materials portfolio as necessary.

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DHS does not collect data on actual energy savings. Subgrantee effectiveness is determined by reviewing monthly production, in-field technical monitoring observations, annual monitoring, WTC meetings, job cost reports, customer survey cards, and more. T&TA activities are developed based on these elements, and are usually mandatory for all energy auditors and state monitors.

DHS will develop and submit as required an Annual Training and Technical Assistance Report which describes the T&TA activities covered during the grant period.

Percent of overall trainings

Comprehensive Trainings:	70.0
Specific Trainings:	30.0

Breakdown of T&TA training budget

Percent of budget allocated to Auditor/QCI trainings:	100.0
Percent of budget allocated to Crew/Installer trainings:	0.0
Percent of budget allocated to Management/Financial trainings:	0.0

V.9 Energy Crisis and Disaster Plan

Energy Crisis Relief (ECR)

DHS will comply with WPN 12-7: "Revised Guidance on Weatherization Disaster Guidance and Relief". Rhode Island currently utilizes LIHEAP funds for our Energy Crisis Relief (ECR) program. The activities and measures that will be performed under ECR are, but not limited to, repair of heating systems, replacement of irreparable heating systems, repair of gas or other fuel lines, pipe thawing service, and loans of auxiliary heaters. Because of LIHEAP and NGRID funding for emergency boiler repair and replacement, DHS does not foresee the need to use DOE WAP funds for an emergency crisis program.



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2021 RI DOE WAP Health and Safety Plan

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- 8.0 RI Health and Safety Matrix

1.0 - General Information

Rhode Island's Weatherization Program Operations Manual (OM) addresses Health and Safety (H&S) in accordance with 10CFR 440.16(h), 440.18(d)(15), 440.21(5), and the Department of Energy's (DOE) most recent Health and Safety Guidance in Weatherization Program Notices (WPN) 17-7.

Rhode Island's Department of Human Services (DHS) budgets health and safety costs as a separate category from Program Operations and, thereby, excludes such costs from the Savings to Investment Ratio (SIR) and the average cost per-unit (ACPU) calculation.

Allowable energy efficiency-related health and safety actions are those actions necessary to maintaining the physical well-being of both the occupants and/or weatherization workers where:

Costs are reasonable and are in accordance with Rhode Island's approved State Plan; AND
The actions must be taken to effectively perform weatherization work, OR
The actions are necessary as a result of weatherization work.

Not all observed health and safety conditions need to be corrected in order to proceed with weatherization; however, the client will still be notified of any observed conditions and if the condition is not corrected, it should be clearly explained in the client's electronic file in Hancock how the condition is not related to the planned weatherization work.

2.0 – Budgeting

RI budgets Health and Safety costs as a separate category and, thereby, exclude such costs from the average cost per unit (ACPU) limitation. This separate category also allows these costs to be isolated from energy efficiency costs in program evaluations.

Select which option is used below	
Separate Health and Safety Budget <input checked="" type="checkbox"/>	Contained in Program Operations <input type="checkbox"/>

3.0 - Health and Safety Expenditure Limits

Pursuant to 10 CFR 440.16(h) Grantees must set H&S expenditure limits for their Program, providing justification by explaining the basis for setting these limits and providing related historical experience.

4.0 - Incidental Repair Measures

If Grantees choose to identify any H&S measures as incidental repair measures (IRMs), they must be implemented as such under the Grantee's weatherization program in all cases- meaning, they can never be applied to the H&S budget category. In order to be considered IRMs, the measure must fit the following definition and be cost justified along with the associated efficiency measure.

Incidental Repairs means those repairs necessary for the effective performance or preservation of weatherization materials. Such repairs include, but are not limited to, framing, or repairing windows and doors which could not otherwise be caulked or weather-stripped and providing protective materials, such as paint, used to seal materials installed under this program. (10CFR440' Definitions')

Rhode Island's state plan defines Incidental Repair Measures are those repairs necessary for the effective performance or preservation of weatherization materials. Such repairs include, but are not limited to, framing, or repairing windows and doors which could not otherwise be caulked or weather- stripped and providing protective materials, such as paint, used to seal materials installed under this program. All work, including incidental repairs, must be done in a lead safe manner and according to DOH guidelines for working lead safe.

An incidental repair must be associated with a specific ECM (Incidental to an ECM) and cost justified to ensure that the whole project achieves an SIR of one or greater. Incidental repairs are NOT to be charged to Health and Safety. The following measures are always to be charged as "incidental repairs":

- Framing or Repairing of windows and doors which could not otherwise be caulked, or weather stripped, including protective materials such as paint, used to seal materials installed. An example would be a water damaged window, door trim, or framing that needs to be replaced to prevent moisture infiltration into the building.
- Minor roof repairs, not to exceed \$500.
- Minor structural repairs that are necessary to allow for effective weatherization, not to exceed \$500.
- Knob and Tube removal, including the installation of replacement wiring, for protection of and safety of, insulation measures (reasonable amount). Knob and tube inspections performed by a properly licensed electrician are allowable.
- Minor electrical repairs necessary for the effective installation of, or because of the installation of electronic weatherization measures. Installation of miscellaneous wiring, junction boxes and covers to ensure connections which meet code is allowed.
- Cut access holes.
- Remediation of conditions that may lead to or promote biological concerns are allowed as incidental repairs. DOE funds may not be used to test, abate, remediate, purchase mold- specific insurance, or alleviate existing mold conditions.
- Allowable measures include: installation or repair of gutters, downspouts, downspout splash blocks or extensions when basements/crawl spaces have evidence of moisture

infiltration; installation of flashing to direct water away from the building or foundation where evidence of moisture damage due to long term water damage is evident; installation of moisture/vapor barriers over dirt floors; minor repairs to plumbing or sanitary leaks inside the home or plumbing leaks outside the home such as hose bibs (garden home faucets) that may be leaking and draining against the foundation; repairs that are required by code as a result of installing a weatherization measure and are a direct component of the weatherization measure being installed.

The cost of incidental repairs must be included in the cost of the package of measures and must be cost justified in the whole house SIR.

5.0 - Deferral/Referral Policy

Deferral of services may be necessary if H&S issues cannot be adequately addressed according to WPN 17-07 guidance. The decision to defer work in a dwelling is difficult but necessary in some cases. This does not mean that assistance will never be available, but that work must be postponed until the problems can be resolved and/or alternative sources of help are found. If, in the judgment of the auditor, any conditions exist which may endanger the health and/or safety of the workers or occupants, the unit should be deferred until the conditions are corrected. Deferral may also be necessary where occupants are uncooperative, abusive, or threatening. Grantees must be specific in their approach and provide the process for clients to be notified in writing of the deferral and what conditions must be met for weatherization to continue. Grantees must also provide a process for the client to appeal the deferral decision to a higher level in the organization.

Grantee has developed a comprehensive written deferral/referral policy that covers both H&S, and other deferral reasons?
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Where can this deferral/referral policy be accessed?

RI's deferral policy can be found in the RI WAP IES Operations Manual. Rhode Island's state plan allows for deferral of weatherization services if Health and Safety issues cannot be adequately addressed. Deferral does not mean that the home cannot or will not be weatherized, but that the work must be postponed until the problems leading to the deferral are corrected. Auditors must use professional judgment when determining if there are conditions present which may endanger the health/safety of the workers or occupants. Subgrantee staff are expected to refer clients to alternate sources of assistance (such as CDBG or home repair programs) where appropriate. Deferral may also be necessary where occupants are uncooperative, abusive, or threatening. DHS has developed a standardized "Deferral of Weatherization Services" Form for subgrantee use. The form includes pertinent information such as the client name and address; date of the audit; date the client was informed; a clear description of the problem(s) and conditions under which weatherization could continue. A copy of the Deferral Notice is attached as an appendix to this plan.

6.0 - Hazard Notification and Identification Forms

Documentation forms must be developed that include at a minimum: the client's name and address,

dates of the audit/assessment and when the client was informed of a potential H&S issue, a clear description of the problem, a statement indicating if, or when weatherization could continue, and the client(s) signature(s) indicating that they understand and have been informed of their rights and options.

Documentation Form(s) have been developed and comply with guidance?	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Before beginning work on a home, subgrantees must take into consideration any health concerns of the occupants, the condition of the dwelling, and the possible effect of weatherization work on the health or medical condition of the dwelling's occupants.

Some health problems can be exacerbated by weatherization activities, and precautions shall be taken when applicable to avoid exacerbating preexisting health conditions. Weatherization services must be provided in a manner that minimizes risk to workers and clients. Occupants will be required to reveal known or suspected health concerns. Subgrantees shall specifically request, and document, pre-existing health conditions of all occupants. This information will be obtained during the energy audit, and if there is a potential health effect, the auditor will determine what steps will be taken to ensure that weatherization work will not worsen the occupants' health condition.

Subgrantees are required to complete the "Audit Instructions" Form for each weatherization job. RI WAP also uses a "Liability Disclaimer" which notes any substances and/or conditions discovered during the audit. Any conditions reported, and the associated actions taken, if any, shall be documented in the job file.

In 2020, RI WAP started using the Covid-19 Screening Checklist and Covid-19 Agreement for worker and occupant precautions. Use of the form will continue through PY 2021, or until it has been determined to be not applicable.

Client Education Materials

Brief Guide to Mold, Moisture and Your Home

<https://www.epa.gov/sites/production/files/2014-08/documents/moldguide.pdf>

Top 10 Ways Homeowners Can Ensure Good Indoor Air Quality

https://www.google.com/?gws_rd=ssl#safe=strict&q=ashrae.org+top+10+ways+homeowners+can+ensure+good+indoor+air+quality

Seven Tips for Keeping a Healthy Home

<http://www.hud.gov/offices/lead/library/hhi/HealthyHomes7Steps.pdf>

7.1 - Air Conditioning and Heating Systems

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Air Conditioning Unallowable Measure <input type="checkbox"/>	Heating Unallowable Measure <input type="checkbox"/>
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Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

How do you address unsafe or non-functioning primary heating/cooling systems?

Unsafe or non-functioning primary heating systems are evaluated for replacement either during the energy audit process or as a “no-heat” call to the subgrantee. Heating systems evaluations are recorded on the *RI WAP IES Heating System Evaluation Form*. If the system cannot be repaired for less than 50% of the replacement cost, and the system is recommended for replacement, 3 bids from eligible RI heating vendors are required during the non-emergency season. During the emergency season (November 1 – April 1), a single bid may be used when 3 bids are not possible to obtain.

When subgrantee personnel encounter an unsafe or inoperable primary heating system at any time while in the customers home, all other work must be deferred until the heating system problem is corrected.

Repairs to an air conditioning system may only be made when current operations of the AC system inhibit or affect the operation of the furnace, or when the cooling system is an integral part of the operation of the heating system, such as a heat pump (For instance, if the A-coil above a furnace is leaking water onto the heat exchanger, the A-coil can be replaced. Repairs to outside units is generally not allowable.).

RI WAP does not use DOE funds for heating system repair and replacement; National Grid and LIHEAP funds are used to address heating work.

How do you address unsafe or non-functioning secondary heating systems, including unvented secondary space heaters?

Only primary space heating systems are eligible for HSRRP services. Secondary or back-up systems are not eligible for HSRRP services.

Unvented Combustion Space Heaters

Under no circumstance can unvented combustion space heaters be installed or loaned to RI WAP IES customers. No RI WAP IES activity can take place in a home with an unvented gas or liquid fueled space heater within the building envelope. If an unvented space heater is observed the auditor must defer all further activity until the unvented space heater is properly removed and documented.

Indicate Documentation Required for At-Risk Occupants

Auditors determine and document presence of “at-risk” current occupants when installing any Health and Safety measure.

Testing Protocols

Health and safety inspections make sure that systems are present, operable, and performing. The health and safety inspection of combustion appliances, including heating systems, includes the following items:

- The rated and measured BTU input of each combustion appliance;
- A complete electrical inspection of the furnace including proper grounding, polarity, wiring connections, fuse type and size, element amperage (electrical furnace), disconnect requirements and conduit requirements;
- An inspection of all fuel lines in the home from the source to the combustion appliance or line termination. This includes all fittings, connections, shut-off valves, gas valves, sediment traps and end caps;
- An inspection for spillage and a reading of the draft of gas/oil furnaces and water heaters
- A visual check for flame interference;
- A test of the setting and operation of the high limit control switch;
- An evaluation of the adequacy of combustion air for combustion appliances;
- A check that there are no open return air ducts/leaks in the Combustion Appliance Zone;
- Carbon monoxide testing of all combustion appliances;
- An inspection, and replacement if necessary, of the furnace filter;
- Worst case draft test (DSTO Form).

Client Education

- Discuss appropriate use and maintenance of units;
- Provide all paperwork and manuals for any installed equipment

Training

RI has conducted and will continue to facilitate statewide heating system-related trainings for energy auditors and state monitors, Examples of such trainings include: Heating 101 (including instruction on the proper sizing of heating equipment), Heat Pump Water Heater Certification, BPI Building Analyst Professional, Home Energy professionals training, BPI Heating Professional certification training, and Cold Climate Air Source Heat Pump training for auditors, state monitors and heating contractors.

[7.2 - Asbestos - All](#)

What is the blower door testing policy when suspected Asbestos Containing Material (ACM) is identified?

RI subgrantees must not perform a blower door depressurization test in a building where friable asbestos or vermiculite are present. The auditor should use a blower door estimate or perform the blower door test in pressurized mode.

7.2a – Asbestos – in siding, walls, ceilings, etc.

Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

How do you address suspected ACM's in siding, walls, or ceilings that will be disturbed through the course of weatherization work?

- Take all reasonable and necessary precautions to prevent asbestos contamination in the home.
- A blower door depressurization test in a building where friable asbestos or vermiculite are present is not allowed. The auditor should use a blower door estimate, or perform the blower door test in pressurized mode. "Friable" means the material can be crumbled, pulverized, or reduced to powder by the pressure of an ordinary human hand.
- The existence of asbestos siding that is in good condition does not prevent installing dense- pack insulation from the exterior.
- Siding may be removed and reinstalled in order to perform the ECM, and the associated costs may be charged as part of the ECM.
- Only a “qualified asbestos person” may cut asbestos siding. A qualified person is defined as a person who has taken the 8-hour asbestos course and are a licensed asbestos contractor.

Testing Protocols

Visually inspect exterior wall surface and subsurface, floors, walls, and ceilings for suspected ACM prior to drilling or cutting.

Client Education

Inform the client in writing that suspected ACMs are present and provide client education. <https://www.epa.gov/asbestos/protect-your-family>

Training and Certification Requirements

Training will be provided using T&TA monies covering safe practices for siding removal and replacement, and on how to identify asbestos containing materials.

7.2b – Asbestos – in Vermiculite

Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

- In RI, subgrantees must not perform a blower door depressurization test in a building where friable asbestos or vermiculite are present. The auditor should use a blower door estimate or perform the blower door test in pressurized mode.
- Personnel should utilize personal air monitoring devices when in attics.
- Removal or testing of vermiculite is not allowed.
- For DOE funded jobs, when vermiculite is present, the home will be deferred until the removal of vermiculite by a certified asbestos professional is completed. The occupant must provide documentation that a certified professional performed the remediation before work continues.

How do you address suspected ACM's in vermiculite that will be disturbed through the course of weatherization work?

Vermiculite should always be approached as if it contains asbestos. The EPA does not recognize testing of vermiculite as a reliable method for determining the presence of asbestos - see EPA fact sheet at: <http://www2.epa.gov/asbestos/protect-your-family-asbestos-contaminated-vermiculiteinsulation>

Testing Protocols

RI WAP does not pay for asbestos testing.

Client Education

- Instruct clients in writing not to disturb suspected ACM.
- Provide asbestos safety information to the client
- A trust, Zonolite Attic Insulation Trust, was created to provide financial assistance to homeowners who spend money abating vermiculite attic insulation. Please visit www.zonoliteatticinsulation.com for further information and details.

Training and Certification Requirements

Auditors shall receive training on recognizing vermiculite insulation.

7.2c – Asbestos – on pipes, furnaces, other small covered surfaces

Concurrence, Alternative, or Deferral						
Concurrence with Guidance	<input checked="" type="checkbox"/>	Alternative Guidance	<input type="checkbox"/>	Results in Deferral	<input type="checkbox"/>	
Funding						
DOE	<input checked="" type="checkbox"/>	LIHEAP	<input checked="" type="checkbox"/>	State	<input type="checkbox"/>	
			Utility	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>

How do you address suspected ACM's (e.g., pipes, furnaces, other small surfaces) that will be disturbed through the course of weatherization work?

Assume that friable asbestos is present in old grey-colored heating system, pipe and duct insulation. "Friable" means the material can be crumbled, pulverized, or reduced to powder by the pressure of an ordinary human hand.

- When suspected friable ACM is present, take precautionary measures as if it is asbestos unless testing determines otherwise.
- RI subgrantees must not perform a blower door depressurization test in a building where friable asbestos or vermiculite are present. The auditor should use a blower door estimate or perform the blower door test in pressurized mode.
- If "friable" asbestos or vermiculite is present, a depressurized blower door test may not be performed. "Friable" means the material can be crumbled, pulverized, or reduced to powder by the pressure of an ordinary human hand.
- When deferral is necessary due to asbestos, occupant must provide documentation that a certified professional performed the remediation before work continues.

When deferral is necessary due to asbestos, occupant must provide documentation that a certified professional performed the remediation before work continues.

Testing Protocols

Visual assessment of suspected ACMs.

Client Education

- Instruct clients in writing not to disturb suspected ACM.
- Provide asbestos safety information to the client.

Training and Certification Requirements

Training will be provided using T&TA monies to teach auditors how to recognize asbestos on pipes, furnaces, and other small surfaces.

7.3 – Biologicals and Unsanitary Conditions (odors, mustiness, bacteria, viruses, raw sewage, rotting wood, etc.)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input checked="" type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with biological and/or unsanitary conditions in homes slated for weatherization?

Remediation of conditions that may lead to or promote biological concerns and unsanitary conditions is not allowed in the RI Weatherization Assistance Program. Addressing bacteria and viruses is not an allowable cost. Deferral is required in cases where a known agent is present in the home that may create a serious risk to occupants or weatherization workers. Unless the client can quickly remedy the problem(s), homes with these conditions will be deferred.

Testing Protocols

Sensory inspection

Client Education

When deferral is necessary, RI’s deferral policy must be followed. Subgrantees are required to inform clients of problematic conditions observed and to provide clients with information on how to maintain a sanitary home. If the home is deferred due to unsanitary conditions, subgrantees are required to provide the client with information on how to maintain a sanitary home.

Follow applicable SWS guidance on occupant safety, occupant education and removal and disposal procedures.

Brief Guide to Mold, Moisture and Your Home

<https://www.epa.gov/sites/production/files/201408/documents/moldguide.pdf>

Seven Tips for Keeping a Healthy Home

<http://www.hud.gov/offices/lead/library/hhi/HealthyHomes7Steps.pdf>

Training

Training will be provided using T&TA monies to teach auditors and workers how to recognize biological and unsanitary conditions and when to defer. Training will also focus on worker safety when coming in contact with these conditions.

7.4 - Building Structure and Roofing

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with structural issues (e.g., roofing, wall, foundation) in homes slated for weatherization?

- Homes that require more than minor repairs must be deferred.
- Minor building repairs (for example, patching a leak or sealing around chimney flashing) or any other building repairs may only be conducted when necessary for the effective performance or preservation of weatherization materials, and as such, will only be funded as a cost-justified incidental repair.
- Building rehabilitation is beyond the scope of the Weatherization Assistance Program. Subgrantees are encouraged to find other resources to address these types of repairs.
- Subgrantees must ensure that access to the portions of the home where weatherization will occur are safe for entry and performance of assessments, work, and inspections.

How do you define "minor" or allowable structure and roofing repairs, and at what point are repairs

considered beyond the scope of weatherization?

- When repairs are necessary but cannot be cost-justified with the accompanying ECM, meaning that the overall measure will have an SIR of less than 1 as determined by the audit, and no other funding source is available, the home may be deferred.
- Pre-set job limits in Hancock provide job cost controls which require state approval.

If priority lists are used, and these repairs are designated as Incidental Repairs, at what point is a site- specific audit required?

N/A

Client Education

Notify client in writing of structurally compromised areas.

Training

Auditors and technical monitors will receive training using T&TA monies on how to identify structural and roofing issues, and how to ensure that access to areas necessary for weatherization is safe for entry and performance of assessment, work, and inspection.

7.5 – Code Compliance

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with code compliance issues in homes receiving weatherization measures?

Eligible code compliance measures are repairs that are required by code as a result of installing an energy conservation measure and are the direct component of the energy conservation measure being installed. General Repair, not Health & Safety, must be charged when the repair is a component of an energy conservation measure. State and local codes must be followed while installing energy conservation measures. It is the Auditor's responsibility to ensure that all energy conservation related work conforms with applicable codes in the jurisdiction where the work is being performed.

Correction of preexisting code compliance issues is not an allowable cost unless triggered by weatherization measures being installed in a specific room or area of the home.

Testing Protocols

Visual inspection

What specific situations commonly trigger code compliance work requirements for your network?

How are they addressed?

- Heating system repair and replacement
- Electrical issues
- Plumbing issues
- Ductwork
- Exhaust fans
- Combustion appliance safety (vent system sizing, materials, clearances, and installation)
- Smoke/CO detector installations,
- Chimney liners
- Unvented space heaters
- Fireomatic switches
- Exterior water heater closets with a combustion appliance

Client Education

Inform client in writing of observed code compliance issues when it results in a deferral

Training

Training will be provided using T&TA monies on local and state code requirements as they relate to weatherization work and how to identify any preexisting code compliance issues. Various trainings are offered covering different concepts related to code compliance including: BPI Building Analyst Professional, BPI Envelope Professional, BPI Heating Professional, BPI Manufactured Housing, and Home Energy Performance Trainings. Workers are directed to contact their local code official offices for questions regarding code compliance.

7.6 - Combustion Gases

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

How are crews instructed to handle problems discovered during testing, and what are the specific protocols for addressing hazards that require an immediate response?

- Proper venting to the outside for combustion appliances, including gas dryers and refrigerators, furnaces, vented space heaters and water heaters is required.
- Correct venting when testing indicates a problem.

Testing Protocols

- Combustion safety testing is required when combustion appliances are present. CAZ testing must be conducted according to the BPI 1200 Standards. Complete details can be found at:
<http://www.bpi.org/sites/default/files/CST%20PROCEDURE%20FOR%20GAS%20OVENS%20C%20DIRECT%20POWER-VENTED%20OR%20VENT-FREE%20APPLIANCES.pdf>

- Test naturally drafting appliances for spillage and CO during CAZ depressurization testing pre- and post-weatherization and before leaving the home on any day when work has been done that could affect draft (e.g., tightening the home, adding exhaust).
- Inspect venting of combustion appliances and confirm adequate clearances.

Client Education

Provide client with combustion safety and hazards information.

Training

Training is provided by state technical monitors or through a state approved Weatherization Training Center on how to perform appropriate testing, how to determine when a building is excessively depressurized, and the difference between air free and as measured. Various trainings are offered covering different concepts related to combustion gases including: Combustion Safety Training, BPI Building Analyst Professional, BPI Envelope Professional, BPI Heating Professional, BPI Manufactured Housing Professional, ASHRAE 62.2 2016, Ventilation Training and Home Energy Professional Training.

7.7 - Electrical

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with electrical hazards, including knob & tube wiring, in homes slated for weatherization?

When the H&S of the occupant/worker(s) is at risk, minor repairs are allowed when necessary for weatherization measures.

When Knob & Tube {K&T} wiring is present in the home, it must be determined if the K&T is active or inactive. Active K&T may be determined by the Auditor. Inactive K&T wiring must be documented by a licensed RI electrician.

Active K&T requires the following protocols: Walls that have active K&T present anywhere in the wall must be inspected (scoped) to ensure that any bays with K&T wiring, vertical or horizontal, cannot be insulated. Bays that are inspected (scoped) and determined by the insulation contractor to be free of K&T wiring may be insulated provided that the wall is otherwise suitable for insulating. Attics that have active K&T must have the K&T removed or dammed to avoid contact between the insulation and the K&T wiring. Insulation dams must provide a minimum of 2" clear space between the wire and the insulation. All electrical work must be performed by a RI licensed electrician.

Cost associated with testing for K&T is a Health and Safety expense. Cost associated with

testing removal of K&T wiring in attics or damming around the live K&T is an incidental repair expense. An incidental repair must be associated with a specific ECM and cost justified to ensure that the whole project achieve an SIR of one or greater. Incidental repairs are not to be charged to Health and Safety.

How do you define "minor" or allowable electrical repairs, and at what point are repairs considered beyond the scope of weatherization?

- The cost of repairs must be included in the cost of the package of measures and must be cost justified in the whole house SIR.
- Pre-set job limits in Hancock provide job cost controls which require state approval.

Testing Protocols

When Knob & Tube (K&T) wiring is present in the home, it must be determined if the K&T is active or inactive. Active K&T may be determined by the Auditor by a visual inspection and by using a tic tester. Inactive K&T wiring must be documented by a licensed RI electrician. Inactive K&T can be ignored.

If priority lists are used, and these repairs are designated as Incidental Repairs, at what point is a site-specific audit required?

N/A

Client Education

When electrical issues are the cause of a deferral, provide information to client on over current protection, overloading circuits, and basic electrical safety/risks.

Electrical Safety Workbook

<http://files.esfi.org/file/-Electrical-Safety-Workbook-E4A3.pdf>.

Training

Training will be provided using T&TA monies. Training will be provided on how to perform visual inspection of electrical systems to determine if electrical problems may exist and how to proceed if such problems are encountered and local or AHJ code compliance.

7.8 - Formaldehyde, Volatile Organic Compounds (VOCs), Flammable Liquids, and Other Air Pollutants

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with formaldehyde, VOCs, flammable liquids,

and other air pollutants identified in homes slated for weatherization?

- Removal of pollutants is allowed and is required if they pose a risk to workers.
- If pollutants pose a risk to workers and removal cannot be performed or is not allowed by the client, the unit must be deferred.

Testing Protocols

Sensory inspection

Client Education

- Inform client in writing of observed hazardous condition and associated risks.
- Provide client written materials on safety issues and proper disposal of household pollutants

Seven Tips for Keeping a Healthy Home

<http://www.hud.gov/offices/lead/library/hhi/HealthyHomes7Steps.pdf>

Training

Training will be provided on how to recognize potential hazards and when removal is necessary. Various trainings are offered covering different concepts related to pollutants: BPI Building Analyst Professional, BPI Envelope Professional, and Home Energy Professional Trainings.

7.9 – Fuel Leaks

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

Remediation Protocols

- When a minor gas leak is found on the utility side of service, the utility service must be contacted before work may proceed.
- Fuel leaks that are the responsibility of the client (vs. the utility) must be repaired before weatherizing a unit.
- Notify utilities and temporarily halt work when leaks are discovered that are the responsibility of the utility to address.

How do you define allowable fuel leak repairs, and at what point are repairs considered beyond the scope of weatherization?

When a minor gas leak is found on the utility side of service, the utility service must be contacted before work may proceed. Fuel leaks that are the responsibility of the client (vs. the utility) must be repaired before weatherizing the unit.

If the fuel leak is considered the client’s responsibility, subgrantees may fix minor fuel leaks provided that the repairs are included in the cost of the package of measures and must be cost justified in the whole house SIR. The costs of fixing the minor fuel leak should not bring the overall SIR of the home under 1. Pre-set job limits in Hancock provide job cost controls which require state approval.

For oil leaks, the oil vendor or RI Department of Environmental Management may need to be contacted.

<http://www.dem.ri.gov/programs/emergencyresponse/report-spill.php>

Testing Protocols

- Test exposed gas lines for fuel leaks from utility coupling into, and throughout, the home.
- Conduct sensory inspection on bulk fuels to determine if leaks exist.

Client Education

Inform clients in writing if fuel leaks are detected using the “RI WAP Notice of a Safety Problem” form.

Training

Training will be provided to weatherization workers on fuel leak testing.

7.10 – Gas Ovens/Stovetops/Ranges

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for addressing unsafe gas ovens/stoves/ranges in homes slated for weatherization?

- When testing indicates a problem, entities may perform standard maintenance on or repair gas cooktops and ovens.
- Replacement is allowed on a case by case basis, with waiver approval, with non-DOE funds.

Testing Protocols

- Test gas ovens for CO.
- Inspect cooking burners and ovens for operability and flame quality.

Client Education

Inform clients of the importance of using exhaust ventilation when cooking and the importance of keeping burners clean to limit the production of CO.

Training

Training will be provided using T&TA monies to all energy auditors and state technical monitors on proper testing techniques and CO action levels.

7.11 – Hazardous Materials Disposal (Lead, Refrigerant, Asbestos, Mercury (including thermostats, CFLs/fluorescents, etc.)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for addressing Hazardous Waste Disposal?

Hazardous Waste Materials generated in the course of weatherization work shall be disposed of according to all local laws, regulations and/or Federal guidelines, as applicable.

Testing Protocols

N/A

Client Education

Inform client in writing of hazards associated with hazardous waste materials being generated/handled in the home.

Training

Training may be provided using T&TA monies covering the concept of the refrigerant cycle and the importance and energy efficiency benefits of maintaining proper refrigerant charge in heat pump and A/C systems. Training of appropriate personal protective equipment (PPE) and disposal requirements for working with hazardous materials will also be provided.

Disposal Procedures and Documentation Requirements

- Hazardous Waste Materials generated in the course of weatherization work shall be disposed of according to all local laws, regulations and/or Federal guidelines, as applicable.
- Document proper disposal requirements in contract language with responsible party.

7.12 - Injury Prevention of Occupants and Weatherization Workers

(Measures such as repairing stairs and replacing handrails)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees regarding allowable injury-related repairs (e.g., stairs, handrails, porch deck board)?

When necessary to effectively weatherize the home, workers may make minor repairs and installations.

How do you define "minor" or allowable injury prevention measures, and at what point are repairs considered beyond the scope of weatherization? Quantify "minor" or allowable injury prevention measures.

Injury prevention measures are allowed - repairs or installations must be included in the cost of the package of measures and must be cost justified in the whole house SIR. Pre-set job limits in Hancock provide job cost controls which require state approval.

Testing Protocols

Visual inspection for dangers that would prevent weatherization.

Client Education

If conditions will not be repaired, inform client in writing of observed hazards and associated risks.

Training

Energy Auditors and State Technical Monitors are required to have OSHA 10 training.

7.13 – Lead Based Paint

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

Safe Work Protocols

- Crews must follow EPA's Lead; Renovation, Repair and Painting Program (RRP) when working in pre-1978 housing unless testing confirms the work area to be lead free.
- Deferral is required when the extent and condition of lead-based paint in the house would potentially create further H&S hazards.
- Only those costs directly associated with the testing and lead safe practices for surfaces directly disturbed during weatherization activities are allowable.

- Documentation in the client file must include Certified Renovator certification; any training provided on-site; description of specific actions taken; lead testing and assessment documentation; and, photos of site and containment set up. Include the location of photos referenced if not in file.

Testing Protocols

- Testing to determine the presence of lead in paint that will be disturbed by WAP measure installation is allowed with EPA-approved testing methods.
- Testing methods must be economically feasible and justified.
- Job site set up and cleaning verification by a Certified Renovator is required.
- State monitors must verify that crews are using lead safe work practices during monitoring

Client Education

Follow pre-renovation education provisions for RRP.

Lead Safe Guide to Renovate Right

<https://www.epa.gov/sites/production/files/documents/renovaterightbrochure.pdf>

Training and Certification Requirements

- All employees and contractors working on pre-1978 homes must receive training to install measures in a lead-safe manner in accordance with the SWS and EPA protocols, and installation must be overseen by an EPA Certified Renovator.
- State Monitors and Inspectors must be Certified Renovators.

Documentation Requirements

- Provide a copy of all Certified lead Firm documentation required by contractor to Subgrantee and the client.
- Provide clients with the pamphlet "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools", and certify that they received the form.

7.14 – Mold and Moisture

(Including but not limited to drainage, gutters, down spouts, extensions, flashing, sump pumps, dehumidifiers, landscape, vapor retarders, moisture barriers, etc.)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with moisture related issues (e.g., drainage, gutters, downspouts, moisture barriers, dehumidifiers, vapor barrier on bare earth floors) in homes slated for weatherization?

- Limited water damage repairs that can be addressed by weatherization workers are allowed when necessary in order to weatherize the home and to ensure the long-term stability and durability of the measures.
- Source control (i.e. correction of moisture and mold creating conditions) is allowed when necessary in order to weatherize the home and to ensure the long-term stability and durability of the measures. Source control is independent of latent damage and related repairs.
- Where severe Mold and Moisture issues cannot be addressed, deferral is required.
- Mold cleanup is not an allowable H&S cost.
- Surface preparation where weatherization measures are being installed (e.g., cleaning mold off window trim in order to apply caulk) must be charged as part of the ECM, not to the H&S budget category.

How do you define "minor" or allowable moisture-related measures, and at what point is work considered beyond the scope of weatherization?

Repairs must be included in the cost of the package of measures and must be cost justified in the whole house SIR. Pre-set job limits in Hancock provide job cost controls which require state approval.

Testing Protocols

- Visual assessment including exterior drainage.
- Diagnostics such as moisture meters are recommended pre-weatherization and at the final inspection.
- Mold testing is not an allowable cost.

Client Education

- Provide client written notification and disclaimer on mold and moisture.
- Provide information on importance of cleaning and maintaining drainage systems.
Brief Guide to Mold, Moisture and Your Home
<https://www.epa.gov/sites/production/files/2014-08/documents/moldguide.pdf>

Training

Training (equivalent to the National Curriculum on Mold and Moisture) will be provided using T&TA monies and will cover the following: understanding sources of moisture, identifying the presence of mold through visual assessment, likely causes of mold outbreaks, use of diagnostic testing equipment, possible solutions. Various additional trainings are offered covering different concepts related to mold and moisture including: BPI Building Analyst Professional, BPI Envelope Professional, BPI Heating Professional, BPI Manufactured Housing Professional, OSHA 10, OSHA 30, Home Energy Professionals Trainings.

[7.15 – Pests](#)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for dealing with pests and pest intrusion prevention in homes slated for weatherization?

- Pest removal is allowed only where infestation would prevent weatherization.
- Infestation of pests may be cause for deferral where it cannot be reasonably removed or poses H&S concern for workers.
- Repairs of damaged screens and incorporating pest exclusion into air sealing practices to prevent intrusion is allowed.

Define Pest Infestation Thresholds, Beyond Which Weatherization Is Deferred

\$500 limit on pest remediation with waiver approval

Testing Protocols

Assessment of presence and degree of infestation and risk to worker.

Client Education

Inform client in writing of observed condition and associated risks.

Training

Training using T&TA monies will be provided on how to assess the presence and degree of infestation, associated risks, and need for deferral.

7.16- Radon

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees around radon?

- Radon mitigation is not an allowable H&S cost.
- Clients must sign an informed consent form prior to receiving weatherization services. This form must be kept in the client file.
- In homes where radon may be present, work scope should include precautionary measures based on EPA Healthy Indoor Environment Protocols for Home Energy Upgrades, to reduce the possibility of making radon issues worse.
- Whenever site conditions permit, cover exposed dirt floors within the pressure/thermal boundary with 6 mil (or greater) polyethylene sheeting, lapped at least 12" and sealed with

- appropriate sealant at all seams, walls and penetrations.
- Other precautions may include, but are not limited to, sealing any observed floor and/or foundation penetrations, including open sump pits, isolating the basement from the conditioned space, and ensuring crawl space venting is installed.

Testing Protocols

RI WAP does not allow for Radon testing.

Client Education

Provide all clients EPA's A Citizen's Guide to Radon and inform them of radon related risks.

Informed consent form must include:

- Information from the results of the IAQ Study that there is a small risk of increasing radon levels when building tightness is improved;
- A list of precautionary measures WAP will install based on EPA Healthy Indoor Environment Protocols;
- Some of the benefits of Weatherization including energy savings, energy cost savings, improved home comfort, and increased safety; and
- Confirmation that EPA's A Citizen's Guide to Radon was received and radon related risks discussed with the client.

Training and Certification Requirements

- Auditors, assessors, and inspectors must have knowledge of radon, what it is and how it occurs, including what factors may make radon worse, and precautionary measures that may be helpful.
- Workers must be trained in proper vapor retarder installation.
- Training will be provided using T&TA monies covering what radon is, how and where it occurs, what factors may increase indoor radon levels, weatherization measures that may be helpful, and techniques and importance of vapor barrier installation. Various trainings are offered covering different concepts related to radon including: BPI Building Analyst Professional, BPI Envelope Professional, and Home Energy Professionals Trainings.

A zonal map for high radon potential can be located at:

<https://www.epa.gov/radon/epa-map-radon-zones>.

Documentation Requirements

RI WAP Liability Disclaimer

7.17 – Safety Devices: Smoke and Carbon Monoxide Alarms, Fire Extinguishers

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

WPN 17-7 Requirements

- Smoke alarms may be installed where alarms are not present or are inoperable.
- CO alarms must be installed where alarms are not present or are inoperable.
- Where solid fuel burning equipment is present, fire extinguishers may be provided as an allowable H&S measure.

What is your policy for installation or replacement of the following:

- Installation of Smoke/CO detectors is allowed where detectors are not present or are inoperable. Auditors are required to test smoke/CO detectors to ensure that they are in working condition.
- Replacing any inoperable Smoke/CO detector or any Smoke/CO detector that is over five years old is an allowable Health & Safety expense.
- Recommend fire extinguishers when a heating system uses solid fuel.
- Subgrantees must follow all manufacturers' recommendations for proper Smoke/CO detector installations. All Smoke/CO detectors must be installed to meet or exceed all local, state, and federal codes.

Testing Protocols

- Check existing alarms for operation.
- Verify operation of installed alarms.

Client Education

Provide client with verbal and written information on use of devices installed.

Training

Training will be provided using T&TA monies covering benefits of installing smoke/CO alarms, difference between CO alarms and CO detectors where to install alarms, and legal code compliance. Various trainings are offered covering different concepts related to smoke/CO alarms including: BPI Building Analyst Professional, BPI Envelope Professional, BPI Heating Professional, BPI Manufactured Housing, and Home Energy Professional Trainings.

7.18 - Occupant Health and Safety Concerns and Conditions

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees for soliciting the occupants' health and safety concerns related to components of their homes?

When a person's health may be at risk and/or WAP work activities could constitute an H&S hazard, the occupant will be required to take appropriate action based on severity of risk.

What guidance do you provide Subgrantees for determining whether occupants suffer from health conditions that may be negatively affected by the act of weatherizing their home?

Screen occupants to reveal known or suspected health concerns either as part of initial application for weatherization, during the audit, or both.

What guidance do you provide Subgrantees for dealing with potential health concerns when they are identified?

Failure or the inability to take appropriate actions must result in deferral.

Testing Protocols

Screen occupants to reveal known or suspected health concerns either as part of initial application for weatherization, during the audit, or both.

Client Education

Inform client in writing of any known risks. Client will be provided information and written/visual documentation on any known risks discovered in the home, along with an explanation that weatherization would be inappropriate, or that the weatherization work scope must be modified or changed. If the intended weatherization work activities could constitute a health or safety hazard, the occupant at risk will be required to take appropriate action based on severity of risk in order for weatherization work to proceed. Documentation shall be signed by the client and maintained in the client file.

Training

Training will be provided using T&TA monies on how to assess occupant preexisting conditions and what actions to take if the home is not deferred. Workers will also be trained on how to recognize potential hazards in a home that may cause exacerbation of preexisting or potential health conditions.

Documentation Form(s) have been developed and comply with guidance? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

7.19 – Ventilation and Indoor Air Quality

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide Subgrantees regarding ASHRAE 62.2?

Install ventilation as required by ASHRAE 62.2 - 2016.

Identify the Most Recent Version of ASHRAE 62.2 Implemented

ASHRAE 62.2 2016

Testing and Final Verification Protocols

- ASHRAE 62.2 evaluation to determine required ventilation.
- Measure fan flow of existing fans and of installed equipment to verify performance.

Client Education

- Provide client with information on function, use, and maintenance (including location of service switch and cleaning instructions) of ventilation system and components.
- Provide client with equipment manuals for installed equipment.
- Disclaimer that ASHRAE 62.2 does not account for high polluting sources or guarantee indoor air quality is referenced in RI WAP Liability Disclaimer.

Training

ASHRAE 62.2 2016 training is required to ensure proper evaluation of ventilation needs and existing ventilation equipment, proper sizing of new systems, depressurization limits, and identification of critical air zones.

7.20 – Window and Door Replacement, Window Guards

Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

What guidance do you provide to Subgrantees regarding window and door replacement and window guards?

Replacement, repair, or installation is not an allowable H&S cost.

Testing Protocols

N/A

Client Education

Provide written information on lead risks wherever issues are identified.

Training

Training using T&TA monies will be provided on the awareness of the health and safety guidance as it relates to replacement, repair, and/or installation of windows, doors, or window guards and what qualifies as an incidental repair.

[7.21 - Worker Safety \(OSHA, etc.\)](#)

Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>

Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

How do you verify safe work practices? What is your policy for in-progress monitoring?

- Workers must follow OSHA standards where required and take precautions to ensure the H&S of themselves and other workers.
- Workers must follow OSHA standards and Safety Data Sheets (SDS) and take precautions to ensure the health and safety of themselves and other workers. SDS must be posted wherever workers may be exposed to hazardous materials.

Testing Protocols

State Technical Monitors must verify that Subgrantees, crews and contractors follow safe work practices.

Training and Certification Requirements

Training will be provided using T&TA monies covering the use and importance of personal protection equipment. OSHA 10 is required for all Energy Auditors, Quality Control Inspectors and State Technical Monitors.

8.0 – RI Health and Safety Matrix

2021 RI H&S Measure Matrix			
Double Click To Open For Editing			
Cells this shade auto calculate			
Enter Measure ↓	Enter Cost ↓	Enter Frequency % ↓	Auto Calculates
Vapor Barrier	\$0.95	22.0%	\$0.21
Cover Water Pit	\$74.20	50.0%	\$37.10
Bath Vent Kit	\$143.10	31.0%	\$44.36
Dryer Vent Kit	\$143.10	27.0%	\$38.64
Bath Fan with Integral LED, Retrofit	\$745.00	10.0%	\$74.50
CO & Smoke Combo	\$84.00	94.0%	\$78.96
ASHARE fan, no light, retrofit	\$945.00	0.0%	\$9.45
ASHRAE fan, no light, new install	\$945.00	1.0%	\$0.00
ASHRAE fan with integral LED, retrofit	\$945.00	12.0%	\$113.40
ASHRAE fan w integral LED, new install	\$995.00	25.0%	\$248.75
Repair Dryer Vent Kit	\$135.00	16.0%	\$21.60
PPE Wx	\$90.00	50.0%	\$45.00
Range Hood Vent Kit	\$150.00	7.0%	\$10.50
Bath Fan, Retrofit	\$655.00	10.0%	\$65.50
Gable Vent	\$140.00	14.0%	\$19.60
Roof Vent	\$110.00	63.0%	\$69.30
Soffit Vent	\$35.00	75.0%	\$26.25
Proper Vent	\$4.50	59.0%	\$2.66
PPE Bath Fan Install	\$18.00	5.0%	\$0.90
Total Average H&S Cost Per Unit			\$906.67
Enter Estimated Production (Annual File: IV.2 WAP Production Schedule) →			670
Enter Estimated Program Operations Budget →			5,164,796
H&S Budget (Total Average H&S Cost Per Unit * Estimated Production)			\$607,470.24
Requested H&S Percentage Per Unit (H&S Budget/Program Operations)			11.8%

**U.S. DEPARTMENT OF ENERGY
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
NEPA DETERMINATION**



RECIPIENT: 53 States & Territories that have signed Historical Preservation Extension Agreements

STATE: Mult

PROJECT TITLE : Weatherization Assistance Program Fiscal Year 2021 Formula Awards

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
WAP-ALRD-2021A	WAP-ALRD-2021A	GFO-WAP-ALRD-2021A	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

- A9 Information gathering, analysis, and dissemination** Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)
- A11 Technical advice and assistance to organizations** Technical advice and planning assistance to international, national, state, and local organizations.
- B1.16 Asbestos removal** Removal of asbestos-containing materials from buildings in accordance with applicable requirements (such as 40 CFR part 61, "National Emission Standards for Hazardous Air Pollutants"; 40 CFR part 763, "Asbestos"; 29 CFR part 1910, subpart I, "Personal Protective Equipment"; and 29 CFR part 1926, "Safety and Health Regulations for Construction"; and appropriate state and local requirements, including certification of removal contractors and technicians).
- B1.34 Lead-based paint containment, removal, and disposal** Containment, removal, and disposal of lead-based paint in accordance with applicable requirements (such as provisions relating to the certification of removal contractors and technicians at 40 CFR part 745, "Lead-Based Paint Poisoning Prevention In Certain Residential Structures").
- B2.2 Building and equipment instrumentation** Installation of, or improvements to, building and equipment instrumentation (including, but not limited to, remote control panels, remote monitoring capability, alarm and surveillance systems, control systems to provide automatic shutdown, fire detection and protection systems, water consumption monitors and flow control systems, announcement and emergency warning systems, criticality and radiation monitors and alarms, and safeguards and security equipment).
- B3.1 Site characterization and environmental monitoring** Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to: (a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing; (b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools); (c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells; (d) Aquifer and underground reservoir response testing; (e) Installation and operation of ambient air monitoring equipment; (f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes); (g) Sampling and characterization of water effluents, air emissions, or solid waste streams; (h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources); (i) Sampling of flora or fauna; and (j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

B5.1 Actions to conserve energy or water	(a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); power storage (such as flywheels and batteries, generally less than 10 megawatt equivalent); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix. (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.
B5.16 Solar photovoltaic systems	The installation, modification, operation, and removal of commercially available solar photovoltaic systems located on a building or other structure (such as rooftop, parking lot or facility, and mounted to signage, lighting, gates, or fences), or if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.17 Solar thermal systems	The installation, modification, operation, and removal of commercially available smallscale solar thermal systems (including, but not limited to, solar hot water systems) located on or contiguous to a building, and if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

Rationale for determination:

The U.S. Department of Energy (DOE) administers the Weatherization Assistance Program (WAP) as authorized by Title IV, Energy Conservation and Production Act, as amended. The goal of WAP is to increase the energy efficiency of dwellings owned or occupied by low-income persons, reduce their total residential expenditures, and improve their health and safety. DOE anticipates making approximately 57 formula-based awards under the Fiscal Year 2021 WAP to states, territories, a tribal government, and the District of Columbia (hereinafter "States"). Each home weatherized under WAP would receive approximately \$7,776 as determined by site-specific outcomes of the energy audit process. Many states supplement DOE funds with other federal and non-federal resources for the activities listed below.

This NEPA determination is specific to WAP Recipients with a DOE executed Historic Preservation Programmatic Agreement. WAP Recipients without a DOE executed Historic Preservation Programmatic Agreement have a separate NEPA determination: GFO-WAP-ALRD 2021B.

Allowable activities include:

1. Energy audits including diagnostic testing to determine the scope of weatherization activities at each home.
2. Administrative activities associated with management of the designated Weatherization Office and management of programs and strategies in support of weatherization activities.
3. Development and implementation of training programs and strategies for weatherization effort, including initial home energy audits, final inspections and client education.
4. Purchase of vehicles and equipment needed for administrative activities, weatherization energy audits, installation of measures indicated below, and quality control inspections.
5. Weatherization activities provided that projects apply the restrictions of each State's programmatic agreement with

their State Historic Preservation Office (SHPO), and are limited to:

a. Building Shell Measures:

- i. Install insulation where needed
- ii. Perform air sealing
- iii. Repair and replace windows, install window film, awnings and solar screens

b. Mechanical Measures

- i. Clean, tune, repair, or replace heating and/or cooling systems
- ii. Install duct and heating pipe insulation
- iii. Repair leaks in heating/cooling ducts
- iv. Install programmable thermostats
- v. Repair/replace domestic water heaters
- vi. Install domestic hot water heater tank insulation

c. Electric and Water Measures

- i. Install efficient light sources
- ii. Install low-flow showerheads
- iii. Replace inefficient refrigerators with energy-efficient models

6. Energy-related health and safety measures (per DOE WAP Guidance WPN 17-7) including:

- a. Combustion appliance safety inspections
- b. Air quality assessment and limited removal of formaldehyde, volatile organic compounds, flammable liquids, and other air pollutants
- c. Gas and bulk fuel leak inspections
- d. Limited testing and/or containment, removal or disposal of lead, asbestos, refrigerant, and mercury, and other materials generated during the course of WAP activities
- e. Cleaning of mold limited to surface preparation for WAP activities
- f. Conduct radon testing and precautionary measures, including but not limited to, covering exposed dirt floors with polyethylene sheeting which contains a rating of no more than 0.1 perm, which is sealed and attached at all seams, walls and foundation penetrations
- g. Inspect and install carbon monoxide and smoke alarms
- h. Install ventilation as required by the American Society of Heating and Air-Conditioning Engineers (ASHRAE) 62.2-2016 standard, including blower door testing addressing infiltration, ventilation, and exhaust

7. Incidental and necessary energy-related repairs and replacements

- a. Repair/replace damaged windows and doors
- b. Minor electrical and plumbing repairs

8. Installation of solar photovoltaic (PV) and solar hot water heating systems on buildings with 1 to 4 dwelling units, subject to the following restrictions:

- a. PV systems would be appropriately sized and would not exceed 15 kW and/or
- b. Solar hot water heating systems would be appropriately sized and would not exceed 200,000 BTU/HR
- c. Systems would be roof mounted or attached to structure. Installation would include attaching the system to the structure and installing necessary electrical connections
- d. Battery storage, if applicable, would be attached to structure

Activities/projects not listed above, including ground disturbing activities and tree removal, are not included under the ALRD categorical exclusion and are subject to additional NEPA review and approval by DOE. For activities/projects requiring additional NEPA review, states must complete the environmental questionnaire (EQ-1) found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review has been completed and approved by the Contracting Officer prior to initiating the project or activities.

All incidental measures relating to hazardous materials identified during the WAP activities would be managed in accordance with applicable federal, state, and local requirements.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

This NEPA Determination only applies to projects funded by WAP-ALRD-2021 and completed by Recipients that have a DOE executed Historic Preservation Programmatic Agreement, and to projects that fit within the "Allowable activities" listed in the rationale section above.

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

This NEPA Determination does NOT apply to Recipients that do not have a DOE executed Historic Preservation Programmatic Agreement, and projects that do not fit within the "Allowable activities" listed above.

Include the following condition in the financial assistance agreement:

Activities/projects not listed under "Allowable activities" are subject to additional NEPA review and approval by DOE, whether the intention is to use WAP formula or Petroleum Violation Escrow (PVE) funds to fund the project. For activities/projects requiring additional NEPA review, states must complete the environmental questionnaire found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review has been completed and approved by the Contracting Officer prior to initiating the project or activities.

Some weatherization activities listed under "Allowable activities" are more restrictive than the Categorical Exclusion. The restrictions listed in the "Allowable activities" must be followed.

Recipients shall adhere to the restrictions of their DOE executed PA for historic preservation. Additionally, recipients must adhere to the requirements included in "Term 8. Historic Preservation" included in the Special Terms and Conditions of the financial assistance agreement.

Notes:

Weatherization & Intergovernmental Programs Office - WAP
This NEPA Determination requires a tailored NEPA provision.
NEPA review completed by Diana Heyder, 03/01/21

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

The proposed action is categorically excluded from further NEPA review.

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:



Casey Strickland

NEPA Compliance Officer

Date:

3/3/2021

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
- Field Office Manager review required

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____
Field Office Manager

Date: _____