

Title18: Human Services

Part 20: Division of Community Services

Part 20 Chapter 1: Weatherization Assistance Program

Rule 20.1 Weatherization Assistance Program (WAP) State Plan

Source: Miss Code Annotated 43-1-2.

Weatherization Assistance Program (WAP)

Application for Federal Assistance SF-424

Type of Submission: Preapplication
 Application
 Changed/Corrected Application

Type of Application: New
 Continuation
 Revision

Grantee: State of Mississippi **EIN:** 64-6000807

Organizational DUNS: 80939918

Catalog of Federal Domestic Assistance Number: 81.042

Federal Award Identifier: DE-EE0006163

Address: Mississippi Department of Human Services
 Division of Community Services
 Post Office Box 352
 USA
 Jackson, Mississippi 39205
 601-359-4457

Name and contact of Person to be contacted on matters involving this application:

Mr. Richard Berry
Executive Director
Mississippi Department of Human Services
601-359-4457
Richard.berry@mdhs.ms.gov

Name of Federal Agency: U.S. Department of Energy

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I. Overview

I.1 Introduction

This is the 2015 Mississippi Weatherization Assistance Program (WAP) State Plan. The effective dates for the 2015 WAP are July 1, 2015 through June 30, 2016. The Mississippi Department of Human Services, Division of Community Services is the State administrative authority for the Weatherization Assistance Program. A network of **Six (6)** community action agencies delivers energy efficiency solutions for every county. Since the inception, WAP has reduced energy costs for thousands of Mississippi's households. The primary purpose of this program is energy efficiency.

II. Application for Federal Assistance- Standard Form 424

III. Budget

III.1 SF 424A Budget Preparation

III.2 Budget Categories - Section B

III.3 Budget Justification

III.4 Carryover Explanation

Federal Assistance Budget Information

(04-94)
Replaces EIA-459C
All Other Editions Are
Obsolete

OMB Burden Disclosure Statement

Public reporting burden for this collection of information is estimated to average 1.87 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of Information Resources Management Policy, Plans and Oversight, Records Management Division, HR-422 - GTN, Paperwork Reduction Project (1910-0400), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585; and to the Office of Management and Budget (OMB), Paperwork Reduction Project (1910-0400), Washington, DC 20503.

1. Program/Project Identification No. EE0006163	2. Program/Project Title Weatherization Assistance for Low-Income Persons
3. Name and Address State of Mississippi Division of Community Services Post Office Box 352 750 North State Street Jackson, Mississippi 39202	4. Program/Project Start Date: July 1, 2015
	5. Completion Date: June 30, 2016

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)
2015 WAP	81.042			\$1,348,340		\$1,348,340
6. TOTALS						

SECTION B – BUDGET CATEGORIES

OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				TOTAL (5)
	(1) Grantee Administration	(2) Subgrantee Administration	(3) Grantee T &TA	(4) Subgrantee T &TA	
a. Personnel	\$46,005.50		\$42,755.50		\$88,761.00
b. Fringe Benefits	\$10,765.29		\$10,004.79		\$20,770.08
c. Travel	\$5,766.58		\$21,796.00		\$27,562.58
d. Equipment			\$4,000.00		\$4,000.00
e. Supplies	\$1,000.05		\$6,815.77		\$7,815.82
f. Contractual	\$2,609.56	\$67,417.00	\$61,500.00	\$111,394.00	\$1,195,340.56
g. Construction					

h. Others					
i. Total Direct Charges	\$66,146.98	\$67,417.00	\$146,872.06	\$111,394.00	\$1,344,250.04
j. Indirect Charges	\$1,270.02		\$2,819.94		\$4,089.96
k. Totals	\$67,417.00	\$67,417.00	\$149,692.00		\$1,348,348.00
7. Program Income					

III.2

DOE F 4600.4
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U.S. Department of Energy

Federal Assistance Budget Information

OMB Burden Disclosure Statement

OMB Control No.
1910-0400

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3. Name and Address State of Mississippi Division of Community Services Post Office Box 352 750 North State Street Jackson, Mississippi 39202			4. Program/Project Start Date: July 1, 2015			
			5. Completion Date: June 30, 2016			
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)
6. TOTALS		\$0.00	\$0.00		\$0.00	
SECTION B – BUDGET CATEGORIES						
OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				TOTAL (5)	
	(1) Programs Operations	(2) Health and Safety	(3) Vehicles and Equipment	(4) Liability Insurance		
a. Personnel						

b. Fringe Benefits				
c. Travel				
d. Equipment				
e. Supplies				
f. Contractual	\$790,837	\$139,559		\$11,777
g. Construction				
h. Others				
i. Total Direct Charges	\$790,837	\$139,559		\$11,777
j. Indirect Charges				
k. Totals	\$790,837	\$139,559		\$11,777
7. Program Income				

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SECTION A – BUDGET SUMMARY

Grant Program Function Or	Federal Catalog No.	Estimated Unobligated Funds	New or Revised Budget
------------------------------	------------------------	--------------------------------	-----------------------

Activity (a)	(b)	Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
6. TOTALS						
SECTION B – BUDGET CATEGORIES						
OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				TOTAL	
	(1) Leveraging	(2) Financial Audit	(3)	(4)	(5)	
a. Personnel						
b. Fringe Benefits						
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual		\$10,247				
g. Construction						
h. Others						
i. Total Direct Charges		\$10,247				
j. Indirect Charges						
k. Totals		\$10,247				
7. Program Income						

III.3

BUDGET EXPLANATION PAGE

2015 DOE-WEATHERIZATION ASSISTANCE PROGRAM - \$ 1,348,340.00

GRANTEE ADMINISTRATION- \$67,417.00

A. PERSONNEL - \$46,005.50

The title, duties, annual salary range, amount of compensation to be paid and the approximate percentage of time that each staff person will devote to the DOE Weatherization Program are listed below:

<u>Title of Position</u>	<u>Annual Salary Range</u>	<u>% of Time</u>	<u>To Be Paid From Budget</u>
Office Director	\$65,000	5%	\$3,250

Duties:

- Approving contracts with all subgrantees
- Approving all correspondence to subgrantees and the Federal funding source.
- Ensuring that the state application is submitted to the Federal grant/or agency timely and in compliance with the applicable Federal regulations.

<u>Title of Position</u>	<u>Annual Salary Range</u>	<u>% of Time</u>	<u>To Be Paid From Budget</u>
Special Projects Officer IV	\$38,978	50%	\$19,489

Duties:

- Soliciting, reviewing, and negotiating contracts with subgrantees.
- Processing subgrantees' close-out packages.
- Ensuring that subgrants and subgrantees comply with program regulations.
- Reviewing statistical data.
- Responding to correspondence as required.

<u>Title of Position</u>	<u>Annual Salary Range</u>	<u>% of Time</u>	<u>To Be Paid From Budget</u>
Branch Director II	\$46,533	50%	\$23,266.50

Duties:

- Assisting in preparing the state application which includes the Budget Narrative and Budget Form SF-424A.
- Coordinate activities between the state and DOE.

- Soliciting, reviewing and negotiating contracts with subgrantees
- Providing technical assistance training to subgrantees.
- Ensure that subgrantees comply with program regulations

B. FRINGE BENEFITS - \$ 10,765.29

Fringe benefits charged to the grant will be the employer's share of Social Security, unemployment insurance, workers' compensation, retirement, and health insurance. Fringe benefits will total approximately 23.4 percent of staff salaries.

$$\$46,005.50 \times 23.4\% = \$10,765.29$$

C. TRAVEL - \$5,766.58

To carry out the objectives of the Weatherization program, local travel and out-of-state travel will be required. All travel incurred will be consistent with the State's reimbursement policy and the estimated expenses are based on past trips of a similar nature and airline ticket rates.

1. In-State - \$3,227.58

It is estimated that three or more administrative related trips will be made to each subgrantee by the weatherization and fiscal staff. These trips are in privately owned automobiles from Jackson, Mississippi to subgrantees reimbursed at .575 cents per mile X 3,874.06 miles = \$2,227.58. Lodging, meals, and incidental expenses = \$1,000.00.

2. Out-of-State - \$2,539.00

It is anticipated that the Department of Energy (DOE) will conduct a meetings during this year program. A round trip from Jackson, Mississippi to destination chosen by DOE, including airfare, overnight lodging, meals, local transportation, and incidental expenses, is estimated at \$2,539.00 per person attending the meeting.

$$\$2,539 \times 1 \text{ meeting} \times 1 \text{ persons} = \$2,539$$

The estimated expenses per trip are itemized as follows:

Airfare	-	\$450
Local/Taxi	-	\$ 40
Subsistence, Lodging & Incidental	-	\$1,574
Registration-		\$475

BUDGET NARRATIVE (cont'd)

D. EQUIPMENT - \$0

No equipment is needed for administrative staff.

E. SUPPLIES AND MATERIALS - \$1,000.05

General office supplies and materials to carry out the program based on historical cost for items of paper, pens, calculator tape and ribbons, and other necessary items for day-to-day operational needs, it is estimated that \$1,000.05 will be needed.

F. CONTRACTUAL SERVICES - \$1,022,446.56

1. Other Than Subgrantee Awards - \$2,609.56

General operating expenses to carry out the program will be required. These expenses will include telephone, postage, office rent, and equipment rent and repair, and are estimated as follows:

Telephone @ \$1,525
Postage @ \$300
Office Rent @ \$3,269 per month X 12 months = \$39,228 x 2% = \$784.56

2. Subgrant Awards- \$1,019,837.00

These subgrantee funds will be subcontracted to seven (7) Community Action Agencies and/or Human Resource Agencies (reference State Application and State Plan Data Sheet).

Subgrantee Administration	\$ 67,417
Program Operations	\$ 790,837
Health and Safety	\$ 139,559
Financial Audits	\$ 10,247
Liability Insurance	\$ 11,777

NOTE: Only 5 percent will be set aside for Subgrantee administration based on limited funding available.

BUDGET NARRATIVE (cont'd)

G. INDIRECT COST - Replaced with a cost allocation plan (previously submitted).

MDHS has a cost allocation plan approved through DHHS; whereas, each division within the department is charged for administrative services. DOE's administrative costs are allocated through the cost allocation process at a rate of 1.92%. The estimated amount for Program Year 2015 is \$1,270.02.

BUDGET EXPLANATION

GRANTEE TRAINING AND TECHNICAL ASSISTANCE - \$261,086

A. PERSONNEL - \$42,755.50

The title, annual salary range, amount of compensation to be paid and the approximate percentage of time that each staff person will devote to the DOE Weatherization Training and Technical Assistance Program are listed below:

<u>Title of Position</u>	<u>Annual Salary Range</u>	<u>% of Time</u>	<u>To Be Paid From Budget</u>
Special Projects Officer IV	\$38,978	50%	\$19,489

Duties:

- Reviewing monthly status reports.
- Soliciting, reviewing, and negotiating contracts with subgrantees.
- Ensuring that subgrants and subgrantees comply with program regulations.
- Reviewing statistical data.
- Responding to correspondence as required.

<u>Title of Position</u>	<u>Annual Salary Range</u>	<u>% of Time</u>	<u>To Be Paid From Budget</u>
Branch Director II	\$46,533	50%	\$23,266.50

Duties:

- Assisting in preparing the state application which includes the Budget Narrative and Budget Form SF-424A.
- Coordinate activities between the state and DOE.
- Soliciting, reviewing and negotiating contracts with subgrantees
- Providing technical assistance training to subgrantees.
- Ensure that subgrantees comply with program regulations

B. FRINGE BENEFITS - \$10,004.79

Fringe benefits charged to the grant will be the employer's share of Social Security, unemployment insurance, workers' compensation, retirement, and health insurance. Fringe benefits will total approximately 23.4 percent of staff salaries.

$$\$42,455.50 \times 23.4\% = \$10,004.79$$

C. TRAVEL - \$21,796.00

All travel incurred will be consistent with the State's reimbursement policy and the estimated expenses are based on past trips of a similar nature and airline ticket rates.

The following breakdown is based on past expenditures incurred in operating the program.

1. In-State - \$11,640.00

It is estimated that at least one training or technical assistance and monitoring trip will be made to each subgrantee by the weatherization and/or Office of Monitoring staff. These trips are in privately owned automobiles from Jackson, Mississippi to various subgrantees and reimbursed at .575 cents per mile.

11,895.65 miles X .575 cents x 1 trips = \$6,840.00

Lodging, meals, and incidental expenses estimated = \$4,800.00

2. Out-of-State - \$10,156.00

It is anticipated that a meeting/training for State staff and subgrantees will be scheduled by the Department of Energy during Program Year 2015 to update states on changes and on-going issues. Estimated travel expenses for DOE training or conference by the Weatherization Staff listed in the T & TA budget.

\$2,539 X 2 persons = \$10,156.00

The estimated expenses are itemized as follows:

Registration	-	\$475
Airfare	-	\$450
Local/Taxi	-	\$40
Subsistence, Lodging & Incidental	-	\$1,574

D. EQUIPMENT - \$4,000

DCS is requesting funding for equipment at this time in the amount of \$4,000.00 to be used toward the purchase of equipment to be used in the field for Weatherization Grantee staff. All equipment will be used for training of weatherization subgrantees, in office and field training.

E. SUPPLIES AND MATERIALS - \$6,815.77

General office supplies and printing for the weatherization staff will be necessary in order to develop training materials for subgrantees. Based on prior expenditures, it is estimated that \$6,815.77 will be needed.

F. CONTRACTUAL SERVICES-\$172,894.00

1. Other Than Subgrantee Awards - \$ 61,500.00

Telephone and postage expenses are necessary to provide continuous monitoring, training, and technical assistance to subgrantees; also, other general operating expenses will be required. The expenses are estimated as follows:

Telephone @ \$1,500
Advertisement, Dues & Postage @ \$2,000

MDHS generally contracts with hotels, consultants or other training facilities to provide training rooms and other services for our seminars. It is estimated that \$45,000 will be needed to cover these expenses for accommodations of all subgrantee staff in attendance.

Both programmatic and fiscal monitoring will be conducted by the Office of Monitoring, a division within the Mississippi Department of Human Services. The Division of Community Services will be paying the Office of Monitoring an estimated amount of \$13,000 for performing the required monitoring services.

2. Subgrantee T&TA Awards - \$111,394.00

In-State - \$19,990.00

It is estimated that at least one T&TA trip will be made by subgrantee staff to designated training sites. Subgrantees will be reimbursed at .575 cents per mile. Estimated 10,000 miles x .575 cents = \$5,750
Lodging, meals, incidentals estimated at \$14,240

Out-of-State - \$91,404.00

It is anticipated that a meeting/training for subgrantees scheduled by the Department of Energy during Program Year 2015 to update states on changes and on-going issues. Estimated travel expenses for DOE training or conference are as follows:

\$2,539 X 2 meetings X 18 persons = \$91,404.00

The estimated expenses are itemized as follows:

Registration -\$475
Airfare - \$450
Local/Taxi - \$ 40

Subsistence, Lodging & Incidental - \$1,574

- G. INDIRECT COST** -Mississippi Department of Human Services has a U.S. Department of Health and Human Services approved cost allocation plan; whereas, each division within this department is charged for administrative services that are provided. DOE's administrative costs are allocated through the cost allocation process at a rate of 1.92% (plan previously submitted). The estimated amount for the weatherization **T&TA activity is \$2,819.94.**

IV. ANNUAL FILE

IV.1 Subgrantees

Name: Lift, Inc **Contact:** Dorothy Leasy, Executive Director
Address: P.O. Box 2399 **Phone:** (662)842-9511
 2577 McCullough Blvd. **Fax:** (662)842-5575
 Tupelo, MS 38803 **Email:** dleasey@liftcaa.org

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$107,596	Calhoun	Monroe	1
Planned units:	10	Chickasaw	Pontotoc	
Type of organization:	CAA	Itawamba	Union	
Labor source:	Subcontractors	Lafayette	Lee	

Name: Multi-County CSA **Contact:** Angela Hicks, Interim Executive Director
Address: P.O. Box 905 **Phone:** (601)483-4838
 2900 St. Paul Street **Fax:** (601)482-9861
 Meridian, MS 39302 **Email:** ahicks@multicountycsa.org

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$234,077	Clarke	Neshoba	2
Planned units:	23	Jasper	Newton	3
Type of organization:	CAA	Kemper	Scott	4
Labor source:	Subcontractors	Lauderdale	Smith	
		Leake	Wayne	
		George	Greene	
		Hancock	Harrison	
		Jackson	Stone	
		Pearl River	Wayne	

Name: Northeast CS **Contact:** Steve Gaines, Executive Director
Address: P.O. Box 930 **Phone:** (662)728-2118
 801 Hatchie Street **Fax:** (662)728-8720
 Booneville, MS 38829 **Email:** sgaines@ms.metrocast.net

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$101,480	Alcorn	Benton	1
Planned units:	9	Marshall	Tippah	
Type of organization:	CAA	Prentiss	Desoto	
Labor source:	Subcontractors	Tishomingo	Tate	

Name: Prairie Opportunity, Inc.
Address: 501Hwy. 12 West
 Suite 110
 Starkville, MS 39759

Contact: Laura Marshall, Executive Director
Phone: (662)323-3397
Fax: (662)323-8754
Email: prairieopportunity@yahoo.com

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$161,986	Choctaw	Webster	1
Planned units:	17	Clay	Winston	2
Type of organization:	CAA	Attala	Carroll	3
Labor source:	Subcontractors	Lowndes	Grenada	
		Noxubee	Holmes	
		Oktibbeha	Leflore	
		Yalobusha	Montgomery	

Name: South Central CAA
Address: 110 fourth Street
 P.O. Box 129
 D'lo, MS 39602

Contact: Sheletta Buckley, Executive Director
Phone: (601)847-5552
Fax: (601)847-5589
Email: sbuckley@yourscaa.com

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$348,780	Copiah	Walthall	2
Planned units:	36	Lincoln	Pike	3
Type of organization:	CAA	Hinds	Amite	4
Labor source:	Subcontractors	Madison	Wilkinson	
		Rankin	Adams	
		Simpson	Franklin	
		Jefferson	Claiborne	
		Jefferson Davis	Covington	
		Marion	Lamar	
		Forrest	Jones	
		Lawrence		

Name: WWISCAA, Inc.
Address: P.O. Box 1813
 1165 S. Raceway Road
 Greenville, MS 38702

Contact: Jannis Williams, Executive Director
Phone: (662)378-8863
Fax: (662)224-8142
Email: bjsaulter@wwiscaa.org

Allocation		Counties Served:		Congressional Districts
Tentative allocation:	\$177,308	Issaquena	Humphreys	2
Planned units:	17	Sharkey	Sunflower	
Type of organization:	CAA	Warren	Bolivar	
Labor source:	Subcontractors	Washington	Coahoma	

		Yazoo	Quitman	
		Panola	Tallahatchie	
		Tunica		

IV.2 Production Schedule

	Annual Total
Weatherized Units (total)	112
Reweatherized Units	0

Vehicles and Equipment \$5,000 or more Average cost per Dwelling Unit (DOE Rules)

A.	Total of vehicles and Equipment Budget	0
B.	Total units to be Weatherized from Production Schedule above.....	112
C.	Units to be Reweatherized, from Production Schedule above.....	0
D.	Total Units to be Weatherized, plus Planned Reweatherized Units From Production Schedule above (B and C).....	112
E.	Average Vehicles and Equipment Cost per Dwelling Unit (A divided by D).....	0

Average Cost per Dwelling Unit (DOE Rules)

F.	Total of Funds for Program Operations.....	790,837
G.	Total Units to be Weatherized, plus Planned Reweatherized units from Production Schedule above (total from D above).....	112
H.	Average Cost per Dwelling Unit, less Vehicles and Equipment (F Divided by G).....	7,061.04
I.	Average Cost per Dwelling Unit for Vehicles and Equipment (total From E).....	0
J.	Total Average Cost per Dwelling Unit (H plus I).....	7,061.04

IV.3 ENERGY SAVINGS

METHOD USED TO CALCULATE ENERGY SAVINGS: WAP ALGORITHM: OTHER
(Describe below)

Estimated energy savings (Mbtus):

Other Energy Savings Method Description

N/A

IV.4 DOE-FUNDED LEVERAGING ACTIVITIES

The State of Mississippi will not be using a percentage of the grant to undertake leveraging activities.

Leveraging activities will be an integral component of the Mississippi Weatherization Program. Local funds and in-kind contributions will be solicited from individuals and philanthropic organizations in efforts to supplement DOE funds. The benefits of engaging in leveraging activities are:

1. To secure additional resources,
2. To maintain current the service level for the target population, and/or
3. To serve more Weatherization clients.

Local Weatherization subgrantees are required to engage in leveraging activities as it is becoming increasingly difficult to defend programs for re-authorization and appropriation before the Congress. Secondly, the demand for Weatherization assistance has continued to increase at a geometrical progression as the elderly population increases. Therefore, Subgrantees are encouraged to solicit additional weatherization resources such as cash donations and in-kind contributions. The in-kind contributions include, but are not limited to:

volunteers, vented space heaters, insulation materials, siding materials, bricks, plywood, storm doors and windows, paint, nails, ceiling tile, doors and thresholds, smart thermostats, water treated wood, carpet, glue and foam spray insulation, electric bulbs, cement, glass windows, wasp spray and discounts.

Weatherization subgrantees are required to submit leveraging reports which include the name of the item, cash amount received, the estimate of fair market value for donated materials, name of labor contributors and the estimated number of households that benefited as a result of the leveraging activity. The reports are used to provide a comprehensive report to DOE. Also, the state is encouraging partnerships with Entergy of Mississippi, Mississippi Power Company and Atmos Gas to provide additional weatherization measures to the clients. Regular Weatherization measures, shower heads, fluorescent light bulbs, and faucet aerators will be installed in each client's home weatherized with these funds.

IV.5 ENERGY ADVISORY COUNCIL

Prior to the expenditure of any grant funds, the State Policy Advisory Council shall be established by a State or by the Operations Office Manager as specified in 440.17 a (1), (2), & (3).

The State Policy Advisory Council has been established in accordance with 440.17 a. The members of this council have been chosen because of special qualifications with respect to solving problems of low-income persons, including the weatherization and energy conservation problems of these persons. The members of this council represent a broad cross-section of

organizations and agencies that deal with problems of the poor, particularly the elderly and disabled persons and low-income Native Americans. The State Policy Council last meeting was convened on Wednesday, May 27, 2015.

Energy Advisory Committee Members:

Ms. Gloria Johnson	Mr. Willie Fletcher
Mr. Robert Lesley	Mr. Tamladge Finch
Mr. Gwenevere Pugh	Mr. Freddie McCoy
Ms. Peggy King	Mr. James Hampton

IV.6 State Plan Hearing and Transcript

Hearing Dates: Wednesday, May 27, 2015	Newspapers that publicized the hearings and the dates that the notice ran.
	The Clarion-Ledger (state newspaper) May 15, 2015

LEGAL NOTICE

**THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF COMMUNITY SERVICES**

The Mississippi Department of Human Services-Division of Community Services will conduct a public hearing on the Low-Income Weatherization Assistance Program under Title IV of the Energy Conservation Act, as amended. The hearing for program year 2015 is scheduled for Wednesday, May 27, 2015 at 10:00 a.m. in Training Room A of the Mississippi Department of Human Services, 750 North State Street, Jackson, Mississippi.

The purpose of the hearing is to discuss and receive public input on the program year 2015 state plan for the Low-Income Weatherization Assistance Program. In addition, a discussion will be held on the program's service delivery system as well as the new program requirements and changes. The Weatherization Assistance Program is administered by the Mississippi Department of Human Services- Division of Community Services and funded by the U. S. Department of Energy. The mission of the program is to reduce heating and cooling costs for low-income families, particularly the elderly, disabled and families with children by improving the energy efficiency of homes, ensure the health and safety of these individuals and provide a service delivery system which encompasses all 82 counties within the state.

Copies of the plan are available to the public and may be obtained from the Division of Community Services by calling (601)359-4768 or 1-800-421-0762.

Written comments will be accepted through June 3, 2015. The public is invited to attend.

The State of Mississippi has prepared the FY 2015 Weatherization Assistance Program State Plan in accordance with Section 440.14 of 10 CFR Part 440. A public hearing will be advertised in one (1) newspaper (Clarion Ledger), throughout the State and the hearing will be held on May 27, 2015. The state application and Weatherization Program Production Schedule reflects the proposed weatherization activities, proposed subgrantees, and the allocations for each

subgrantee, and the planned number of homes to be weatherized. Copies of the proposed State Plan will be made available to the general public.

IV.7 Miscellaneous

Public Hearing
Weatherization (Minutes)

V. MASTER FILE

V.1 Eligible Population

The population eligible to receive assistance from the Low-Income Weatherization Assistance Program is any person or household (resident of Mississippi), meeting income eligibility, based on 200% of the current federal poverty guidelines.

V.1.1 Approach to Determining Client Eligibility

Per regulation 440.22(a) and kept on file per 440.14(c)(6)(xii), the definition of "low income" for determining client eligibility for the Weatherization Assistance Program has been established at 200% of the current federal poverty guideline.

In accordance with 440.16 (a), each applicant household requesting for Weatherization assistance must complete the application process for eligibility determination. During the interaction process caseworker/case manager obtains vital information about social and economic conditions of the entire household. This process assists in identifying households' needs including those with high energy burdens.

Income eligibility is set at or below 200% of the federal poverty guidelines are in effect at the time of submission of the application. An application is taken on the applicant household by the local subgrantee agencies. All applications taken must be taken in the Virtual ROMA system. Applicants applying for weatherization that are on the waiting list or for other reasons must have their eligibility documentation updated at least annually. Assistance from another program may also be provided to eligible households, especially those households enrolled in and complying with the established service plan.

Priority is given to the elderly, disabled and families with children. In elderly/disabled zero income cases or crisis cases a service plan will be done to access any resources available to the client, such as social security, disability, prescription assistance, etc. Live-in attendants income can be excluded if it is determined that (1) the live-in is essential to the care and well-being of the person; and (2) would not be living in the unit except to provide the necessary supportive services. All household members' status will be documented and maintained in Virtual ROMA and individual client files for future references.

Grantee and Subgrantees are reminded that the supporting documentation for applicants applying for weatherization that may be on a waiting list or for other reasons must have their eligibility documentation updated as least annually.

Immigration Status

If the Head of Household is an illegal alien, the application should be denied for the entire household.

If an individual within a household is an illegal alien, does not disclose citizenship or establish satisfactory immigration status, ineligibility exists only for the individual member and not the entire household. The remaining household members should have eligibility determined. During the application process, any individuals within the household who do not wish to comply with citizenship and alien status requirements are considered "Non-Applicants" and should not be questioned about citizenship/alien status. However, these individuals must disclose and verify income and other information needed to establish the eligibility of the household. Eligibility cannot be determined when a Non-Applicant fails to disclose income, therefore, the application should be denied for the entire household. If adequate documentation of immigration status is subsequently provided for the Non-Applicant, the worker shall act upon the reported change in accordance with appropriate timeliness standards.

Most aliens who have entered the United States legally have in their possession documents that were issued by the United States Citizenship and Immigration Services (USCIS) which contains the person's immigration status and the date that person entered the country, or adjusted to the status shown on the card. It is the responsibility of the applicant to provide the USCIS documents prior to eligibility determination. If the applicant does not provide documents establishing alien status on a timely basis or if alien status is questionable, the eligibility of the remaining household members shall be determined.

The most common documents used to verify alien status include, but are not limited to:

- Form 1-551- Resident Alien Card and Conditional Resident Alien Card
- Form 1-151- Alien Registration Receipt Card
 - Form 1-94- Arrival-Departure Record (Annotated with Section 207 or refugee, asylum, or paroled)
 - Form 1-688- Temporary Resident Card
 - Unexpired foreign passport when it contains an endorsement "Processed for 1-551. Temporary Evidence of Lawful Admission for Permanent Residence"

When a household or person indicates inability or unwillingness to provide documentation of alien status for any household member, that (non-applicant) member should be classified as "Ineligible", not illegal. Workers are cautioned that a determination that a person is Ineligible is not equivalent to a determination that a person is an illegal alien.

A person will be reported to the appropriate USCIS office under the following circumstances:

1. The applicant, another household member or the authorized representative admits that illegal alien are present in the household;
2. USCIS documents presented by the household during the application process are determined to be forged;
3. A formal order of deportation or removal is presented by the household during the application process.

V.1.2 Approach to Determining Building Eligibility

DCS requires that both household income eligibility and dwelling eligibility are established before any weatherization is done on a dwelling. Dwelling eligibility is confirmed prior to the start of an energy audit. Proof of ownership must be established regardless of who is living in the dwelling (required for both owner occupied, and rental units). Lifetime estates are to be treated as owner occupied dwellings. The following documents are acceptable as proof of ownership and eligibility:

RESIDENCE VERIFICATION

1. Copy of Utility Bill
2. Lease Agreement
3. Copy of Deed;
4. Copy of Mortgage or Mortgage Payment Book;
5. Property Tax Receipts (must show address of property to be weatherized); or
6. Statement from the Office of the Tax Assessor, Chancery Clerk, or Record of Deeds.

VALID PHOTO ID(S)

1. Photo Driver's license, US Passport
2. State-issued photo ID
3. Employment ID
4. School, college or university ID
5. US Military ID
6. Tribal ID, Alien registration/Permanent residence card, temporary residence card

SOCIAL SECURITY CARD(S)

1. Certified Copies
2. Card for all household members regardless of age

BIRTH CERTIFICATE(S)

1. Certified Copies
2. Birth Certificates for all household members regardless of age

INCOME(S)

Income means Cash Receipts earned and/or received by the applicant before taxes during applicable tax year(s). Gross Income is to be used, not Net Income. Cash Receipts include the following:

1. Money, wages and salaries before any deductions;
2. Net receipts from non-farm or farm self-employment (receipts from a person's own business or from an owned or rented farm after deductions for business or farm expenses);
3. Regular payments from social security, railroad retirement, unemployment compensation, strike benefits from union funds, worker's compensation, veteran's payments, training stipends, alimony, and military family allotments;
4. Private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;
5. Dividends and/or interest;
6. Net rental income and net royalties;
7. Periodic receipts from estates or trusts; and
8. Net gambling or lottery winnings.

The following Cash Receipts **are not** considered sources of Income for the purposes of determining applicant eligibility:

1. Capital gains;
2. Any assets drawn down as withdrawals from a bank;
3. Money received from the sale of a property, house, or car;
4. One-time payments from a welfare agency to a family or person who is in temporary financial difficulty;
5. Tax refunds;
6. Gifts, loans, or lump-sum inheritances;
7. College scholarships;
8. One-time insurance payments, or compensation for injury;
9. Non-cash benefits, such as the employer-paid or union-paid portion of health insurance;
10. Employee fringe benefits, food or housing received in lieu of wages;
11. The value of food and fuel produced and consumed on farms;
12. The imputed value of rent from owner-occupied non-farm or farm housing;
13. Depreciation for farm or business assets;
14. Federal non-cash benefit programs such as Medicare, Medicaid, Food Stamps, school lunches, and housing assistance;
15. Combat zone pay to the military;
16. Child support
17. Reverse mortgages; and
18. Payments for care of Foster Children;

****Other documents may be necessary as required by Agency****

Re-weatherization: Any dwelling weatherized after September 30, 1994, or any subsequent date as established in 10 CFR 440 subpart §440.18 as amended, is not eligible for weatherization.

All homes previously weatherized are tracked via excel data base. All Weatherization subgrantee are required to maintain a excel data base of homes weatherized and submit this data to the state office monthly. Clients that apply for weatherization are crossed reference by subgrantee with the excel data base. This is checked monthly by state weatherization staff for compliance.

The State of Mississippi will address the following structures;

- The State of Mississippi will address the following structures;
Single-Family - owned or rental
- Manufactured housing -own or rental
- Multi-family housing

All structures must be stationary and have a specific mailing (street) address. Campers and non-stationary trailers are not eligible.

Historic Preservation

DCS has entered into a programmatic agreement with the State Historic Preservation (SHPO) to facilitate historic reviews of projects assisted with Program funds. (See Attachment)

Multi-Family Dwellings: In order to meet the purpose of WAP, DCS will ensure weatherization services are being provided to low-income persons that live in all types of housing (i.e. single family, manufactured housing units, and multi-family buildings). It is noted that in qualifying a multi-family building for weatherization, DCS and subgrantees understands that 10 CFR 440.22(b) requires that a building containing rental dwelling units is eligible for WAP funds where “not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large multifamily 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 Weatherization Program Notice 11-4 government program for rehabilitating the building or making similar improvements to the building . . .” Weatherizing only a single unit within a multi-unit building would not meet this program requirement.

The State of Mississippi falls below the 20% threshold and do not have a DOE-approved audit and procedures for multifamily buildings, therefore, the following actions will be taken:

- The State of Mississippi Weatherization Program will follow the DOE Weatherization Program Notice 10-15 when addressing requirements for determining eligibility of certain multi-family buildings as identified by the Department of Housing and Urban Development (HUD) and the Department of Agriculture (USDA).
- The State of Mississippi will submit to the Project Officer the necessary material to approve the multifamily project prior to commencing weatherizing the building (e.g. engineering assessment, audit input/output). The Project Officer will review and approve the project(s) on a

case-by-case basis in the absence of a multifamily energy audit.

Rental Procedures

The benefits of the Weatherization Assistance Program to occupants of rental units have been enhanced by the recent revisions to the rental agreement which follows and addresses the requirements of 440.22. The restriction regarding the time when an owner can increase the cost of the unit has been extended to two (2) years and the specificity with regard to what constitutes an allowable increase in the rent during the two (2) year period has been greatly enhanced.

Before the weatherization of any dwelling is allowable, proof of ownership must be established regardless of who is living in the dwelling (required for both owner occupied and rental units). Lifetime estates are to be treated as owner occupied dwellings. The following documents are acceptable as proof of ownership:

- 1) Copy of Deed;
- 2) Copy of Mortgage or Mortgage Payment Book;
- 3) Property Tax Receipts (must show address of property to be weatherized); or
- 4) Statement from the Office of the Tax Assessor, Chancery Clerk, or Record of Deeds.

If a dwelling is to be weatherized for a client who is not the owner of the dwelling, an agreement must be entered into between the landlord and the subgrantee agency, which outlines the owner's responsibilities. The agreement must be signed before work can begin on the weatherization project. In the Weatherization Selection Tool, priority, with regard to the selection of homes to be weatherized, will be given to landlords who provide assistance in the weatherization of their property. This assistance may be given through donated materials, monetary assistance or a combination of the two. A condition of the agreement includes the agreement not to raise the tenant's rent for two (2) years (some exceptions apply) beginning on the date of the weatherization projection completion (that is the approved post inspection date). Additionally, the owner cannot evict the tenant without cause during that period. Should the owner chose to violate the agreement, he or she may be billed for the pro-rated share of cost of the weatherization project.

The allowable exceptions to the prohibition of the two (2) year rent increase include increases due to higher property taxes, insurance premiums, necessary replacement (or extensive repairs) to appliances, plumbing, or wiring. These allowable costs must be spread over the period of one (1) year.

The owner agrees that the dwelling is not presently being offered for sale and agrees to give the subgrantee agency thirty (30) days' notice of the sale should the property be offered for sale prior to the expiration of the rental agreement. At least ten (10) days prior to the sale, the owner agrees to obtain a notarized statement of the purchaser's consent to assume the rental agreement obligation. If this consent is not obtained, the owner agrees to pay the full cost of the weatherization project based on the pro-rated number of months remaining in the rental agreement. Should the property be transferred via a will or heir ship, the same obligations would

be placed on the new owners.

Additionally, the owner agrees that the terms and obligations of the rental agreement shall supersede any inconsistent provision of any oral or written lease or other agreement affecting the rent collected for the eligible dwelling unit.

DEFERRAL STANDARDS

The decision to walk-away from a dwelling without providing weatherization services is difficult but necessary in some cases. Many problems encountered in low-income housing are beyond the scope of the Weatherization Assistance Program. Deferrals does not mean that assistance will never be available, but that any work must be postponed until the problems can be resolved and alternative sources of help be found as necessary. Subgrantees Coordinator(s) must follow the deferral guidelines included in the Health and Safety Plan. Subgrantees must complete and have on file, the Walk Away/Deferral form when determining deferrals. (See Attachments)

V.1.3 Definition of Children

In accordance with 10 CFR 440.3 and required by 10CFR 440.14 (c)(6)(xiii), DCS defines children as household members that are under the age of nineteen (19) years old who have not been emancipated from minor status through marriage or assumed the responsibility of an adult as provided by law, and is a member of the household at the time of application.

This procedure is consistent with the eligibility requirements for the Low-Income Home Energy Assistance Program and is applied on a statewide basis.

All household members' status will be documented and maintained in Virtual Roma and individual client files for future references.

V.1.4 Approach with Tribal Organizations

The low-income members of tribal organizations shall be entitled to apply and receive weatherization assistance, as provided to other low-income persons in the State, through the normal channels of the State Weatherization Assistance Program in accordance with 440.16(f)

V.2 Selection of Areas to be Served

In accordance with 10 CFR 440.14 (c)(6)(ii), preference is given to Community Action Agencies and other public or private nonprofit entities. The State of Mississippi/DCS will enter in agreement with six (6) subgrantees state-wide for PY2015, which allows all 82 counties to be served in a timely and effective manner. **In the event that an agency cannot fulfill the terms of the contract the state will award the funding of that agency to another performing agency to carry out the terms.**

Every weatherization subgrantee will be a community action agency or other public or private nonprofit entity with a track record of implementing similar low-income programs and will be in accordance with 10 CFR 440.14 (a). The subgrantees experience and performance in weatherization or housing rehabilitation activities and experience in providing assistance to low-income persons in the service area in accordance with 440.15 (a) (2) (I) (ii) (iii) and ability to implement a timely and effective weatherization program, through timely submission of Monthly Progress Reports, as well as planned versus actual homes weatherized are also factors which will be considered. Preference is also given to entities that achieve weatherization goals, good work quality and that have sufficient staff capabilities in accordance with 440.15(a)(3)(I)(ii)(iii)(iv).

Should it become necessary to terminate, downsize or select subgrantees, it will be discussed at a hearing in accordance with 440.14 (a) and upon the basis of the criteria provided in 440.15(a).

V.3 Priorities

Priority is given to elderly, disabled, families with children, high energy users and high energy burden as describe in 10CFR 440.3. The Weatherization Assistance Program was phased into the case management system during the 1993 Program Year. This process involved the use of a single intake form for all programs administered by the Division of Community Services. After intake, clients are prioritized for weatherization assistance based on ranking.

The State of Mississippi requires that the Weatherization Assistance Selection Tool (Form WX-7) be completed on all eligible applicant prior to the selection for assistance. This form allows subgrantees to rank potentially eligible applicant, taking into consideration the following:

- One or more Elderly person(s),
- One or more Disabled person(s),
- Families with children (under age 19),
- High Energy Users (10 CFR 440.3) and
- High Energy Burden (10 CFR 440.3)

This selection process will be incorporated into the Virtual ROMA System, allowing clients that apply to be placed on the service list according to the selection tool ranking. *(See Attachment for Selection Tool)*

V.4 Climatic Conditions

According to the State Climatologist Office at Mississippi State University, **Mississippi** is located in the humid subtropical climate region, characterized by temperate winters; long, hot summers; and rainfall that is fairly evenly distributed through the year. However, the state is subject to periods of both drought and flood, and the climate rarely seems to bring "average" conditions. More typical would be an expectation of "feast or

famine" with regard to weather events as the climate delivers energy and moisture in subtropical latitudes between a large landmass to the north and the Gulf of Mexico to the south.

Prevailing southerly winds provide moisture for high humidity and potential discomfort from May through September. Locally violent and destructive thunderstorms are a threat on an average of about 60 days each year. Eight hurricanes have struck Mississippi's coast since 1895, and tornadoes are a particular danger, especially during the spring season.

Normal mean annual temperatures range from 62F in the north to 68F along the coast. Low temperatures have dropped to 16F below zero while high temperatures exceed 90F over 100 days each year. Temperatures routinely exceed 100F at many places in the state each year and drop to zero or lower an average of once in five years in the state. Freezing temperatures reach the Gulf coast almost every winter. Normal precipitation ranges from about 50 to 65 inches across the state from north to south. Measurable snow or sleet falls on some part of the state in 95% of the years.

In essence, Mississippi has a climate characterized by absence of severe cold in winter but by the presence of extreme heat in summer. The ground rarely freezes and outdoor activities are generally planned year-round. Cold spells are usually of short duration and the growing season is long. Rainfall is plentiful, but so are dry spells and sunshine.

The State of Mississippi is divided into three climatic regions. Listed below is a comparison of 2014 to 2013 Heating and Cooling Degree Days according to the National Weather Service and the Weather Data Depot (<http://www.weatherdatadepot.com/>) per region.

	2013	2014	+/-	2013	2014	+/-
Region	Heating Degree Days (HDD)	Heating Degree Days (CDD)	Increase/Decrease In 2014	Cooling Degree Days (HDD)	Cooling Degree Days (CDD)	Increase/Decrease In 2014
Tupelo (Region # 1) <i>North MS</i>	2277	2477	↑ 200	2972	2908	↓ 64
Jackson (Region # 2) <i>Central MS</i>	1676	1831	↑ 155	3395	3286	↓ 109
Gulfport (Region # 3) <i>South MS</i>	901	1140	↑ 239	3959	4048	↑ 89

These climatic variances within the State affect how the weatherization program is designed and targets the number of units weatherized. It also affects energy savings realized in different regions, as well as energy usage and cost (labor/material).

V.5 Type of Weatherization Work to be done.

V.5.1 Technical Guide and Materials

The State of Mississippi Weatherization Assistance Program (WAP) will utilize the Single Family Priority Measures List, Mobile Home Priority Measures List and NEAT and MHEA Audits, which were approved in 2012 and the Mississippi Weatherization Field Guide, which have been updated to cross reference the SWS, to ensure that all work is being performed in accordance to the DOE approved energy audit procedures and 10CFR440 Appendix A. **(Approved 2015)**

V.5.2 Energy Audit Procedures

Procedures for determining the most cost-effective measures in a dwelling unit, per 10 CFR 440.14 (b) (9) (xi), Subgrantees are required to obtain according to the procurement process a material price list from vendors and maintain on file. The prices are used when determining material cost per home. Material cost must not exceed the cap on materials. The following is provided to subgrantees as guidance:

The current program year's written price lists must be obtained from each vendor and maintained on file for review by DCS upon request. The price list should be updated annually. Price quotes are required to be obtained from local suppliers prior to installing weatherization measures on a dwelling.

To ensure that the most cost-effective measures are used, the subgrantees will use the Mississippi Priority List for Single-Family Homes, Mississippi Priority List for Mobile Homes (Approved 2012), and the Mississippi Weatherization Field Guide (Approved 2015), to ensure that the Standard Work Specifications (SWS) are being adhered to when applying weatherization measures. *(See Attachments for Priority Measures list)*. The National Energy Audit (NEAT), and Mobile Home Energy Audit (MHEA), must be performed on dwellings that are outside the scope of the approved priority measures list. If DOE funds are used to address the HVAC system, NEAT must be performed to ensure that a favorable SIR is determined.

Multi-Family Dwellings

V.5.3 Final Inspection

The State of Mississippi has collaborated with the Pulaski Technology College Weatherization Training Center to provide training. This training will be provided to assist subgrantees in acquiring the necessary certifications needed to ensure that there are a sufficient number of certified individuals available to meet the requirements of WPN15-4.

Listed below are the procedures utilized to ensure that no dwelling unit is reported to doe as completed until all weatherization measures have been installed and the Subgrantee, or its authorized representative, has performed a final inspection(s) including any mechanical work performed and certified that the work has been completed in a

workmanlike manner and in accordance with the priority determined by the audit procedures required by 10 CFR 440.21.

- The State of Mississippi will provide guidance to ensure that at least person per agency will acquire the Quality Assurance Inspector certification All home inspections, pre and post, must be accompanied with before and after pictures.
- Pictures must be made available for all Pre and Post Readings (pictures must show reading on the equipment).
- Agencies are required to conduct a mandatory pre and post test on dwelling.
- The same Coordinator who conducts the pre-test cannot conduct the post test.
- All Post Inspections must be completed by a certified Quality Control Inspector. If one is not on staff subgrantees must contract the post inspections out to a certified QCI or partner with a local CAP Agency that have certified staff to preform inspections.
- The Pre and Post-test must include a Blower Door Test and a CAZ test where applicable.
- When the Post Inspector (QCI Final Inspector) finds work that need to be re-done or corrected the contractor is contacted and provided documentation on areas that need to be re-addressed. Upon completion of work the Post Inspector (QCI) revisit to inspect items that were re-addressed before payment is rendered. QCI must perform diagnostic testing to ensure the health and safety of the project.
- DCS will require that final inspection ensures that all materials were utilized in accordance with the approved work scope. If all materials were not installed, subgrantees must complete a Materials Transfer Form which identifies the unused materials and return items to the agency for proper adjustments. This form must be signed by the Executive Director and maintained in the client file. Materials returned to the vendor must be documented on a Change Order Form for proper processing and filed in the client file. Additional materials needed to complete a measure requires a new work scope and material list must be created and maintained in client file. A final post inspection must take place after completion of all work.
- If it is determined that materials are missing or not used on the job, agency will conduct an investigation and provide report to DCS. The individuals involved will be immediately terminated from participation in the Weatherization Program.

Subgrantees must adhere to Weatherization Program Notice 11-03. Paying for additional work on homes that have already been reported to DOE is not permissible by use of DOE WAP funds. Subgrantees may use other funds that are not included as a part of their DOE WAP budget plans to pay for the costs associated with the corrections.

V.6 Weatherization Analysis of Effectiveness

The State of Mississippi WAP has established the policy of evaluating subgrantees program effectiveness. A quality rating (*Good, Fair, and Poor*), shall be established by consideration of factors including, but not limited to:

Program Administration

1. Program files and accuracy and timely completion/submission of reports.
2. Work quality and oversight.
3. Monitoring reports.
4. Proper invoicing techniques.
5. The practice of using DOE funds to return to previously completed homes to make adjustments or include additional measures not done on the initial visit and after unit was reported to DOE as completed.
6. Proper designation of allowable administrative expenses between administration and program support categories.

Performance Analysis

1. Proper documentation of determining eligibility.
2. Number of Elderly, Disabled, Children, High Energy User, and Households with High Energy Burden served.
3. Expenditures verses number of dwellings weatherized. Production quotas and expenditures.
4. Carbon Monoxide, Blower Door, Refrigerator testing.
5. Client education.
6. Health and Safety Practices.
7. Referrals from LIHEAP/CSBG.
8. Securing of additional funding from other agencies and programs.
9. Proper use of Priority Measures/Weatherization measures selected.
10. Pre-Inspection.
11. Final inspection/Re-inspections and follow-up.
12. Lead safe weatherization work practices and mold and moisture checklist.
13. Personnel training.
14. Required signatures.
15. Program files, accuracy, and timely completion/submission of reports.
16. Work quality and oversight.
17. Monitoring reports.

The State of Mississippi WAP measures productivity via weekly and monthly subgrantee reporting. The Subgrantees are required to submit the following:

Weekly Reports:

- The number of homes completed
- Type of fuel
- Demographic information

Monthly Reports:

- Final report on homes completed
- Final report on types of fuel
- Final demographics report
- Final Monthly Expenditures, and
- Energy savings report.

The above reports will be compared monthly to ensure cost effectiveness, accountability, quality of service.

If the findings are determined to a result of flagrant and/or frequent noncompliance, this is considered to be a serious impact on the agency's ability to continue to operate the pro effectively. Steps will be taken to suspend or terminate funding.

Once an agency is placed on special conditions either a conditions plan will be put in place or as stated above funding will be suspended or terminated. The decision for removal of special conditions will be based on the following:

- The nature of the findings yielding the special conditions (are the same findings recurring?)
- The agency's responsiveness to the special conditions (were the findings resolved promptly? Completely? With attention to the cause of the finding?)
- The Program Manager's assessment of the agency's potential for improving overall performance to an acceptable level.

V.7 Health & Safety

PURPOSE

A. GOAL

To establish the policies and procedures under which health and safety concerns are addressed in the Weatherization Assistance Program (WAP). The State will ensure the prudent use of the Health and Safety funding by subgrantees.

B. GOAL

To ensure energy savings result from weatherization services while promoting a healthy and safe environment for clients, contractors, crew, staff, and subcontracted installers.

C. SCOPE

The Health and Safety Procedures are applicable to all activities under the WAP.

D. DEFINITIONS

Health and Safety Measures: Those measures necessary to eliminate

hazards within a structure, which by their remedy, allow for the installation of weatherization materials while ensuring that the structure is left in a safe condition.

Weatherization Measures: Building shell and equipment measures determined to be cost-effective by DOE approved OCD standards.

Weatherization Materials: Those materials listed in Appendix A of the DOE WAP for Low-Income Persons Final Rule, 10 CFR Part 440. Materials for incidental repairs do not have to be listed in Appendix A, but should be at least equal to or better than industry standard practices. The State of Mississippi requires all subgrantees to adhere to the Buy American Act.

Incidental Repairs: Means those repairs necessary for the effective performance or preservation of weatherization materials.

Lead Safe Weatherization (LSW): LSW is a set of protocols to be used when disturbing surfaces that may have lead-based paint that will reduce and control the amount of lead dust and paint chips that are generated.

E. EXPENDITURE LIMITS AND REPORTING

Health and Safety Measures

Costs may not exceed the amount budgeted for the health and safety activity. These costs must be recorded and tracked separately in the accounts and on the house audit/assessment form and reported as a separate line item on the Invoice Voucher.

Incidental Repairs

The State of Mississippi elects to limit incidental repairs to \$500. If total anticipated repair cost exceeds \$500 in materials expenditures, the DCS must first authorize the additional expenditures before the costs are incurred. All requests must be in writing, documenting why the exception is being requested and how the repairs will benefit the effective performance or preservation of Weatherization materials.

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. These costs will be recorded and tracked separately in the accounts and on the house audit/assessment form and reported as a separate line item.

Five hundred (\$500.00) is the limit for incidental repairs when using a priority list; otherwise, a site specific audit must be performed to justify the cost of the incidental repairs. Incidental repairs must be justified in the client file with an explanation for their need and relationship to a specific measure or group of measures. Incidental repair costs can be treated in two ways, by being considered a component of the energy conservation measure and incorporated into the SIR of the associated measure, or incorporated into the SIR for the package of measures.

F. CLIENT HEALTH AND SAFETY

Four health and safety concerns are frequently encountered in weatherization of low-income homes.

Health problems and potentially life-threatening carbon monoxide levels may result from improper balance of the mechanical systems in the residence, or from incomplete combustion in household combustible appliances. Additionally, other hazardous conditions may exist in combustion appliances which, if not corrected, pose risk to the occupant's health as well. For guidance refer to the Southeast Weatherization Field Guide.

- Poor indoor air quality due to excess moisture and build-up of other indoor pollutants may cause immediate or long-term health problems. For guidance refer to the Southeast Weatherization Field Guide.
- Electrical hazards causing injury and fire can result from uncovered wiring, unsafe service boxes, knob-and-tube circuits spliced improperly, and other electrical code violations. When concerns arise at the time of audit, electrical inspections and repairs by a licensed electrician are required before weatherization is done. For guidance refer to the Southeast Weatherization Field Guide.
- Other potential hazards (such as: friable asbestos, radon gas, deteriorating lead-based paint, plumbing leaks, and bulk moisture problems) are mitigated to the extent possible using funds from Incidental Repairs or other weatherization or home repair and rehabilitation programs.

G. HEALTH AND SAFETY MEASURES

The hazards described below were chosen for remediation because they represent life and health threatening problems common to low-income housing. Although the problems are serious, practical solutions are available to contractors at reasonable cost with existing technology and equipment.

Types of Hazards, and Appropriate Mitigation Strategies

1. Combustible appliances, including furnaces, water heaters,

cooking ranges, ovens and vented space heaters, are included in this measure. Testing for safety will be conducted in accordance with Southeast Weatherization Field Guide, section 4-32. The Weatherization Coordinators have carbon monoxide detection equipment and have been trained in the performance of appropriate safety tests. If measured carbon monoxide exceeds safe levels as prescribed by EPA, ASHRAE, and gas utilities, corrective action is taken which may include cleaning of equipment, chimney flue, tune-up, correcting pressure imbalances, repair a furnace, and other measures as needed. Carbon monoxide detectors may be installed as needed. For guidance, refer to the Southeast Weatherization Field Guide, section 1-7.

2. Indoor air quality and minimum ventilation levels are addressed in the Southeast Weatherization Field Guide, Section 2-19. Minimum acceptable levels for air changes are based on ASHRAE standards. When necessary, mitigation is provided by determining the source of the problem and implementing an effective mitigation strategy. To assure acceptable ventilation levels, a timed system of mechanical ventilation, with fresh make-up air may be appropriate. Repair of existing exhaust fans may be done by contractor/crew, but new or replacement installations, which involve rewiring, will require an electrical contractor.
3. Electrical inspection by a licensed electrician is required for each building component (attic, walls, and floor) containing knob-and-tube wiring for which insulation is proposed, prior to insulation being installed. Repairs, if necessary, are to be made before insulation work can proceed. The electrician must certify in writing that the knob-and-tube wiring in each component is safe for insulation. Copies of this statement must be posted at the residence and placed in the client's file. The cost of electrical inspection and minor electrical repairs may be charged to the Health and Safety category.

H. CREW AND STAFF HEALTH AND SAFETY STANDARDS

The standards included here provide only general guidelines for health and safety concerns. Detailed specifications regarding worker health and safety are found in OSHA Safety and Health Standards (29 CFR 1926\1910) published by the U.S. Department of Labor, and corresponding WISHA Rule WAC 296-62. Worker safety rules of general application are also contained in the Southeast Field Guide, Section 1-2. Another source of safety rules is found in "First Aid in the Workplace", written by Grant B. Goold, MPA/HAS, EMTP. These standards are applicable to all workers providing services using funding under the DOE WAP program.

I. TRAINING AND MONITORING

The Weatherization Coordinator is responsible for maintaining the Contractor's weatherization health and safety program. Specific responsibilities may be delegated to adequately trained and competent personnel.

1. Employee Training

New employees should not begin working in the field until training is provided. Training will include:

- a. Conventional health and safety issues such as heavy lifting, safe ladder usage, electrical safety, power tools, other work practices, and conditions encountered in the weatherization program.
- b. Use, maintenance, and importance of protective equipment such as eye and ear protection, respirator, and gloves.
- c. Proper usage of hazardous chemicals and substances such as foams, sealants, and cleaners in the weatherization work environment.
- d. The Material Safety Data Sheets (MSDS) provided by suppliers that describe the method to properly handle potentially hazardous materials. Inform employees where the MSDS are located, how to understand their content, and how to obtain and use appropriate hazard information.
- e. Training on weatherization measures.

2. Safety Meetings

Safety meetings should be conducted monthly. The content of meetings should focus primarily on issues of current importance, for example, SHA requirements, new information on safety procedures, or product related information (MSDS). During the meeting, employees should be encouraged to ask questions. The main purpose will be the ability of the employee to retain and understand information covered during the meeting. Limit the amount of information covered to just one issue, when possible, such as lifting, tool maintenance, electrical equipment, or understanding of Material Safety Data Sheets. Posters relating to such matters are available and should be displayed during the month that particular issue is discussed. Minutes of each meeting (listing topics discussed and concerns) shall be recorded and kept on file. A list of employee attendance should be included.

3. On-Site Inspection

The Weatherization Coordinator or Analyst/Instructor shall conduct an announced, on-site inspection of each crew monthly. This inspection

will include:

- 1) Ascertaining the extent of the client's understanding of weatherization activities being performed. If health and safety issues are documented, this information shall also be included in the discussion.
- 2) Inspecting condition of personal safety equipment and confirming that all crewmembers are adequately supplied. Crewmembers must wear prescribed equipment if warranted by the activities being conducted.
- 3) Checking that each crew vehicle is supplied with a:
 - a. Complete first aid kit designed to provide basic first aid.
 - b. Adequately charged hand-operated fire extinguisher, designed for all three types of fire (electrical, wood, and liquid). Ensure service date has not expired.
 - c. Binder containing list of hazardous chemicals (common and chemical name), location where they are used, usage and hazardous information (signs/symptoms of and required first aid), and list of Material Safety Data Sheets. (Note: Copies of MSDS are not required if master files are accessible by all crew members.)
 - d. Inspect hand and power tools and similar equipment. Any found to be defective shall be tagged and removed from service. Equipment not in use shall be properly stored.
 - e. Inspect work area to ensure activities are conducted in a safe manner, including provision of adequate light, proper disposal of debris, connection of power equipment to a ground fault circuit interrupter, and resolution of health and safety issues.

On all home inspections, pre and post test conducted on homes must be accompanied by before and after pictures. Pictures must be made available for all Pre and Post Readings (pictures must show actual reading). Agencies are required to conduct two (2) mandatory tests (pre and post). **The same Weatherization Coordinator that conducts the pretest cannot conduct the post test.**

J. GENERAL WORK PRACTICES

The prevention of occupationally induced injuries and illnesses will be given precedence over production activities. Weatherization personnel are required to exhibit caution and care during the course of the workday.

1. The Crew Leader/Foreman

The Crew Leader/Foreman is responsible for complying with any instructions pertaining to health or safety as they apply to crew production activities:

- a. Contact client before performing work*. Provide the opportunity for discussing crew activities that will occur and occupant safety while work is in progress. ****This may be done by the Program Manager or Weatherization Coordinator.***
- b. Ensure each crewmember is reasonably protected when production activities are being conducted.
- c. For pre-1978 buildings: If lead-based paint is assumed or found by testing to be present, and in the course of weatherization, to be disturbed, ensure that lead safe weatherization practices are employed. Inform the client of the nature of the work to be done, and encourage that children be off-site while the work is taking place. Set up containment of the area, appropriate to the activity - confine dust to as small an area as possible. Ensure crew is properly equipped with protective clothing and properly fitting HEPA respirators, and wear the gear during the course of lead work. Ensure that when cutting, drilling, or sanding, crew wet the surface to minimize dust. (See sections on Personal Protective Equipment, Hand and Power Tools, and Housekeeping Activities for further guidance on Lead-Safe Weatherization Practices.) See also **Lead Paint Safety: A Field Guide for Painting, Home Maintenance, and Renovation Work** written by Montana State University under contract to DOE and HUD.

2. **Personal Protective Equipment**

The use of personal protective equipment will be strictly enforced. Hearing and ear protection are required for individuals working around high decibel equipment. Each crew person will wear a respirator, protective eye-wear, and protective clothing when necessary.

Respiratory protection is required for individuals working in high dust environments, including when using loose fill insulation blowing equipment, installing materials in attic and floor areas, and during prolonged use of grinding or power saw equipment. When working in an environment in which lead based paint dust will be generated, each employee within the work area may be required to wear a properly fitted NIOSH-approved HEPA respirator and protective clothing which will be removed upon vacating the work area.

3. **Hand and Power Tools**

All hand and power tools and similar equipment shall be maintained in a safe condition. This equipment will be inspected daily, and any equipment found defective shall be tagged and removed from service until it has been repaired or replaced. Protective guards are to be in place and functioning properly while a power tool is in use.

All electrical equipment, tools, and extension cords shall be grounded properly. All electrical power for 120-volt or greater will be protected by a ground fault circuit interrupter (GFCI). Any extension cords defective (insulation worn or cut, or frayed wires) are to be removed from the job site and disposed of.

It is recommended that, when using power tools on surfaces that contain lead-based paint, a HEPA dust collection attachment be used. Tools shall be cleaned after use.

4. General Fall Protection

Portable ladders shall be placed on a substantial base at a four-to-one pitch. Extension ladders are to be extended a minimum of 36 inches above the landing (i.e., where roof access occurs), or where not practical, be provided with grab rails and be secured against movement while in use. Portable metal ladders shall not be used where they may contact electrical conductors.

The use of ladders with broken or missing rungs or steps, broken or split side rails, or with other faulty or defective construction is prohibited. When ladders with defects are discovered, they shall immediately be withdrawn from service. Extra precaution is required while weatherization activities are conducted on the roof area. When an individual is above 16 feet or adequate stability cannot be maintained, safety gear, such as harness or safety straps, is required.

5. Housekeeping Activities

All scrap lumber, waste material, and debris shall be removed from the immediate area as work progresses. An area outside the home should be designated for storing such material, which should be removed from the premises at the end of each workday or when the job is completed.

Equipment shall be removed from the immediate work area and properly stored when no longer required and each phase of the weatherization process is completed. Individuals shall be equipped with a tool belt or vest, in which hand tools not in use are then properly stored and readily accessible when required.

When lead-based paint dust is generated during the course of work,

the area must be cleaned at the end of each workday. All materials used in the debris collection system must be removed in a lead-safe manner. The area must be thoroughly vacuumed using a HEPA vacuum, then washed and wiped down with a detergent solution.

6. **Attic/Crawl Space Areas**

Before weatherization activities are conducted, the following is required: Health and safety corrective action documented on the Building Job Order Sheet is to be completed. An adequate and safe means of access is provided. Each individual has assessed the area and become familiar with existing conditions. When possible, cut out holes required for venting before work is started, installing vents after weatherization activities are completed. This procedure provides both additional ventilation and light. Precaution shall be taken when working in areas with low clearance. Work in areas with less than 24-inch clearance may be waived

LEAD PAINT HAZARD CONTROL

Lead-based paint dust and other residues are hazards that Weatherization workers are likely to encounter in older homes. HUD estimates that four million homes have significant lead-based paint hazards. Furthermore, Weatherization work may directly disturb lead-based paint, possibly creating hazardous conditions. DOE's policy is that Weatherization workers must be aware of the hazard and conduct Weatherization activities in a safe work manner to avoid contaminating homes with lead-based paint dust and debris, and to avoid exposing the occupants, themselves and their families to this hazard. The protocols used to safeguard people from lead-based paint hazards are called Lead Safe Weatherization.

1. **Mississippi's Lead Safe Weatherization Protocols**

Weatherization subgrantees will provide a copy of the pamphlet, "**Renovate Right**"—"Important Lead Hazard Information for Families, Child Care Providers and Schools." In addition to providing a copy of the pamphlet to owners and occupants the subgrantee must discuss the hazards associated with lead-based paint and lead dust, and describe how they will conduct LSW in the home. Also, subgrantees are required to have the client sign a form confirming receipt of the lead pamphlet. The form must be filed and remain with the clients file for three years from date of signature. Other sources of information on lead are listed below:

Lead in your Home: A Parent's Guide: A Guidebook that provides recommendations on how to reduce lead exposure and prevent lead poisoning in homes, by EPA.

Lead Paint Safety: A Field Guide for Painting, Home Maintenance, and Renovation Work by HUD.

Addressing Lead-Based Paint Hazards During Renovation, Remodeling, and Rehabilitation in Federally Owned and Assisted Housing by HUD. Lead-Safe Weatherization, A Training and Reference Manual for Weatherization Managers and Crews, by the Montana State University Extension Service, developed under contract with the U.S. Department of Energy. Copies to download are available at www.waptac.org/ and www.hud.gov/offices/lead.

2. **When Lead Safe Weatherization Protocols Should Be Used**

Lead Safe Weatherization should be performed by Weatherization agencies when all of the following criteria are true:

The dwelling was constructed pre-1978, and The dwelling has not been determined to be lead-based paint free, and Either, the amount of disturbed lead-based painted surface exceeds two square feet per room of interior surface, twenty square feet of exterior surface, or 10% of a small component type e.g., window; or the amount of lead-based paint dust that will be generated by the weatherization work exceeds the OSHA defined airborne levels for lead.

3. **Other Federal Government Regulations**

Program Notice 02-6 outlines what Weatherization agencies need to know about other Federal agencies requirements that apply to Weatherization work in situations involving lead-based paint. EPA (for the 406 rule - the Hazard Notification Rule - only) and HUD allow for exemption from their rules if emergency actions are required by imminent danger situations. Certain other conditions will provide exemptions, such as a home designated exclusively for the elderly or disabled where it is certain that no children would live or periodically visit.

Department of Housing and Urban Development (HUD) - Office of Healthy Homes and Lead Hazard Control. HUD's Lead-Based Paint Hazard Control Rule, 24 CFR35, (Part 35) - "Lead-Based Paint Poisoning. Prevention in Certain Residential Structures" went into effect September 15, 2000, although some of the provisions (the prohibited paint removal techniques) had been in effect since November 1999. The HUD rule was issued under sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Act of 1992, which are Title X of the Housing and Community Development Act of 1992. The HUD rule normally does not pertain to Weatherization work. However, in certain circumstances described below, the HUD rule does apply to Weatherization work.

The HUD rule requires that Weatherization agencies, when using HUD funds or working in HUD program homes, perform the work using "lead-based paint safe work practices," which have some distinct differences from the "Lead Safe Weatherization" (LSW) as explained in

Weatherization Program Notice 02-6. These practices are specified in §35.930 of the HUD regulation for rehabilitation work. While DOE funds may be used for these measures if they are associated with the installation of energy efficiency measures, HUD funds (i.e., CDBG, lead hazard control program, etc.) may also be available in certain communities.

The HUD rule sets “de minimis” levels (two square feet per room of interior surfaces and twenty square feet of exterior or 10% of a small component type - e.g., window) of disturbed painted surfaces for adherence to the rule. States should note that in some homes there can be extremely high concentrations of lead present in small surfaces areas that could generate high exposure levels when disturbed and endanger residents. This could result in an OSHA citation. In this case, OSHA worker safety regulations govern, and employers are obligated to observe good work practices (explained in the program notice as LSW) to ensure that levels of lead-based paint dust are kept below acceptable levels.

When the HUD Regulation *does apply*: The HUD regulation only applies to Weatherization work when **all four** of the following conditions are true:

It is pre-1978 housing, and The dwelling has not been certified to be lead-based paint free, and The amount of disturbed lead-based painted surfaces exceeds two square feet per room of interior surfaces or twenty square feet of exterior surface or 10% of a small component, e.g., window, and Either it is HUD-assisted housing (including HUD Section 8 voucher housing), and/or HUD funds are being used to weatherize, rehabilitate, or repair the home.

When the HUD Regulation *does not apply*:

The HUD rule does not apply to Weatherization work when **any one** of the following five conditions is true:

1. It is post-1977 housing, or
2. The dwelling has been certified to be lead-based paint free, or
3. The amount of disturbed lead-based painted surfaces is less than two square feet per room of interior surfaces or twenty square feet of exterior surface or 10% of a small component, e.g., window, or
4. The home is neither a HUD program home, nor is HUD money funding the Weatherization work, or related rehabilitation or repair of the home, or
5. The housing is designated exclusively for the elderly or disabled.

Environmental Protection Agency (EPA) - Office of Pollution Prevention and Toxics.

Only one of the EPA rules, section 406 of the Residential Lead-Based Paint Hazard Act of 1992, applies to Weatherization work. This is the Hazard Notification Rule, which became effective June 1, 1999, under EPA Final Rule, 40 CFR Part 745 titled; "Lead; Requirements for Hazard Education Before Renovation of Target Housing." Under certain, fairly common circumstances (explained below), Section 406 requires Weatherization providers to give a copy of the EPA booklet "Protect Your Family from Lead in Your Home" (publication number: EPA 747-k-94-001) prior to the start of work (if mailed, at least seven days before). The rule also has a record keeping requirement. The EPA publication "The Lead-Based Paint Pre-Renovation Education Rule...a handbook for contractors, property managers and maintenance personnel," EPA-747-B-99-004, September 1999, outlines local agencies responsibilities. Multiple copies of both documents can be ordered from the Government Printing Office, 202-512-1800 or 1-866-512-1800.

Section 402. The Lead-Based Paint Worker Certification rule does not apply if the intent of doing the work in the home is Weatherization, therefore, LSW practices utilized while installing energy efficiency measures do not require worker certification.

EPA's new section 403 rule is the Lead Hazard Standard. More information about this rule can be found at: <http://www.epa.gov/lead/regulation.htm> EPA's Office of Solid Waste memorandum to RCRA Senior Policy Advisors, EPA Regions 1-10, subject: Regulatory Status of Waste Generated by Contractors and Residents from Lead-Based Paint Activities Conducted in Households, from July 2000, allows disposal of everyday household hazardous materials - residue or debris containing lead-base paint, like replaced windows or discarded clothing - from homes as non-hazardous waste and thus is not subject to toxic chemical disposal rules. Household lead-based paint debris, however, must be handled in a way that will not generate or discharge lead-based paint debris to the environment, either at the client's home or in transporting to a disposal site. A copy of the EPA memorandum is posted on the WAPTAC website.

The proposed EPA rule referred to as the Renovation Rule has not yet been sent out to Federal government organizations for comment. DOE strongly believes that this rule does not apply to Weatherization work since we limit work to the installation of energy conserving measures to reduce the energy burden on low-income families. We do not consider Weatherization work to be renovation or remodeling activities.

When the EPA Regulation *does apply*:

The EPA regulation (section 406) only applies to Weatherization work when all three of the following conditions are true:

1. It is pre-1978 housing, and
2. The dwelling has not been certified to be lead-based free, and
3. The amount of disturbed lead-based painted surfaces will exceed two square feet per room of interior surfaces or twenty square feet of exterior surface.

When the EPA Regulation *does not apply*:

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

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

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

K. Occupational Health and Safety Administration (OSHA).

Title X, subtitle C, Section 1031 and 1032, Worker Protection, of the Housing and Community Development Act of 1992 amended the Occupational Safety and Health Administration (OSHA) standards for occupational health and environmental controls in Subpart D of 29 CFR part 1926 by adding a new Section 1926.62 containing employee protection requirements for construction workers (includes Weatherization workers) exposed to lead.

In general, when painted surfaces are disturbed and lead paint is suspected, workers should perform the work in a way that will contain the generated lead dust. The OSHA Construction Standard (1926.62), Good Work Practices, requires that employers assure that good work practices are followed when worker exposure to lead exceeds the action level, which is an 8-hour Time Weighted Average (TWA) of 30 ug/m³ (micro grams per cubic meter). For Weatherization agencies, LSW practices are deemed to constitute the “good work practices” referred to in this rule. Further compliance activities are required if worker exposure to lead exceeds the Permissible Exposure Level (PEL), which is an 8-hour TWA of 50 ug/m³.

Actual measurement of on-site exposure levels is difficult and expensive. When judging the proper level of worker protection for compliance with the OSHA lead exposure regulations, employers may substitute laboratory test results, if they are for comparable activities, in lieu of actual on-site monitoring data. Battelle National Laboratory did some testing to determine exposure levels to lead dust (not all) tasks associated with Weatherization activities. These test results are posted on the WAPTAC website. For these tasks, where the levels of lead-based paint dust can be predicted to be less than the action level, the Weatherization agencies need not employ most LSW practices in order to be in compliance with the OSHA rule.

In houses where there is the potential for lead exposure, and where Weatherization workers will be performing tasks for which comparable laboratory data are not available, assume that the action level is exceeded and ensure that workers follow LSW procedures.

When the OSHA Regulation *does apply*: The OSHA rule always applies when painted surfaces are disturbed and workers are exposed to a lead-based paint hazard. When the exposure exceeds the action level and the PEL, i.e., an 8-hour TWA of, respectively, 30 and 50ug/cubic meter, employers are required to have workers observe further precautions. The action level triggers several ancillary provisions of the standard such as exposure monitoring, medical surveillance, and training. Additional requirements must be observed when the PEL is exceeded.

When the OSHA Regulation *does not apply*: The OSHA Standard always applies; the amount of protection and measures taken varies according to the exposure. If the agency has objective data from test results, or similar operating experience, showing that the particular weatherization activities being conducted do not exceed the action level, even when lead-based painted surfaces are disturbed, then most of the OSHA standards does not apply.

4. **Guidelines Determining When Lead-Based Testing Should Be Done**

Consider the following when determining whether testing is worth the time and money on a case-by-case basis:

- a. Houses built from 1978 on may be assumed to be free of lead-based paint, without testing.
- b. In houses built prior to 1940, it is logical to simply assume the presence of lead-based paint and save the cost of testing.
- c. In homes built between 1940 and 1978, testing may not

be warranted if the amount of paint to be disturbed is small, since it may be cheaper to perform LSW for a small area than to incur the expense of testing.

However, where the amount of paint to be disturbed is relatively large, it may be worth the cost of testing, since a negative result would mean that the crews could dispense with having to perform the LSW protocols.

- d. Mobile Homes: Lead paint was not used in the manufacture of mobile homes, but may be found in varnishes and stains in mobile homes remodeled before 1978. An EPA certified Lead Paint Inspector or Risk Assessor should perform testing. Limited testing of only those surfaces that will be disturbed, with certified XRF (X-Ray Fluorescence) operator is recommended. Testing on a case-by case basis where it is related to the installation of energy efficiency measures is an allowable DOE expenditure.

5. **Deferral Policy Related to Lead-Based Paint**

In determining whether to defer or postpone Weatherization work on a home that has tested positive for lead-based paint or is assumed to have lead-based painted surfaces, agencies should assess the following:

- a. What is the condition of the painted surfaces in the house? Is it so seriously deteriorated that a work person's presence just walking around the house is enough to stir up lead-based paint dust that is a threat to the clients and workers?
- b. What is the extent to which the specific energy efficiency measures determined by the audit will disturb painted surfaces? Will the disturbance generate dust in excess of OSHA minimums?
- c. Will the cost of doing Lead Safe Weatherization work represent a large portion of the total cost and exceed the amount allowed in the State's Health and Safety Plan?

Using the above answers, the agency should conclude one of the following:

- 1) Proceed with all the weatherization work, following Lead Safe Weatherization work practices; or
- 2) Do some of the weatherization tasks and defer others; or
- 3) Defer all of the weatherization work.

Deferral means postponing work until the agency is prepared to work with lead-based paint, or until another agency has corrected the problem so that weatherization can be safely performed. Weatherization work should not be deferred solely because there is lead-based paint in the home. Even in

such a home, regular Weatherization work that does not disturb painted surfaces and does not stir up lead-based paint dust can be done.

Funding of Lead Safe Weatherization

Whereas DOE funds may be used to pay for Weatherization activities that disturb lead-based painted surfaces while installing energy efficiency measures or for case-by-case testing, the funds may not otherwise be used for abatement, stabilization or control of lead-based paint hazards, or routine entrance and clearance testing. However, U. S. Department of Housing and Urban Development (HUD) funds such as Community Development Block Grant (CDBG), lead hazard control programs and HOME Repair and Rehabilitation Program funds may be used to do this work. Also, the U. S. Department of Health and Human Services' (HHS) Low-Income Home Energy Assistance Program (LIHEAP) may be used for certain expenses related to Lead Safe Weatherization.

Specifically, for DOE funding, agencies should budget Lead Safe Weatherization costs under health and safety as a separate cost category, excluded from the calculation of average cost per home. Lead Safe Weatherization costs include labor, material, insurance, training, and equipment.

Liability Insurance

In Weatherization Program Notice 02-6, DOE strongly advises agencies to either refer or defer weatherization work that will disturb surfaces that may contain lead-based paint, until they have insurance that will provide coverage for Lead Safe Weatherization work in situations involving lead-based paint.

1. Subgrantees must obtain Pollution Occurrence Insurance before any weatherization work is done.
2. The cost of this insurance is an allowable DOE expense. To qualify for lower rates, local agencies and subcontractors can show that not all weatherization work involves disturbing painted surfaces and some homes are lead free, so the risk basis for rates should not be based on one hundred percent operations in a lead paint environment for every home weatherized. DOE has made a commitment to obtain Pollution Occurrence Insurance, Errors, and Omissions Insurance for local agencies at a reduced rate.

All work performed in the Weatherization Assistance Program must be covered by liability insurance. Agencies that employ private contractor labor to perform weatherization services must ensure that each private contractor is adequately insured as well. Workman Compensation must be included as part of the liability insurance. Most, if not all, regular liability insurance

policies do not provide for many health and safety measures such as lead and other pollution occurrence items. Thus, all subgrantees and contractors must also obtain Pollution Occurrence Insurance as a part of, or an addendum to, general liability insurance. Subgrantees with crews and contractors must also acquire Firm Renovator Certification.

Training

Grantees are reminded, the EPA Final Rule with an effective date of April 10, 2010, requires Certified Renovators, to be onboard with sub-grantee crews or contractors, and performing all the EPA required functions on all pre-1978 housing that has not been determined as exempt by state-approved protocols. Because Certified Renovator courses do not cover all LSW practice, DOE requires ALL Certified Renovators be trained in LSW prior to working on pre-1978 housing. Further, since DOE requires LSW in all pre-1978 housing, all crew workers must also be trained in LSW before working in pre-1978 housing. DOE further requires all Grantee Monitors/Inspectors be Certified Renovators in order to effectively monitor against the EPA requirements AND trained in LSW in order to effectively monitor against LSW minimum requirements.

L. Moisture and Mold-Related Weatherization Procedures

The Weatherization Assistance Program does not encompass mold remediation. DOE funds are not to be used to test, abate, remediate, purchase insurance, or alleviate existing mold conditions identified during the assessment, the work performance period or the quality control inspection. Where multiple funding sources are used, the performance of any of the aforementioned activities must be expensed to a non-DOE funding source. However, DOE funds may be used to correct energy-related conditions and/or to assure the immediate or future health of workers and clients.

Weatherization of a home, and air sealing in particular, could potentially increase the risk of moisture and mold in a home, thereby causing structural damage and/or a health risk to the inhabitants. As well, existing mold could pose a health risk to both the inhabitants and the weatherization crew. Mississippi has adopted a set of protocols to ensure that these risks are minimized during weatherization.

I. Mississippi's Moisture Protocols

Moisture Assessment

All homes should be checked for previous or existing moisture problems.

1. Mold in homes arises from conditions of excess

moisture. During initial inspection, field coordinators are to assess the homes with special attention to the following signs:

- a. Evidence of condensation on windows and walls indicated by stains or mold;
 - b. Standing water, open pumps, open wells, dirt floors, water stains, etc. in basements. Also, check to see if firewood is stored in the basement and whether laundry is hung there to dry during the winter months;
 - c. Leaking supply or waste pipes;
 - d. Attic roof sheathing shows signs of mold or mildew
2. Identification of existing or potential moisture problems shall be documented in the client's file.
 3. If existing moisture problems are found, no air sealing should be done unless the source of the moisture can be substantially reduced or effective mechanical ventilation can be added to cost-effectively remove the moisture. In some cases, air sealing must be done in order to reduce the source of the moisture (i.e. sealing off crawlspaces from the house, or sealing attic leakage to eliminate condensation on the roof deck).
 4. Because air tightening may cause an increase in relative humidity, client education should include information about moisture problems and possible solutions.
 5. In the course of weatherization, any low-cost measures that help reduce the humidity levels in the house should be installed. Examples of these activities are venting dryers, venting existing bath or kitchen exhaust fans or installing moisture barriers on dirt floors.
 6. A dwelling that has a CFM50 greater than the Building Tightness Limit (BTL) is no guarantee that moisture will not be a problem in that home.

Repair or Elimination of Moisture Problems

Repair of moisture problems that might 1) result in health problems for the client 2) damage the structure over the short- or long-term, or 3) diminish the effectiveness of the weatherization measures, must be done before the weatherization job is completed.

1. Moisture problems can be reduced or eliminated by controlling the source of the moisture. This can involve:
 - a. Installing a plastic ground cover on a crawlspace floor;

- b. Venting dryers to the outside of the building;
 - c. Sealing the foundation;
 - d. Providing positive drainage away from foundation;
 - e. Repairing the roof, flashing, gutter, and downspout;
 - f. Educating the client about the sources of moisture that they are able to control.
2. Moisture problems can be reduced or eliminated by ventilating areas where excessive moisture is produced, such as bathrooms and kitchens. This should include installation of a high quality exhaust fan in the subject area and informing the client of the related moisture issues and the proper operation and use of the fan.

M. Dryer Vents

1. Electric dryers must be vented to the outdoors of the building whenever feasible; gas dryer vents must always be vented to the outdoors.
2. Mobile home dryer vents must be extended through the skirting to the outdoors.
3. Dryer vent ductwork should be smooth surfaced and, whenever possible, not exceed fourteen feet. No more than two 90° elbows may be used in the vent system. Relocation of dryers may need to be considered to meet this vent pipe-length limitation.
4. Flexible metal vent pipe may be used if it does not exceed six feet in length.
5. Gas dryer vent pipe should not be installed with sheet metal screws or other intrusive fasteners that will collect lint (according to NFPA 54).

II. Mississippi's Mold Protocols

Mold Assessment/Clean-up

All homes should be checked for mold during the initial inspection. If a mold condition is discovered during the initial inspection of the home that cannot be adequately addressed by the weatherization crew, then the dwelling unit should be referred to the appropriate public or non-profit agency for remedial action. Clients must be notified and informed of the presence of mold in their homes, and are to be given a copy of the pamphlet *A Brief Guide to Mold, Moisture, and your Home*.

1. If the moldy area is less than 10 square feet (about 3 ft. by 3 ft.), then the job can most likely be handled by the weatherization crew.

Professionals should be contacted when:

- a. The mold covers more than 10 square feet;
 - b. There is evidence of extensive water damage;
 - c. It is suspected that the heating/ventilation/air conditioning (HVAC) system may be contaminated, i.e. there is mold near the intake of the system. The HVAC is not to be run, as it could spread mold throughout the house;
 - d. The water and/or mold damage was caused by sewage or other contaminated water;
 - e. There is a health concern.
2. For instances when the moldy area is less than 10 square feet, the following steps may be taken:
- a. Eliminate or repair all moisture problems using the aforementioned moisture protocols;
 - b. Scrub mold off hard surfaces with detergent and water, and dry completely;
 - c. Absorbent materials, such as ceiling tiles and carpet, may have to be thrown away when they become moldy. Mold can grow on or fill in the empty spaces and crevices of porous materials, so the mold may be difficult or impossible to remove completely;
 - d. Avoid exposing yourself or others to mold;
 - e. Do not paint or caulk moldy surfaces. Clean up the mold and dry the surfaces before painting. Paint applied to the moldy surfaces is likely to peel;
 - f. When unsure about how to clean an item, or if the item is expensive or of sentimental value, a specialist should be consulted;
 - g. **Avoid breathing in mold or mold spores.** In order to limit your exposure to airborne mold, **N-100** respirators are recommended when working in moldy areas;
 - h. **Wear gloves.** Long gloves that extend to the middle of the forearm are recommended;
 - i. **Wear goggles.** Goggles that do not have ventilation holes are recommended;
 - j. **Revisit the site(s)** shortly after clean-up to make sure that it shows no signs of water damage or mold growth.

Weatherization Mold Assessment and Release Form

Mold can be a problem in any home, but especially in those where there is an excessive amount of moisture or humidity present. In addition, if there are several people, pets, plants, or fish aquariums present, conditions may exist for mold to grow. An assessment of your home included a visual check for mold. This is not a mold inspection and the person making this assessment is not a mold inspector. Testing and identification of specific molds is beyond the scope of this program and we are not liable for mold that was not found during this inspection.

During an energy audit on _____ date, our personnel identified Mold growth in the following room(s) of your home located at _____ :

- Living/Bedroom Areas
- Laundry Areas
- Crawlspace Areas
- Basement Areas

- Bathroom Areas
- Combustion Areas
- Attic Areas
- Other Location

Other Location: _____

Moldy or musty odors are an indicator that there may be hidden mold growth.

Moldy or Musty Odors Are present. Are not present.

The U.S. Department of Energy generally does not allow Weatherization agencies to remedy mold problems, but some actions associated with a cost effective energy saving measure may be taken to reduce moisture problems. We will take the following measures that may help to resolve existing moisture problems:

Check and Sign One of the Following Disclaimers

0Moisture/Mold Disclaimer: By signing below, I acknowledge that I have received

information concerning moisture and mold conditions in my home prior to any weatherization work being done and I will take steps to reduce excessive moisture. I agree to hold the agency performing weatherization harmless for any future moisture or mold problems that are not associated with the weatherization work.

Weatherization Client

Date

Agency Auditor / Estimator

Date

Deferral Disclaimer: By signing below, I acknowledge that I have been notified there is existing mold in the home prior to any weatherization work being done. I have been advised that the agency performing weatherization cannot cost effectively resolve the identified mold or moisture and that weatherization work must be deferred until the mold or moisture is remedied.

Weatherization Client

Date

Agency Auditor / Estimator

Date

N. Ventilation Systems for Acceptable Indoor Air Quality New Systems, Intermittent Operation

1. Exhaust fans that are intended for intermittent operation include kitchen and bathroom exhaust fans in dwellings that may or may not be tighter than the calculated Building Tightness Limit. These fans are intended for occasional use during cooking, baking, showering, and other times when moisture and odors are created by household activities.
2. High quality exhaust fans shall be used that have a sone level of 1.5 or less, are energy efficient, and have a CFM rating of at least 90.
3. Exhaust system ductwork shall consist of galvanized metal, rigid aluminum, PVC, or aluminum flex duct under six (6) feet in length.
4. Exhaust system ductwork shall be extended through the roof, sidewall, or soffit to the outdoors and be insulated.
5. For intermittently operated exhaust fans, controls may be by a push button switch timer, a separate on/off wall switch, an occupancy sensor switch, or hard wiring with a primary light switch (such as in a bathroom). Controls should be installed in the same room as the fan.

New Systems, Continuous Operation

1. Ventilation systems are recommended in dwellings that are tighter than the calculated Building Tightness Limit or have a pre-existing moisture problem or other indoor air quality problem that cannot be corrected by any other means.

2. Ventilation systems are allowed in units that will receive substantial reductions in air leakage and as a result may encounter moisture problems. Exhaust fans installed for these reasons shall be operated continuously when the dwelling is closed up to the outdoor air during winter mechanical heating or summer mechanical cooling.
3. For proper sizing of fans for dwelling that are tighter than the calculated Building Tightness Limit, (BTL).
4. High quality exhaust fans shall be used that are rated for continuous use, have a same level of 1.5 or less, are energy efficient, and have a CFM of at least 90.
5. Exhaust system ductwork shall consist of galvanized metal, rigid aluminum, PVC, or aluminum flex duct under six (6) feet in length.
6. Exhaust system ductwork shall be extended through the roof, sidewall, or soffit to the outdoors and be insulated.
7. For continuously operated exhaust fans, controls may be by a push button switch, a separate on/off wall switch, or hard wiring with a remotely located switch. Controls may be installed in the same room as the fan.
8. Fans should be located in a central hallway or bathroom.
9. When installing a continuously operating exhaust fan, educating the client about its uses extremely important. The client should be informed about:
 - a. The purpose(s) of the exhaust fan installation.
 - b. The importance of operating the fan whenever the house is closed up, such as during the heating season.
 - c. The disadvantages of not operating the exhaust fan.

Existing Exhaust Fans

1. Existing mechanical exhaust ventilation systems should be made to terminate outside the building shell by extending the ventilation duct through the roof or sidewall.
2. Replacement of exhaust system ductwork must consist of galvanized metal, rigid aluminum, PVC, or aluminum flex duct under six (6) feet in length and insulated.

O. Carbon Monoxide Alarms

When appropriate, a carbon monoxide (CO) alarm should be installed in the client dwelling. Follow the manufacturer's recommendation for location and installation of the alarm.

Combustion Appliance Safety Testing and Repairs

1. All conventionally vented (this excludes direct-vent appliances)

combustion appliances must be tested for proper draft using the worst-case draft procedures.

- a. Worst-case draft testing **MUST** always be done after all weatherization measures are installed.
 - b. Worst-case draft testing is suggested before weatherization work begins in dwellings where:
 - i. There is ductwork installed in a Combustion Appliance Zone (CAZ); or
 - ii. The auditor/estimator has reason to believe that worst-case draft testing would reveal useful information.
2. Subgrantees must seek to eliminate conditions where carbon monoxide Levels are at or over the levels stated herein.
 3. Carbon monoxide testing of space and water heating appliances must be done with a digital carbon monoxide meter before dilution air enters the vent system.
If there is a flue opening for each burner, the test must be done in each flue opening individually.

Carbon Monoxide (CO) Action Levels and Allowable Levels:

<u>Appliance</u>	<u>Action CO Level</u>	<u>As-measured/ air-free</u>
Gas Furnace/Boiler	100 ppm	200 ppm
Gas Water Heater	100 ppm	200 ppm
Gas Range Bake Burner	100 ppm	200 ppm

“Action CO Level” indicates level above which repair or adjustment to appliance is recommended to lower CO emissions.

4. In cases where an atmospheric combustion heating system is present in a mobile home, a new sealed combustion heating system may be installed.
5. When there is an atmospheric combustion appliance in a bedroom.
 - a. The appliance must be isolated from the bedroom air by drawing combustion air from another appropriate source;
 - b. If the appliance is replaced, a sealed combustion system must be installed; or
 - c. The appliance should be moved to a more appropriate location.
6. A heat shield must be installed when it is determined that a venting

system is too close to combustible materials or the venting system must be moved to ensure proper clearance.

7. All fuel lines must be tested for fuel leaks both outdoors and indoors, starting at the meter or LP tank.
8. Mobile home furnaces, on which a new limit switch has been installed, should have the new limit switch wired in series with the existing limit switch.
9. In cases where an unvented combustion appliance is used, the appliance should be removed or vented prior to weatherization completion. Remove all non-functioning humidifiers from forced air furnace systems with prior client approval.

All gas valves should have at least a single safety. If a gas valve has no safety, then the subgrantee should replace the gas valve with the most cost-effective replacement:

- a. A 100% safety millivolt gas valve.
 - b. A 100% safety 24-volt gas valve.
 - c. A remote bulb gas valve.
10. When there is a suspicion that the pilot safety system is not functioning properly, subgrantees should perform a simple test of the pilot safety device to ensure that it is functioning properly.
 11. It is recommended subgrantees use a non-contact voltage sensor to ensure that the main switch has properly turned off the electricity to a space-heating unit.
 12. All 110 volt wiring connections should be secured with wire nuts and electrical tape, and enclosed in an electrical junction box or other appropriate enclosure.
 13. The proper size and type of wire should be used. The wire should have the correct rating for voltage, amperage, and heat exposure.
 14. Draft hoods, draft diverters, and barometric dampers should be well secured to the appliance, level, and should not reduce or restrict the size of the vent.
 15. All gas ranges should be tested for carbon monoxide flexible gas connectors installed by subgrantees should be installed so that they do not pass through the appliance body.
 16. All direct vent (sealed combustion) water heating and space heating appliances with visual indicators of a potential carbon

monoxide problem, such as carbon build-up, must be tested for carbon monoxide.

Response to Combustion Appliance Problems

It is often best to contact the local gas company or oil dealer to correct these problems. Gas utilities always have their own emergency response protocols; these should be respected. The items listed below are not intended to interfere with gas utilities emergency protocols (often called tagging procedures). In each of the situations in this section, the appliance technician will evaluate the client's situation, in consultation with the Subgrantee Weatherization Coordinator or Director, for the purpose of determining if:

1. The client can safely remain in the home if an alternative source of heat (portable electric space heaters) or must be relocated for a short time.
2. If the technician believes the client cannot safely remain in the home, they will be advised to arrange to stay with family or friends until the unit can be occupied again.
3. If the client cannot arrange to stay in another location until the problem is solved, the subgrantee may use furnace repair and replacement funds to provide temporary shelter until other arrangements can be made.

Documentation supporting the needed repairs must be kept in the client file. Repairs done under the Weatherization Program must be included as part of the SIR calculation computed by the WXEOR computerized audit unless done to protect the client's health and/or safety. Clients without heat during the heating season shall be provided with temporary heating appliances to ensure thermal comfort, stabilize the situation, and prevent damage to the dwelling.

4. **ASHRAE 62.2.2013**

Please see attached Health and Safety Plan. The following worksheet will be utilized to address ASHRAE 62.2.2013

Building Airflow Standards Worksheet

Building Data should always be determined prior to calculating required Ventilation.

Living Space or area

Number occupants including pets, smokers count as two people

Stories above grade (upstairs)

Stories below grade (basement, if applicable)

N = natural airflow. Mississippi will use 21.5

BAS= Building Air flow Standard/Target

Cfm= cubic feet per minute
 Airflow= Volume x .35 ÷ 60
 MVR= Minimum Ventilation Rate
 Number of bedrooms

Calculating ventilation required for home: Input the data and complete the formula below. When completing the formula remember to complete the work inside the parenthesis first.

1. Volume= Length x Width x Height = _____ Cubic Ft
2. Airflow (b) = $\frac{\text{_____}}{\text{Volume}} \times .35 \div 60$
3. Calculating the ventilation required for a home per occupant

$$\text{Airflow (p)} = 15 \times \frac{\text{_____}}{\text{Occupants}} = \text{_____ CFM}$$

4. Using the highest of the two cfm airflow formulas convert to cfm 50

$$\text{Cfm50} = \frac{\text{_____}}{\text{Cfm}} \times \frac{21.5}{\text{N-factor}} = \frac{\text{_____}}{\text{Building Airflow Standard/Target}}$$

5. $\text{MVR} = (.7 \times \text{BAS}) = \frac{\text{_____}}{\text{(MVR)}}$

6. The BAS is considered our target. This is the maximum amount of airflow allowed to circulate throughout this dwelling. The MVR is the minimum amount of airflow allowed without mechanical ventilation. If the Cfm 50 reading falls below the (BAS) it is recommended that mechanical ventilation be added to the home. If the Cfm 50 reading falls below the MVR then it is a requirement to install mechanical ventilation into this home for the health and safety of the client. Please use the formula listed below.

$$(\text{Area} \times 0.03) + \left(\frac{\quad}{\text{\# of Bedrooms}} + 1 \times 7.5 \right) = \frac{\quad}{\text{CFM Ventilation Required}}$$

7. Alternative Compliance Supplement Calculation #1

All bathrooms require 50 Cfm. All kitchen range hoods require 100 Cfm. Be advised that if a window is present subtract 20 Cfm from the original required amount of Cfm. Be advised that the 20 Cfm credit is only given 1 time per room. These calculations should be completed on each bathroom individually.

$$\text{Bathroom} = 50 \text{ Cfm Required} - \frac{\quad}{\text{Cfm Existing}} - \frac{\quad}{\text{Operable Window}} = \frac{\quad}{\text{Cfm Deficit}}$$

$$\text{Kitchen} = 100 \text{ Cfm Required} - \frac{\quad}{\text{Cfm Existing}} - \frac{\quad}{\text{Operable Window}} = \frac{\quad}{\text{Cfm Deficit}}$$

8. Alternative Compliance Supplement Calculation #2

This is based on the on demand requirements. We will add capacity to the whole home continuous fan, so we can reduce the deficit. We will then divide the deficit by 4.

$$\frac{\quad}{\text{Kitchen Range Hood Cfm}} + \frac{\quad}{\text{Bathroom Fan Cfm}} = \frac{\quad}{\text{Total Deficit}}$$

$$\text{Cfm Deficit} \div 4 = \frac{\quad}{\text{Cfm}}$$

9. Calculate the infiltration credit = 1/2 (Icfm-Id)

$$I_{cfm} = 0.0508 \times W \times S \times Q50$$

$$I_d = 0.03 \times \text{area of home}$$

W = weather factor

S = number of stories

Q50 = Blower door reading

$$\frac{1}{2} \left(0.0508 \times \frac{\quad}{W} \times \frac{\quad}{S} \times \frac{\quad}{Q50} \right) - \left(0.03 \times \frac{\quad}{\text{square footage of the home}} \right) = \text{Cfm credit}$$

$$10. \text{Cfm fan} = \frac{\quad}{\text{Cfm}} + \frac{\quad}{\text{Cfm Deficit}} - \frac{\quad}{\text{Cfm Credit}} = \frac{\quad}{\text{Cfm fan}}$$

V.8 Program Management

The Division of Community Services, through Federal funds, administers programs under

assigned grants, which provide assistance to the economically or socially disadvantaged citizens of Mississippi; and to carry out the provisions of the Community Economic Opportunity Act of 1983, which are:

To provide technical assistance to local agencies and communities in developing and carrying out such programs;

To provide the Governor with information with respect to programs and policies of all anti-poverty resources;

To act as an advocate for the poor at the State and national level and to provide the Governor, Legislature and other public and private entities throughout the State with information on socio-economic conditions affecting low-income Mississippians;

To mobilize Federal, State and local resources to enable the Governor to effectively respond to the needs of Mississippians who are economically or socially disadvantaged;

To monitor, conduct, supervise and administer those matters pertaining to Community Services, Community Services Block Grant, Low-Income Home Energy Assistance and Low-Income Weatherization funded operations in Mississippi in coordination with pertinent State and Federal agencies as directed by the Governor, or appropriate Federal authorities, with the concurrence of the Governor.

V.8.1 Overview and Organization

Overview

A proposed production schedule reflecting the number of dwellings to be weatherized during the program year and estimated expenditures are outlined quarterly and arranged on the attached Quarterly Production Report, in accordance with 10 CFR 440.14 (b) and 440.14 (b)(9) (iv) and (v). Funds awarded by the Department of Energy (DOE) and all other sources used to implement the Weatherization Assistance Program (WAP) are identified.

In compliance with the statistical requirement of 10 CFR 440.12 and 440.14, dwellings to be weatherized that were not depicted on the attached referenced forms, are stated on the Quarterly Production Schedule herein Proposed attached. subgrantee allocations are delineated by the estimated number of eligible units by elderly, disabled, Native American, owners, and renters. The total units anticipated to be weatherized in the same categories are also depicted.

The estimated energy savings, labor sources, average cost per unit, and the maximum cost per unit are identified in the Production Schedule for each proposed subgrantee. The column on the far right reflects the number of units to be weatherized by each subgrantee from July 1, 2015 through June 30, 2016.

Organization

The Mississippi Department of Human Services, Division of Community Services has administered the Weatherization Assistance Program (WAP) since 1978. The agency began with a total of three State Office staff working with the program and 22 Subgrantees administering the program. The division also contained an in-house monitoring unit. In 1995, Congress cut the budget/funding for WAP by 47%, thereby requiring the State to downsize the number of Subgrantees administering the program, as well as reducing the office staff to one. The State downsized from 22 Subgrantees to nine (9) in 1995, and during the 1996 and 1997 program years the State increased the Subgrantees administering the program to ten (10) Subgrantees. In 1998 and 1999, the State entered into contracts with 11 subgrantees to administer the program. The State will utilize six (6) subgrantees for PY 2015.

The State began utilizing the Blower Door in 1993 to detect air infiltration and the Monoxor II in 1993. All Subgrantee staff has received training on the use of this equipment. In 1998, the staff received training on the new NEAT and MHEA Audit Software. In 2002, the State of Mississippi piloted the DOE Hot Climate Initiative Training, which focuses on whole-house weatherization. Based on the training, a Priority List for Single Family Homes was developed for the state. Subgrantees received training on Air Sealing, Dense Pack Wall Insulation, and Diagnostic Equipment/Combustion Analysis. Subgrantees will continue to utilize the National Energy Audit (*NEAT*), when replacing heating and cooling systems and Manufactured Home Energy Audit (*MHEA*), when performing weatherization measures on mobile homes.

Full utilization of this technology is mandatory for participation in the Mississippi Weatherization Assistance Program. The weatherization personnel from each subgrantee agency have been evaluated, and only those agencies whose weatherization personnel has participated in the Division of Community Services (DCS) Weatherization Training and Technical Assistance Workshop will implement the 2015 Weatherization Assistance Program.

Client eligibility is determined by the current income poverty guidelines that are in effect which is equal to or less than **200%**(two hundred percent) of the federal poverty guideline. The subgrantees are allowed to use LIHEAP funds for any energy-related purpose, such as vented space heaters.

V.8.2 Administrative Expenditure Limits

The impact of the 10 percent statutory and regulatory limit on administrative costs has continues to be a difficult issue for the Subgrantees in the management of their Weatherization program. As 10 CFR 440.18(d) explains, not more than 5% will be used for administrative purposes and no less than 5% will be allocated to the Subgrantees.

The grantee will ensure that funds are allocated to areas based on relative need for the project. Funds will be allocated to subgrantees based on the level of poverty as determined by the most recent census statistics in accordance with 440.15(b). Financial assistance will be used to supplement and not supplant state or local funds in accordance with 440.16 (c). The Subgrantees will be required to secure services of volunteers to the

maximum extent possible in accordance with 440.16 (d). Volunteers and in-kind labor may also be utilized in some cases. Qualified supervisors on the subgrantee weatherization staff will oversee and direct such endeavors. Coordination with other programs to the maximum extent possible is in accordance with 440.16 (e). DCS is a participant in a comprehensive planning group designed to provide the greatest benefit to the client while mutually accommodating the involved parties via referrals and leveraged activities. The potential agencies include the Mississippi Department of Economic and Community Development, Energy Division, the Mississippi Cooperative Extension Service, various local development and/or rehabilitation projects, the business community, and volunteer organizations.

V.8.3 Monitoring Activities

The State of Mississippi continues to utilize an established monitoring plan to ensure quality workmanship, financial and programmatic accountability, and adherence to federal/state regulations (WPN 12-5) as well as contractual agreements.

The programmatic monitoring system has been designed to provide a systematic method of identifying program strengths and weaknesses, a basis for assisting agencies by improving program operations and for continuing the flow of information between the subgrantee level and DCS which is necessary for problem identification and resolution.

The State will conduct on-site monitoring visits of each subgrantee agency at least once annually. Those agencies having weaknesses in any area will be monitored and technical assistance provided as necessary to ensure program and fiscal compliance.

The Quality Control section of the current plan contains the training requirements for new employees. Productivity between subgrantees is compared monthly. Subgrantees project the number of units to be completed on a monthly basis in their response to the State's Notice of Funding Availability (NOFA). A monthly progress report on actual homes completed versus projected completions is required on a monthly basis. State office personnel review these reports and compare the data to a Plan versus Performance Analysis Form. This information is beneficial in determining training needs of subgrantees and targeting resources effectively, as well as providing an agency by agency comparison.

The Grantee must conduct comprehensive monitoring of each subgrantee at least once a year. The Grantee's Plan must include a monitoring plan to provide adequate oversight of DOE funds by subgrantees. The comprehensive monitoring must include review of client files and subgrantees' records, as well as inspection of at least 5 percent of each subgrantee's DOE-funded completed units.

Procedures

Monitoring visits will normally be scheduled and confirmed at least one week prior to the visit. However, the State does reserve the right to conduct unscheduled monitoring

visits. Programmatic and Fiscal Monitoring functions are performed by Program Integrity (PI), a division within the MDHS.

An entrance conference will be conducted with the subgrantees Executive Director or a designee to explain the purpose of the visit. Program operations of subgrantees are reviewed randomly by the Office of Monitoring. These internal audits are conducted in accordance with the General Accounting Office's "Standards for Audits of Governmental Organizations, Programs, Activities, and Functions" and generally accepted auditing standards established by the American Institute of Certified Public Accountants. Additionally, this office seeks to target those entities with large allocations and agencies with demonstrated problems.

A written report of the visit is prepared by PI for the Director of DCS to review before a copy is sent to the agency. All noted findings are communicated to the subgrantee in writing in a timely manner. Deficiencies in program operations which are not properly corrected according to instructions may result in suspension of funds or termination.

DCS will maintain full documentation of the monitoring visit in the DCS subgrantee file, in addition to the PI file. In addition, DCS will conduct a desk review.

Although each subgrantee is required to contract with an independent audit firm for audits, the selection process is reviewed and approved by MDHS/DCS per the Audit Request for Proposal. All audit reports are reviewed and reconciled by the DCS fiscal unit.

Findings

1. Any of the following criteria generally constitutes a Finding:
 - a) Violation of eligibility guidelines.
 - b) A health or safety condition that affects clients, subgrantee staff and subgrantee subcontractors, or the integrity of the building structures that was created by, exacerbated by, or not corrected by the delivery of Weatherization services.
 - c) The omission of a required Priority List measure or technique with major energy savings potential.
 - d) Poor quality of work that significantly affects the performance of measures or repairs.
 - e) Expenditure of Weatherization Assistance Program funds on measures that are not approved under the Weatherization Assistance Program or required for health or safety reasons.
 - f) Major expenditure of funds on measures that are not recommended on the Priority Lists or do not yield a NEAT or MHEA generated savings-to-investment ratio of one or greater.

2. An Onsite Assessments Report that contains a Finding:

- a) Requires an immediate response from the subgrantee.
- b) Requires corrective action be taken.
- c) May result in disallowed costs.
- d) May result in an increased assessment/monitoring rate.
- e) May result in the requirement of additional training for the subgrantee personnel.
- f) May result in the recommendation for High Risk Status for the subgrantee.
- g) Continued Findings of this type may result in termination of DCS Weatherization Assistance Program Award to the subgrantee.

Trends For Concern

1. The following criterion generally constitutes a Trend for Concern:
 - a) Any other areas of noncompliance with the Mississippi Weatherization Installation Standards, Mississippi Weatherization State Plan, or any other guidance issued by the Division of Community Services not considered a Finding.
2. An Onsite Assessments Report that contains a Trend for Concern:
 - a) Requires immediate action to eliminate any future occurrences.
 - b) May require corrective action to be taken if similar future situations relating to major energy savings measures, documentation requirements, or health and safety measures are found to be repeated.
 - c) May be reclassified as a Finding if repeated, that is, if similar situations are found on consecutive assessment visits.
 - d) May result in the requirement of additional training for the subgrantee personnel.

V.8.4 Training & Technical Assistance

Training and Technical Assistance – Approach (WPN12-1, 3.1)

On-site visits provide an excellent opportunity to assess the technical needs of subgrantees through the notation of program deficiencies.

- DCS will utilize the on-site assessment tool to analysis deficiencies of the work performed on dwelling.
- DCS will utilize the results of the analysis to rate areas of deficiencies and effectiveness of subgrantee.
- Based on the ratings of deficiencies, DCS will develop a score card to determine training opportunities.

Beginning in Program Year 2015, the state Training Plan will require comprehensive training for all WAP workers that is aligned with National

Renewable Energy Lab (NREL) Job Task Analysis (JTA) for the position which the worker is employed.

The Training Plan will address two distinct categories, Tier 1 and Tier 2 Training.

Project 1.1: Tier 1 Training: Comprehensive, occupation-specific training which follows a curriculum aligned with the JTA for that occupation. The Tier 1 Training will be administered by a training program that is accredited by IREC for the JTA being taught.

Project 1.1: DCS will work with an accredited Weatherization Training Center (WTC) to provide Tier 1 training to all workers in the Weatherization Assistance Program. Each worker will be afforded the opportunity to acquire knowledge and skills in the areas of Quality Control Inspector and Energy Auditor training both classroom and field training.

Project 1.1.2: Ensure that each worker in the WAP attends training at an accredited WTC. DCS will provide to subgrantees a list of training required for certifications. Subgrantees are required to provide DCS with documentations of all certifications obtain by WAP Staff.

Project 2.1: Tier 2 Training: Single issue, short-term, training to address acute deficiencies in the field including dense packing, crawlspace, ASHRAE 62.2-2013, concerns found during on-site reviews by DCS T&TA Staff, Program Integrity Staff, DOE Project Officer, Desk reviews, and Conference trainings are included in this category.

Subgrantees are required to attend all national, regional and/or state workshops. At these workshops and through program directives, subgrantees will be reminded of the contractor's liability insurance and "recovered materials" requirements.

Technical assistance is provided continuously throughout the year. Training will be addressed based on the results of T&TA field visits, DOE POC monitoring visits, monitoring findings, and state internal audits. Each subgrantee has access to a direct toll-free telephone line to the Division of Community Services for immediate technical assistance from any location in the State. On-site visits allow technical assistance to be given in the field.

**WEATHERIZATION ACTIVITIES
SCHEDULED FOR 2015-2016**

Date	Event	Location
1st Quarter 2015	Quality Control Inspector and Energy Auditor training both classroom and field training.	WTC
2nd Quarter 2015	T&TA visits- CAZ , Blower	TBA

	Door	
3rd Quarter 2016	Site Built Peer to Peer	TBA
4th Quarter 2016	Mobile Home Peer to Peer	TBA

V.9 Energy Crisis & Disaster Plan

State of Mississippi Weatherization Assistance Program Disaster Relief Plan

For weatherization purposes, a disaster is determined by a Presidential or Gubernatorial order declaring either a Federal or State Emergency. The crisis will generally involve three phases: the crisis itself, the clean-up, and rebuilding of the area.

Purpose: To develop a prudent disaster response plan that addresses the needs of affected low-income clients and takes into consideration the limited funding available and the effects to the weatherization program activities. The State of Mississippi will work in conjunction with its Disaster Relief Team to aid with identifying and securing any resources that may be available to assist in the relief. Project Management Center (PMC) Project Officer will be notified as soon as possible regarding a disaster.

Eligible Activities:

Reweathering – The rule allows any home damaged by a disaster to be reweatherized, without regard to date of weatherization, if the damage to materials is not covered by insurance.

Health & Safety – The rule allows a State to develop a health and safety plan to address the needs of low-income occupants of eligible homes.

Technical Assistance – The rule permits the States to use technical assistance units in flexible ways to achieve energy efficiency goals of the program.

Leveraging – The rule permits States to use a small percentage of DOE grant funds to provide leveraging opportunities at the state and local levels with prior approval.

Eligible Population: Any person or household, (*residence of Mississippi*), meeting income eligibility based on 200% of the federal poverty guidelines. Priority will be given to clients currently on the WX Priority Lists, elderly, handicapped, and families with children.

Allowable expenditures under WAP include:

- 1) The cost of incidental repairs to a negligible dwelling unit if such repairs are necessary to make the installation of weatherization materials effective per 10CFR 440.18(d)(9) and,

- 2) The cost of eliminating health and safety hazards, elimination of which is necessary before the installation of weatherization materials (10 CFR 440.18(d)(9); 10 CFR 40.18(d) (15). To the extent that the services are in support of eligible weatherization (or permissible re-weatherization) work, such expenditure would be allowable. For example, debris removal at a dwelling unit so that the unit can be weatherized would be an allowable cost. Debris removal from a dwelling unit that is not to be weatherized would not be an allowable cost. The \$6,904 per dwelling unit limit continues to apply.

The State of Mississippi elects to limit incidental repairs (10 CFR 440.14(c) (6) (viii) to \$500. If total anticipated repair cost exceeds \$500 in materials expenditures, DCS must first authorize the additional expenditures before the costs are incurred. All requests must be in writing, documenting why the exception is being requested and how the repairs will benefit the effective performance or preservation of Weatherization materials.

The use of WAP funds to pay personnel to perform functions related to protecting the DOE investment. Such activities include: securing weatherization materials, tools, equipment, weatherization vehicles, or protection of local agency weatherization files, records and the like during the initial phase of the disaster response. *Using WAP funds to pay for weatherization personnel to perform relief work in the community as a result of a disaster is not allowable.*

Local agencies may use weatherization vehicles and/or equipment to help assist in disaster relief provided the WAP is reimbursed according to the DOE Financial Assistance Regulations 10 CFR Part 600.

Health & Safety – Subgrantees will utilize the health and safety plan to address the needs of low-income occupants of eligible homes. (See Attachment)

Technical Assistance – The rule permits the States to use technical assistance units in flexible ways to achieve energy efficiency goals of the program.

Leveraging – The rule permits States to use a small percentage of DOE grant funds to provide leveraging opportunities at the state and local levels with prior approval.

Eligible Population: Any person or household, (*residence of Mississippi*), meeting income eligibility based on 200% of the federal poverty guidelines. Priority will be given to elderly, persons with disabilities, families with children, high residential energy users, and households with high energy burdens (10CFR 440.16(b)) However, it would be permissible to consider in households located in the disaster area, as a priority as long as the households are eligible and meet one of the priorities established in regulation and are free and clear of any insurance claim or other form of compensation resulting from damage incurred from the disaster.

Scope of Work:

1. Authorization for subgrantees to re-prioritize service requests coming from disaster areas so that eligible residents from these areas receive weatherization and re-weatherization services as quickly as possible as long as the households are determined eligible for WAP services; meet one of the priorities described in 10 CFR 440.16(b); and are free and clear of any insurance claim or other form of compensation resulting from the damage incurred from the disaster.
2. Authorization for DCS to submit an amendment to its Weatherization State Plan that reflects changes, including potential reductions in production, and the use of unspent carryover funds if necessary, to provide emergency services to the affected areas.

Additional Criteria:

I. First Priority

- a. Health & Safety
- b. Measures within scope of program

II. Second Priority

- a. Specific list of measures that is most beneficial for the type of disaster to include, but not limited to:
 1. Minor roof repair – *per WX guidelines*
 2. Repair or Replacement of Sheet Rock
 3. Replace hot water heaters
 4. Replace Insulation (Walls, Attic, Crawl Space)
 5. Replace/Repair Windows and Doors
 6. Replace/Repair HVAC system and space heaters
 7. Replace electrical/damaged outlets – (H&S) Work will be done on outlets that impacts the weatherization measures.
 8. Minor envelope repairs
 9. All remaining measures –
 - a. Installed in order of priority in accordance with State Policies and Procedures.

- b. Subgrantees will utilize the Priority Measures when determining work to be done.

VI. FEDERAL FINANCIAL REGULATIONS

VI.1 DOE Financial Assistance Rules

All subgrantees must develop and maintain fiscal and accounting procedures, which conform to both Federal and State policy for grants administration.

The State will provide training on fiscal control procedures as necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this subtitle, including monitoring assistance under this subtitle. Every year the State shall prepare an audit of its expenditure of amounts received under this subtitle and amounts transferred to carry out the purposes of this subtitle.

In accordance with the assurance above, the State of Mississippi has established fiscal controls and fund accounting procedures to assure the proper disbursement of all federal funds received by the State. Additionally, the State has established procedures for monitoring the utilization of such funds by project operators. An audit of the Weatherization Assistance Program will be conducted as prescribed by the DCS and appropriate State and/or Federal regulatory authority.

A description of the controls and procedures to be implemented is as follows:

1. DCS will follow the established fiscal policies and procedures mandated by state law. Financial areas addressed in these procedures consist of fiscal management controls, the accounting system, fund controls, personnel and payroll management, property management, procurement, and the disbursement of funds.
2. The financial standards set forth by the State establish an adequate accounting system with appropriate internal controls which will safeguard assets, check the accuracy and reliability of accounting data, promote operating efficiency and encourage compliance with prescribed management policies.

Subgrantee Default, Suspension, Transfer/Termination

DCS may, by giving reasonable written notice specifying the effective date, terminate this grant in whole or in part for cause, which shall include:

Failure, for any reason, of the subgrantee to fulfill in a timely and proper manner its obligation under this grant including compliance with the approved work program and attached conditions, and such statutes, executive orders, and DOE and/or DCS directives as may become generally applicable at any time;

Late submission by the subgrantee to the DCS of DOE reports that are incorrect or incomplete;

Ineffective or improper use of funds provided under this grant; and

A. **Termination or Suspension.** If the Subgrantee materially fails to comply with any of the covenants, terms or stipulations of this Agreement, whether stated in a federal statute or regulation, an assurance, in the State plan or application, a notice of award, or elsewhere, DCS may, upon giving written notice to Subgrantee, take one or more of the following actions, as appropriate in the circumstances:

- (1) Temporarily withhold cash payments pending correction of the deficiency by Subgrantee or a more severe enforcement action by DCS;
- (2) Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;
- (3) Wholly or partly suspend or terminate the current award for the Subgrantee's program;
- (4) Withhold further awards for the subgrantee's program; or
- (5) Take other remedies that may be legally available.

B. **Notice of Termination for Cause.** If, through any cause, Subgrantee shall fail to fulfill in a timely and proper manner, as determined by MDHS, its obligations under this Subgrant, or if Subgrantee shall violate any of the covenants, agreements, or stipulations of this Subgrant, MDHS shall thereupon have the right to terminate the Subgrant by giving written notice to Subgrantee of such termination and specifying the effective date thereof at least five (5) days before the effective date of such termination. In the event of such termination, Subgrantee shall be entitled to receive just and equitable compensation for satisfactory work completed on services or documents or materials collected and/or prepared by Subgrantee in connection with this Subgrant. Such compensation shall be based upon the fees set forth in Section III, but, in no case, shall said compensation exceed the total Subgrant price.

Notwithstanding the above, Subgrantee shall not be relieved of liability to MDHS for damages sustained by MDHS by virtue of any breach of this Subgrant by Subgrantee, and MDHS may withhold any payments to Subgrantee for the purpose of set off until such time as the exact damages due to MDHS from Subgrantee are determined.

C. **Termination for Convenience.** MDHS may terminate this Subgrant at any time by giving written notice to Subgrantee of such termination and specifying the effective date thereof at least five (5) days before the effective date of such termination. Subgrantee shall be paid an amount

which bears the same ratio to the total compensation as the services actually and satisfactorily performed bear to the total services of Subgrantee covered by the Subgrant, less payments of compensation previously made.

- D. Partial Termination. In the event of a partial termination, the Subgrantee shall incur no obligations other than those specifically identified in the agreement or contract governing the partial termination.

- E. Rights and Remedies upon Termination. In the event of termination as provided in this Section, Subgrantee shall be entitled to receive just and equitable compensation for services or performances actually and satisfactorily performed, prior to the effective date of termination, under this Agreement. Such compensation shall be based upon the payment provisions described in Section III hereof, but, in no case, shall said compensation exceed the total amount of this subgrant. Subgrantee shall be liable to DCS for damages sustained by DCS by virtue of any breach of this Agreement by Subgrantee, and DCS may withhold any payments to Subgrantee for the purpose of set off until such times as the exact amount of damages due to DCS from Subgrantee are determined. The rights and remedies of DCS provided in this Section shall not be exclusive and are in addition to any other rights and remedies provided by law or in equity.

VI.2 OMB Cost Principles (SEE ATTACHMENT)

VI.3 Financial Audits (SEE ATTACHMENT)

VI.4 Reporting Requirements

Maximum Average Per-Dwelling

The new adjusted average expenditure limit per dwelling for program year 2015 is \$7,105.00. This adjusted annual average is determined by DOE using the annual Consumer Price Index (CPI) or 3 percent, whichever is less to increase the annual average. The CPI for the previous 12-month period (September 2013-September 2014) was 1.2%. Therefore, a 1.2% increase was applied to the PY 2015 thus bringing PY 2015 to **\$ 7,105**.

Subgrantees must submit by email or fax to the Division of Community Services all Monthly Progress Reports on or before the 1st work day of each month following the reporting month and forward the original Monthly Progress Reports to DCS. The WX Report Due Dates are listed below.

July 2015	-Due-	August 5, 2015
August 2015	-Due-	September 5, 2015

September 2015	-Due-	October 6, 2015
October 2015	-Due-	November 5, 2015
November 2015	-Due-	December 5, 2015
December 2015	-Due-	January 5, 2016
January 2016	-Due-	February 5, 2016
February 2016	-Due-	March 5, 2016
March 2016	-Due-	April 6, 2016
April 2016	-Due-	May 5, 2016
May 2016	-Due-	June 5, 2016
June 2016	-Due-	July 6, 2016