UTAH WEATHERIZATION ASSISTANCE PROGRAM GUIDELINES

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QUESTAR GAS

ROCKY MOUNTAIN POWER

STATE OF UTAH

LOCAL UTAH WEATHERIZATION AGENCIES

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Table of Contents

Section A

A1. Use of Funds

1. Application of Guidelines
2. U.S. Dept. of Energy (DOE)
3. LIHEAP
4. LIHEAP Energy Crisis
5. State of Utah
6. Questar Gas
7. Questar Rebates
8. Rocky Mountain Power/PacifiCorp
9. Supplanting of Funds

A2. Contracts & Budget Categories

1. Administration Costs
2. Program Costs
3. Training &Technical Assistance Costs
4. Interest Income
5. Liability Insurance
6. CPA Audits
7. (reserved)
8. Health and Safety
9. Contracts & Amendments
10. Advances on DOE Contracts
11. Applicable Federal Cost Principles
12. Allowable Expenses

A3. Program Allocations

1. Department of Energy
2. LIHEAP
3. State of Utah
4. Questar
5. Rocky Mountain Power
6. Allocation of Funds
7. Allocation Formula
8. Reallocation of Funds

A4. Reporting

A5. Definition of a Weatherized Unit

Section B

B1. Agency Selection

1. Agency Selection Criteria
2. Weatherization Operations Plan
3. Agency Contractor License

B2. Local Weatherization Agency Service Areas

B3. Local Agency Responsibilities

B4. Weatherization Labor

B5. Coordination of Funds

B6. Drug- Free Work Place Certification

B7. Local Agency Procurement Procedures:

1. General
2. Property Accountability
3. Duplicate Purchases
4. Procurement Record
5. Contractor Disbarment
6. Purchase of Equipment $5000 and greater or Vehicles
7. Inter-Agency Purchase/Transfer
8. Management & Disposal of Equipment, Materials, or Vehicles
9. Leasing Vehicles
10. Non-Weatherization Use of Weatherization Equipment and Vehicles
11. Weatherization Materials Procurement
12. Recoverable Materials Requirement

B8. Authorized Weatherization Measures:

1. Authorized Weatherization Measures
    a. General
    b. HVAC Systems
    c. Programmable Setback Thermostats
    d. Insulation
    e. Water Heater Insulation
    f. Pipe Insulation
    g. Storm Windows
    h. Replacement Windows
    i. Re-glazing & Thermo-pane Units
    j. Refrigerators
    k. Infiltration Reduction
    l. Exhaust Fans
    m. Window Films
    n. Wood/Pellet Burning Stoves
    o. Replacement Boilers
    p. Heat Pumps
    q. Heat Exchangers
    r. Trailer Skirting
    s. Water Flow Controllers

t. Vapor Barrier/Retarder
u. Attic Ventilation
v. Replacement Doors
w. Waster Heat Recovery Devices
x. Replacement Air Conditioners
y. Water Heaters
z. ECM Motors
aa. HVAC Clean & Tune

2. Operation and Maintenance Items
3. Knob & Tube Wiring
4. Performance Standards

B9. Energy Audit:

1. Certified Energy Auditor
2. Weatherization Assistance (NEAT/MHEA Audits)
3. Energy Audit Prioritizations
4. Energy Auditing Procedures

B10. Training:

1. Utilization of Funds
2. Client Education
3. T & TA

Section C

C1. Weatherization Program Eligibility (DOE)

1. LIHEAP Qualification Chart
2. Client Application

3. Determination of Income
4. Proof of Income Eligibility
5. Income Annualization
6. Residency Status
7. Proof of Property Ownership
    - Notes
8. Eligible Dwelling
9. Ineligible Dwelling
10. Weatherization Priority Rating System
11. Denial of Service

C2. LIHEAP Weatherization Program Eligibility

C3. Crisis Service Call Program

1. Crisis Policy
2. Crisis Service Call Application
3. Verification of HEAT Eligibility
4. Proof of Property Ownership
5. Income Property
6. No Heat Crisis
7. Cooling Crisis
8. Reporting & Requesting of Funds
9. Client File

C4. Client File Requirements

1. General
2. Application Documents
3. Energy Audit Documents
4. Weatherization Documents
5. Job Completion Documents

6. Forms
7. Record Retention

C5. Income Property

1. General
2. Shelters
3. Owner Participation
4. Crisis or No Heat
5. Multi-Family Complex Qualification Requirements
6. Master metered units
7. Refrigerator Replacement in rentals
8. Water Heater Replacement in rentals

Section D

D1. Housing and Community Development

1. Program Guidelines

D2. Program Monitoring

1. Annual Program Monitoring
2. Periodic Monitoring
3. Financial Monitoring
4. Desktop Monitoring
5. Monitoring Process
6. Agency Participation

D3. Reporting

D4. Non-Compliance

1. Disallowance of Cost
2. Disallowance of Job
3. Letter of Non-Compliance
4. Agency Termination

D5. **Policy Advisory Council**

D6. **Hearing and Transcripts**

Section E

E1. General Policy

1. General
2. Use of Funds

E2. Health & Safety Inspections

1. Client Participation
2. Required Inspections
3. Lead Testing
4. Mold Testing
5. Combustion Appliance Testing

E3. Health & Safety Measures

1. General
2. Lead: Renovation, Repair, & Painting Program (RRP)
3. Lead Safe Weatherization (LSW)
4. Building Ventilation
5. Combustion Appliance Safety

6. Carbon Monoxide & Smoke Detectors

7. Asbestos

E4. Health & Safety Alternatives

1. Deferred Service

2. Deferred Service Appeals

3. Referral of Service

4. Incidental Repair

E5. Worker Safety

1. General

2. OSHA Certification Requirements

3. Agency Safety Training Program

4. Personnel Protective Equipment

SECTION A

FUNDING, CONTRACTING, ALLOCATIONS and REPORTING

A1. Use of Funds

1. Application of Guidelines
2. U.S. Dept. of Energy (DOE)
3. LIHEAP
4. LIHEAP Energy Crisis
5. State of Utah
6. Questar Gas
7. Questar Rebates
8. Rocky Mountain Power/PacifiCorp
9. Supplanting of Funds

A2. Contracts & Budget Categories

1. Administration Costs

2. Program Costs
3. Training &Technical Assistance Costs
4. Interest Income
5. Liability Insurance
6. CPA Audits
7. (reserved)
8. Health and Safety
9. Contracts & Amendments
10. Advances on DOE Contracts
11. Applicable Federal Cost Principles
12. Allowable Expenses

A3. Program Allocations

1. Department of Energy
2. LIHEAP
3. State of Utah
4. Questar
5. Rocky Mountain Power
6. Allocation of Funds
7. Allocation Formula
8. Reallocation of Funds

A4. Reporting

A5. Definition of a Weatherized Unit

A1. Use of Funds

1. Application of Guidelines

a. This document is to serve as the administrative provisions of the State Plan for the State of Utah Weatherization Assistance Program as required under the provisions of 10 CFR 440. At no point in this plan may it supersede any federal regulation.

b. When applying the provisions of this document a specific clause shall be enforced over a general clause. When a conflict between a specific and general clause occurs the more restrictive shall be applied.

c. When this document is silent on a matter or other needs arise the State of Utah WAP staff shall have the sole authority to render interpretation.

2. U.S. Department of Energy (DOE)

a. The use of Department of Energy funds shall be in accordance with U.S. Department of Energy regulations and directives. The amount of any grant funds to be expended by local agencies shall not exceed the per unit average cost as determined by DOE. This average is for Program Operations (materials, labor & Program Operations). Agencies exceeding the per unit average may have the excess costs disallowed.

   i. The current Per Unit Average is $6987.

b. DOE contracts will be effective on July 1 and will terminate on June 30 of the following year.

c. Use of these funds must either show a Savings to Investment Ratio (SIR) of 1 or greater or be under an approved Health & Safety measure.

3. LIHEAP Weatherization (LIHEAP)

a. The use of LIHEAP funds shall be in general accordance with the U.S. Department of Energy Weatherization regulations. The Per Unit Average per home is specifically waived.

b. Housing and Community Development can retain no more than 5% of LIHEAP funds for administrative costs. The Housing and Community Development may retain, where necessary, not more than 10% of LIHEAP funds for non-formula distribution to local Weatherization agencies unless specified in the Memorandum of Agreement with the Utah HEAT program.

c. Housing and Community Development may designate an amount of the LIHEAP allocation for Training & Technical Assistance costs.

i. The amount cannot exceed the percent of the regular DOE T&TA percentage; which is a percentage of the DOE total allocation.

ii. The current DOE Program Year will be used to determine the percentage when the initial LIHEAP allocation is received. Any amendment to the initial LIHEAP allocation will follow that same percentage regardless of the year the amendment is issued.

iii. Housing and Community Development can retain no more than 50% of LIHEAP T&TA funds and not less than 50% of LIHEAP T&TA funds shall be allocated.

d. LIHEAP Weatherization funds may be used for:

i. General weatherization activities covered in Section B8 under DOE rules unless specified otherwise.

ii. Furnace crisis repairs *

iii. Appliance replacement; regardless of whether or not the house has received prior Weatherization.

iv. Fuel Conversions *

v. Knob & Tube mitigation

vi. Side by Side refrigerator replacement with an audited SIR of 1 or greater.

*** Note**: Items ii. iv. Shall be funded from LIHEAP Crisis if those funds are available prior to the use of LIHEAP Weatherization funds

e. **Rental Units:**

i. Multi-Family buildings require all units to be income qualified. This is different than regular DOE Rules for multi-family.

ii. In cases where the building is qualified under DOE rules only those units that are LIHEAP qualified can have funds expended on approved measures.

iii. Buildings on the HUD Approved list still must have each client LIHEAP qualified to use LIHEAP funds.

4. LIHEAP Energy Crisis

a. LIHEAP Energy Crisis funds are not regular LIHEAP Weatherization funds and thus follows a separate set of rules and regulations.

b. LIHEAP eligible clients can receive LIHEAP Energy Crisis assistance as the need is documented.

c. Local agencies must maintain LIHEAP Energy Crisis files for LIHEAP Energy Crisis clients who do not have a current Weatherization application.

i. This file must contain all necessary information required by this program. See Section C for Client File requirements.

ii. The local agency may maintain the Crisis Information in the Weatherization Client file when it so chooses.

d. For LIHEAP Energy Crisis only projects, a Crisis BWR needs to be submitted using WebGrants. When no materials are used Agency must enter $ .01. A brief explanation of what was done shall always be entered as well.

e. LIHEAP Energy Crisis funds shall be used only for the repair/replacement of heating/cooling systems.

i. During the winter this means a household is currently in or is being threatened with a safety or no-heat situation.

ii. Other combustion appliances may be considered on a case by case basis with approval of the State WAP Staff.

f. Because of the potential problems presented with these crisis situations the provisions of Section C1 10. Weatherization Priority Rating System can be applied. The local agency may move the crisis client up the list and immediately weatherize the unit after auditing.

g. LIHEAP Energy Crisis funds may be used on the Navajo Reservation for roof replacement. When necessary the evaporative cooler maybe removed from the roof and replaced with a thru window unit as an incidental repair.

h. In some cases damaged or missing building components such as doors, windows, major holes in the building shell or homes with knob-and-tube wiring in the attic may constitute an energy crisis and can be addressed with Energy Crisis funds.

Again, LIHEAP Energy Crisis funds are not Weatherization funds and cannot be used for standard Weatherization measures except as documented in special or unusual situations or as allowed in B8.

5. State of Utah

No State of Utah funds for the general Weatherization of homes were allocated for the 2014-2015 program year. $14,900 in state funds has been allocated to the Division of Housing & Community Development for the administration of Questar Gas and Rocky Mountain Power contributions.

6. Questar Gas

a. 100% of all Questar Gas funds are passed through to local Weatherization agencies Use of Questar Gas funding is restricted to clients with a Questar account who qualify for the Weatherization program.

b. The use of Questar funds shall be restricted to natural gas appliance measures below:

i. Furnace testing & tune-up

ii. Furnace repair

iii. Furnace replacement.

iv. Natural gas fired water heater replacement as directed in B8. 1. y.

v. Other combustion appliances may be considered on a case by case basis with approval of the State WAP Staff.

vi. A minimum of one half of all Questar Gas funds are to be used for the replacement of existing standard efficiency natural gas furnaces to current WAP standards of 90%+ efficient.

c. Questar Gas funds may not be used to establish new gas service to a client.

7. Questar Rebates

a. Rebates are recaptured costs and shall be treated as such.

b. To be eligible for Questar Rebates sub-grantees must become Qualified Contractor under the current Questar Thermwise Program as they advertise.

c. Eligible rebates shall be submitted to the designated representative of Questar Gas. The current point of contact is:

i. Brian Camp, Thermwise Marketing Representative, 801-324-5118 brian.camp@questar.com

ii. Requests for Questar Rebates will be submitted on Attachment 5 Questar Rebate Form.

iii. When submitting for these rebates the agency should implement measures to track their submissions and receipts because they will be a monitored item.

d. Questar rebates are to be deposited back in to the sub-grantee's program. These funds need to be accounted back to the program funding source that generated the rebate. (i.e. DOE or LIHEAP) in a manner that clearly shows full accountability of funds.

e. Agencies may retain up to 10% of the rebate funds for Administration purposes.

f. Materials and measures purchased with Questar funds, such as those described in *Section A1 6 b.*, are not eligible for rebates under this program.

8. Rocky Mountain Power (RMP)

a. RMP is a reimbursement contract. Other program funds will need to be expended prior to submission for reimbursement. The rules for those funds must be met for expenditure.

b. Any eligible Weatherization client that has a RMP Account may have qualifying measures considered for reimbursement.

c. Rocky Mountain Power funds will be used in accordance with their contract issued to the Housing and Community Development for all electric whole house Weatherization and electric base load reduction measures.

d. 100% of all Rocky Mountain Power funds are passed through to local Weatherization agencies.

e. RMP reimbursements are to be deposited back in to the sub-grantee's program. These funds need to be accounted back to the program funding source that generated the rebate. (i.e. DOE or LIHEAP) in a manner that clearly shows full accountability of funds.

f. Rocky Mountain Power contracts are reimbursement only contracts and require a 50% match from other funding sources such as DOE or LIHEAP.

g. CFL's which will be paid for 100% by Rocky Mountain Power.

9. Supplanting of Funds

a. Financial assistance for the Weatherization grants program will be used to supplement, and **not** supplant, state, local, or other funds. Thus, procedures are necessary to ensure that federal assistance is used by the Division of Housing and its sub-grantees to develop and implement programs that could not otherwise be undertaken.

b. Federal assistance is not to be used to subsidize programs that the Division of Housing and its sub-grantees are already able to finance with monies from local and state sources.

A2. Contracts & Budget Categories

a. The Weatherization program should be operated at the sub-grantee level in the most cost-effective manner, ensuring that funds directly impact on the low-income and are not used for excessive administrative overhead. The Division of Housing, with guidance from the DOE, shall determine whether an agency's costs are reasonable. The following guidelines from the U.S. Department of Energy should be referenced in preparing contract budgets.

b. HCD has elected to utilize separate budget categories for Financial Audits and Liability Insurance. DOE allows grantees to make this election so that costs for Financial Audits and

Liability insurance are not accounted for under the budget category Program Operations, and subsequently are not included when calculating the per-unit average. If DOE or LIHEAP funding is used to pay for Financial Audits or Liability insurance, these expenses should be accounted for in their respective budget categories.

1. **Administrative Costs**

a. Administrative funding is determined by the amount of grant funds received by the sub-grantee.

i. Not more than 5% of the allocated funds may be used for Administrative Costs.

ii. Sub-grantees receiving less than $350,000 in DOE funds may be allowed to use up to 10% of their grant funds for administrative purposes.

b. Deleted and reserved.

c. Additional amounts may be allowable providing the grantee uses less than their five percent share of the administrative allowance.

d. While the Weatherization Assistance for Low-Income Persons Program Regulations, 10 CFR Part 440, do not clearly define what is to be included in the administrative cost category, it could be understood that certain expenditures incurred in carrying out the duties of this program, by exclusion from other categories, would properly be charged as administrative costs. Examples include:

- Telephone (For field crew cellular phones, see 2b Program Operations Costs)
- Postage
- Lease of copying machines
- Office supplies
- Monthly utilities
- Building space rented or leased (to be treated as a percentage of total building overhead based on the percentage of space used for the Weatherization Assistance Program). This does not include storage space for materials or field staff.
- Space costs, excluding field staff space, must be reasonable and may be required to be competitive with other similar and commercially available properties depending on property ownership
- Management/administrative consultants
- Legal advertisements
- Legal costs excluding those incurred in taking legal action against grantee
- Travel expenses for administrative and clerical staff salaries (based on the percentage of time devoted to the management of the DOE Weatherization Assistance Program)

e. Administrative personnel, necessary for the management of the Weatherization Assistance Program such as directors, secretaries, clerks, receptionists, applicant certifiers, accountants, etc., are essentially administrative positions. Their salaries and fringe would be charged entirely to administration and be based upon a "time and activity" or other evaluation.

f. Portions of administrative personnel costs may be charged to Program Operations if these duties are directly related to the installation of materials on eligible houses or for the direct supervision of field staff. Indirect costs are administrative costs. However, any indirect rate must be negotiated with and approved by the appropriate cognizant federal agency. ***The aggregate of administrative costs, including indirect costs, must not exceed the total amount of the administration grant allowed by contract and as allowed by federal regulations, whichever is less***. A copy of the indirect cost plan and rate authorization by the cognizant agency must be submitted to the Division of Housing with the new-year budget sheets prior to the beginning of each program year.

g. Reserved

h. Administrative funds may be used for any qualifying Program Operations expense.

2. Program Operations Costs

a. Program Operations costs are more clearly defined in 10 CFR Part 440.18-19. Allowable expenditures under Program Operations include the costs that are directly related to physically installing the materials on homes and can be divided into five areas:

i. Labor
- Wages paid to training participants and public service employment workers pursuant to other state and federal training programs
- Payments to employ on-site labor or engage contractors to install materials
- Weatherization Coordinator salaries and direct supervision of field crews
- Attendance at coordinator meetings, workshops, conferences, etc.
- Accounting clerks or other staff who spend a portion of their time on inventory may charge that time to Program Operations.

ii. Transportation
- Transporting materials, after the initial delivery has been made, to either a storage site or to the job site
- Transporting workers to and from the job site
- Purchase of vehicles
- Vehicle insurance
- Repair and maintenance of vehicles
- Mileage reimbursement, if privately owned vehicles are used to and from the job site. Travel authorization and reimbursement procedures must be established to ensure that all costs are properly documented. Local agencies that do not have specific policies for in-state and out-of-state

travel will use the State of Utah travel policies as a default. *See Attachment 33*.

- Meals and lodging costs for supervisors and crews who remain at the job site overnight.

iii. Tools and Equipment

- Costs to purchase, maintain, and repair tools and equipment necessary to weatherize a home, such as:
- Protective equipment for crewmembers and supervisors. This includes goggles, hard hats, gloves, dust masks, and tool belts
- First aid kits and fire extinguishers for Weatherization vehicles
- Tables and work benches
- Ladders and scaffolding assemblies
- Construction tools and equipment, including hammers, saws, staple guns, tapes, knives, tin snips, screw drivers, chisels, rasps, files, planes, glass cutters, putty knives, wrenches, pliers, miters, drills, insulation blowing machines, caulking guns, saw horses, jig sets, extension cords and work lights, levels, tool boxes, etc.
- Cellular phone costs for field staff where appropriate

iv. Supervision

- On-site supervision costs including the wages and fringe benefits of crews, crew chiefs, field supervisors and program coordinator
- Off-site supervision of costs of crews, inspectors, energy auditors, quality control persons, or warehouse personnel by the program coordinator & others

v. Other

- Materials inventory storage
- Field staff office space
- Computer costs for field staff for materials inventory, audits, etc.
- Client Education

vi. Materials

- Materials is a sub-set of the Program Operations category
- Material expenditures are only applied to materials left on the job. Expendable items such as brushes, rubber gloves, dust masks etc are Program: Tools & Equipment Costs
- Materials ordered and not installed on the completed unit will be carried as inventory
- The costs associated with the handling, storage, transportation and delivery of materials, procurement, inventory control and tracking. may also be allocated to material costs for purposes of calculating the average percentage of additional costs

3. Training and Technical Assistance Costs

a. T&TA is a DOE & LIHEAP funding category.

b. Meals, lodging and other travel costs of agency staff attending workshops, conferences, and quarterly meetings should be charged under the budget category "Training and Technical Assistance" (T&TA).

c. Costs associated with client education may be charged to T&TA.

d. All T&TA travel will be on an advance/reimbursement basis from the State of Utah Division of Housing.

e. Wages during training events can be charged to Program Operations.

f. T&TA funds may be used for any qualifying Program Operations expense.

g. T&TA funds may be used to train contractors.

i. In making the determination to pay for contractor training, local agencies should secure a written and signed retention agreement with the contractor in exchange for the training. The contract agreement should stipulate that contractors will work in the program, at a minimum, for a specific amount of time, or complete a specific number of projects, and should align with the cost of the T&TA provided.

ii. Contractors who are not compensated for their time, travel, tuition, etc. or attend training that has no associated cost to the agency are exempt from this requirement.

4. Interest Income

a. Interest income is allowed with the following considerations:

i. The DOE Inspector General and the General Accounting Office have stated that grantees (including state and local agencies) should not have excess cash on hand.

ii. The purpose of advance payments on Weatherization contracts is to provide working capital that is necessary to cover the agency's estimated disbursement need for the initial program start-up period. Thereafter, the agency would be reimbursed for the amount of actual cash disbursements.

iii. The Division of Housing is responsible for monitoring monthly expenditure reports to ensure that the local Weatherization agency's requests for funds are timed to be as close as is administratively feasible to the actual immediate cash needs of the program.

iv. An interest-bearing checking account may be used in the fiscal management of the DOE program.

v. Any interest earned, not to exceed $100, from DOE funds will be retained by the agency and expended in accordance with the DOE Weatherization Assistance Program Regulations, 10 CFR 600.221(h)(2)(i), and only be used for Administrative purposes.

vi. The amount of interest earned and the use of the accrued interest will be accounted for separately and must be reported to the Division of Housing on the monthly report form. Use of interest earned is to be summarized in the comments section of the monthly report.

5. Liability Insurance

a. Each local Weatherization agency must obtain a general comprehensive liability insurance policy for Weatherization activities. This can be a policy exclusively for Weatherization or a policy shared proportionately by the entire agency.

b. The policy limits must be at least $2,000,000 commercial general liability/$1,000,000 commercial automobile liability.

c. Liability insurance is a DOE & LIHEAP budget category.

d. Insurance requirements for utility programs could be higher. A complete, current copy of this liability insurance policy is to be included with the Annual WX Operations Plan due July 1st of each year.

e. DOE has determined Pollution Occurrence Liability insurance (lead based paint liability insurance) is no longer mandatory. It will be up to the contracting agency to determine if coverage is prudent.

6. CPA Audits

a. An OMB circular A-133 financial audit is required for each local Weatherization agency on a yearly basis.

b. One copy of the audit must be submitted to the Division of Housing within thirteen months after the close of the agency fiscal year.

c. Yearly CPA audit expenses, including those required under the Single Audit Act, are either a DOE or LIHEAP budget category.

d. Agencies expending less than $500,000 in total federal funds will not be able to utilize the "financial audit" line item and will need to use Administration for these costs. OMB 133 dated 6/26/2007 changes prior thresholds.

7. (Reserved)

8. Health and Safety

a. Health and Safety is a separate budget line item.

b. Health and Safety is a materials and labor costs and will not be calculated into the per unit average, like regular materials. They are to be reported under Health & Safety.

c. The Health & Safety average per unit expenditure limit using DOE funds is set at 12% of the per unit average.

d. Costs associated with Client Education of approved Health & Safety measures can be charged to these funds.

e. A Health & Safety Survey will be circulated to all Agencies on an annual basis to establish the costs and frequency of measures installed. At that time Agencies will be allowed to request reallocation of excess Health & Safety funds to Program Operations.

9. Contracts and Amendments

a. A copy of the contract form and amendment page to be used for 2014-2015 contracts with agencies can be found in *Attachment15*. The Division of Housing may amend and change the contract form when necessary.

b. The contract form, amendment page, and all clauses therein shall apply as required to DOE, LIHEAP, Questar Gas, Rocky Mountain Power and other funds.

c. Upon signature and execution of the contract form, the respective sub-grantee will be held liable for any breaches of the contract agreement made by the local Weatherization agency. Breach of contract is sufficient grounds for termination of the contract.

d. The Division of Housing will determine sub-grantees conformity to the contract clauses during the course of the annual monitoring activities.

10. Advances on DOE & LIHEAP contracts

a. All contracts will be on a reimbursement basis only.

b. Agencies are not authorized to request an advance or have cash-on-hand that will exceed the agency's needs for the Weatherization program.

i. For DOE Contracts agencies are not to have cash-on-hand that will exceed (3) three days cash needs.

ii. For LIHEAP Contracts agencies are not to have cash-on-hand that will exceed (30) thirty days cash needs

c. Advances must be based upon the overall cash needs of the program for a specific period of time and not necessarily as a straight percentage of one funding source or another.

d. One single advance may be given at the start of the DOE contract to act as working capital until a reimbursement for prior expenses is received.

e. Subsequent requests for funds should only be for reimbursements of actual expenses unless unforeseen circumstances arise that require an adjustment to the amount of cash-on-hand.

f. Any interest income received from advances and cash-on-hand for any federal funds contract must be reported as required in applicable OMB circular and 10CFR440.

11. Applicable Federal Cost Principles

a. For the purposes of this program, the state and its local Weatherization agencies shall observe applicable federal regulations including OMB document A-87 (Cost Principles for State and Local Governments) or A-122 (Cost Principles for Non-profit Organizations).

12. Allowable Expenses

a. A maximum (statewide) average of $6987 per dwelling unit is allowable for the following:

i. The cost of purchase and delivery of Weatherization materials.

ii. The average cost for Program Operations for

- The transportation of Weatherization materials, tools, equipment, and work crews to a storage site and to the site of Weatherization work
- Maintenance, operation and insurance of vehicles used to transport Weatherization materials
- Maintenance of tools and equipment
- Purchase or annual lease of tools, equipment and vehicles, (any purchase of vehicles shall always be referred to the state for prior approval)
- Employment of on-site supervisory personnel (working supervisors) and off-site supervision of inspectors, energy auditors, quality control person, or warehouse personnel

- Labor costs, if other volunteer labor is not available
- Storage of Weatherization materials, vehicles, tools and equipment.

iii. Under DOE and LIHEAP, the cost for incidental repairs. "Incidental repairs" means those repairs necessary for the effective performance or preservation of Weatherization materials.

- Such repairs include, but are not limited to, framing to repair an opening for doors or windows or repairing windows and doors that could not otherwise be caulked or weather-stripped and providing protective materials to seal materials installed under this program.
- WAP is not a rehabilitation program and Incidental Repairs should be limited to minor repairs. While the definition of minor may vary from person to person the agency should use the guidance that if more than one-fourth of an area needs replacing or repairing, such as a roof, it is beyond the scope of an Incidental Repair. For additional guidance on permissible items see Section E1 1b Incidental Repairs.

iv. The cost of eliminating health and safety hazards is not calculated in the Per Unit Average. Total annual Health and Safety expenditures, statewide, shall be limited to an average not to exceed 15 percent of the maximum per unit average, as set in A1. 2. A. i.

v. The cost of Leadsafe Weatherization is a Health & Safety measure that is not included in the $6987 average, but must be included in NEAT audit calculations.

A3. Program Allocations

1. DOE Allocation

DOE funds will be allocated using the DOE portion of Attachment 16: Allocation Formula. The DOE program year begins July 1st and ends on June 30th.

a. $25,000 of this funding will be set aside each year for leveraging.

b. An operating base of $30,000 will be awarded for each approved office a sub-grantee operates.

c. A rural factor of 2.25 will be used

2. LIHEAP Allocation

LIHEAP will be allocated using the LIHEAP portion of Attachment 16: Allocation Formula. These funds will be contracted for a three year period beginning October 1st and ending three years later on September 30th

a. No funds will be set aside for leveraging.

b. Up to 10% of the LIHEAP WAP funds can be allocated at T&TA

d. An operating base of $30,000 will be awarded for each approved office a sub-grantee operates.

e. A rural factor of 2.25 will be used

f. LIHEAP WAP Crisis funds will be allocated as part of this allocation

g. Up to $100,000.00 of Crisis funds can be set aside each year for use in WAP's annual tribal land home rehabilitation project(s).

3. State of Utah

All funds contributed by the State of Utah will be used for State administration of the utility program contributions.

4. Questar Gas

Questar Gas provides funding annually to enhance our gas appliance safety and inspection program. These funds will be allocated using the QUESTAR portion of Attachment 16: Allocation Formula

a. The current funding is $750,000

b. No funds will be set aside for leveraging.

c. A base of $5,000 will be awarded to each subgrantee

d. Up to 5% of funds can be allocated to subgrantees as Admin

5. Rocky Mountain Power

A Rocky Mountain Power program has been established that will provide a 50% match on measures outlined in the contract between the parties.

a. The contract maximum is $225,000 annually.

b. These funds are not allocated.

c. These funds are reimbursed on a first come first serve basis.

d. RMP will cover 100% of the material cost only of all CFL's that are used an average of two or more hours daily.

6. Allocation of Funds

Weatherization funds are allocated to sub-grantees based upon the allocation formula found in *Attachment 16 Allocation Formula*. The objective of Utah's Allocation formula is to distribute WAP funds to its subgrantees in a manner which will allow them to serve an equal percentage of the eligible population for the geographical areas each represents.

Factors considered are:

a. Climate of agency service area.

b. Poverty population within agency service area.

c. Average weighted heating fuel costs within the agency service area.

d. Density of eligible dwellings in an agency's service area

e. Bases for Program Operations

7. State Allocation Formula

The allocation percentages for the program are based upon a formula recommended to the Housing and Community Development Division from a task force of local energy coordinators in 1986. The formula was modified in 2013 to include a density factor which helps minimize fluctuations in allocation percentages caused by variations in funding levels.

a. Periodic changes to the allocation formula are:

a. Annual updates for the most recent energy costs for each county.

b. U.S. Census data will be updated with the results of the most recent Census.

c. Climate data will be updated on the 20 year cycle.

b. Average electric heating kWh base load cost will be based on 3,000 kWh monthly usage, and average natural gas heating Dth base load will be based on a 15 Dth monthly usage.

8. Reallocation of Funds

The HCD may reallocate weatherization funds from one sub-grantee to another during the program year. Such reallocations shall occur from an sub-grantee (sub-grantees) where the HCD determines that uncommitted funds, low performance (actual completions versus projected completions), or the likelihood that remaining funds will not be used expeditiously.

a. All reallocated funds must be used in accordance with any current federal regulations and the Utah Weatherization Guidelines then in effect.

b. Reallocations shall be made at the discretion of the Division of Housing when the total reallocation does not exceed $500,000 for each funding source.

c. When the reallocation exceeds $100,000 per fund, the excess will be distributed based upon the ability of other agencies to expend the reallocated funds as determined by HCD or the following formula:

a x b = c c / d x e = amount to be received by each agency.
a = percent of goal completed by an agency in the previous program year.
b = number of applications on file at a local agency.
c = total of the product (a x b).
d = total sum of the products (a x b) for all agencies.
e = total statewide Weatherization funds remaining from the previous program year.

d. Carryover of funds at the end of the original contract term will be limited to 5% of the final contract grant amount. Exceptions may be made for extenuating circumstances.

e. Unjustified carryover funds above 5% will be re-allocated based upon existing policies.

f. Any reallocation of funds **will** include a proportionate percentage of Program Operations, Administration and T&TA where applicable.

A4. Reporting

To maintain accountability of funds and track current production on contracts issued by the Division of Housing sub-grantees will be required to report monthly.

a. Sub-grantees will report using WebGrants, a separate monthly report in electronic format (*Attachment 8*) must be attached for all DOE, LIHEAP, Questar Gas and Rocky Mountain Power funds requested.

b. Payments cannot be made on any contract without using WebGrants or the submission of these report/reimbursement forms.

c. Additional supporting documentation such as local agency financial documentation must also be attached to these requests.

d. The Building Weatherization Report (BWR) will be completed for each dwelling unit that is weatherized and must be submitted to the Housing and Community Development at the end of each month along with the monthly reports using WebGrants.

i. The BWR's should contain only material costs. No Program Operations or contractor labor costs should be included.

ii. Where work is contracted, the contractor's invoice must show a split between material costs and labor costs. The contractor should make this split.

iii. The BWR completion date must correspond to the month in which it was reported on the monthly report.

iv. Homes weatherized with metered heating utility service should have the account number on the BWR.

v. When Rocky Mountain Power funds are used the client account number must be listed and the BWR addendum must be completed.

e. When there has been Weatherization and/or furnace crisis completions during the month, LIHEAP reports must also include the Attachment A & B supplementary report as listed in the LIHEAP contract.

f. All updated electronic reports, forms and refrigerator requests will be provided to the local agencies at the beginning of each program year. These new forms **must** be used at the beginning of the DOE program year (July 1 of each year). **Old forms will be returned un-reimbursed**.

g. The $6987 maximum average applies only to DOE funds. If funds are combined, a completion can be credited to both funding sources.

h. Homes completed with LIHEAP funds will be reported separately even if other non-LIHEAP funds were used on the project. LIHEAP completions will not be subject to the $6987 maximum average and other selected rules.

i. Monthly reports and reimbursement requests for DOE, LIHEAP and Rocky Mountain Power and Questar Gas funds must be received via WebGrants by the **25th of each and every month** once there has been activity on that contract.

i. If the 25th falls on a weekend or holiday, the reports will be due at the close of business on the following business day.

ii. Reports and reimbursements submitted after the 25th, or reports submitted without BWR's will be returned to be added to the next month's report.

iii. Amended and/or correcting reports cannot be accepted after the 25th and should be submitted for the next reporting period.

iv. Monthly reimbursement requests will not be honored without the accompanying BWR's.

v. The number of BWR's must equal the number of dwelling units being claimed on the monthly report.

vi. If a unit is claimed on a monthly report, as either a DOE or LIHEAP completion, the BWR must list DOE /LIHEAP materials and or labor to be counted.

vii. Total Rocky Mountain Power BWR addendum dollar amounts must equal the monthly report reimbursement request before reimbursement can be processed and forwarded on to Rocky Mountain Power for payment.

viii. If no homes are reported after two consecutive months, the Division of reserves the right to withhold payment requests.

ix. If the production of homes in relation to the amount of program expenses is out of balance for more than 2 months, taking into account advances received, Housing and Community Development may also reduce or withhold payment requests.

x. Requests for reimbursements and advances will be processed based upon the policies for the batching of payments set forth by the Division of Housing finance team.

xi. Payment requests must be received two days prior to the batch date in order to be processed in that payment batch.

xii. Program income received through the rental of Weatherization equipment, services, etc., shall be reported in the appropriate place on the monthly report.

j. Requests for advances or reimbursements are part of the monthly report form. The monthly report/advance/reimbursement form is to be submitted through WebGrants by an agency person who is authorized to request funds.

k. **Monthly reports are required for all contracts with or without current monthly activity**. The monthly report form must be used unless an identical alternate form is submitted to, and approved in writing by the Housing and Community Development. On the monthly reports, "Homes in Progress" equals the total units, which includes single family dwellings plus the number of each individual rental unit.

l. Final reports will be due on the following dates:

i. DOE July 25th following the end of the contract (this is earlier due to DOE grant closeout)
ii. LIHEAP December 26th following the end of the contract
iii. Questar March 25th following the end of the contract
iv. Rocky Mountain Power TBD

m. Amended BWR's

i. Local agencies only need to submit an amended BWR for the following reasons:
   - Change in client information (Address, name, account #)
   - Change in materials installed
   - Change in funds expended

A5. Weatherized Unit

1. A "*Weatherized Unit*" is a dwelling that has the following characteristics.

   i. Has received a Health & Safety Assessment and been documented on H&S Form #1.
   ii. Has had all requisite testing conducted and results documented.
   iii. Has received an Energy Audit by a qualified person in the program.
   iv. Has had all approved measures installed in a professional and workman like manner. This includes:
      a. Audited measures with an SIR of 1 or higher
      b. Health & Safety Measures covered in Section E.
      c. General Heat Waste Measures. (formerly O&M's)

   v. Has received a final inspection that:

      a. Accounts for all materials credited to the job.
      b. Verifies that those materials have been installed according to the program's work specifications.
      c. Verifies that all work invoiced by contractors was done and meets the program's work specifications.
      d. Includes a final Worst Case Draft Test.
      e. Includes a Post Blower Door test.
      f. Has a signed Attachment #9 Final Inspection Partnership Agreement

   vi. Has a complete Client File that includes all the documents indicated in Section C4.

   vii. Has been reviewed by the Weatherization Coordinator/Director or designated representative for completeness and accuracy prior to submission to the State as a completion.

   viii. Is a first-time weatherization project or a qualified re-weatherization project.

   ix. Was not an amended project previously reported as a Weatherized Unit.

2. A "*Partial Weatherized Unit*" is a dwelling that has NOT meet of the above requirements. This might be caused by Deferral or that the client refuses services or access after the

weatherization process has began. These units have had funds expended on them but cannot be reported or counted as a completion.

SECTION B

LOCAL AGENCIES

B1. Agency Selection

1. Agency Selection Criteria
2. Weatherization Operations Plan
3. Agency Contractor License

B2. Local Weatherization Agency Service Areas

B3. Local Agency Responsibilities

B4. Weatherization Labor

B5. Coordination of Funds

B6. Drug- Free Work Place Certification

B7. Local Agency Procurement Procedures:

1. General
2. Property Accountability
3. Duplicate Purchases
4. Procurement Record
5. Contractor Disbarment
6. Purchase of Equipment $5000 and greater or Vehicles
7. Inter-Agency Purchase/Transfer
8. Management & Disposal of Equipment, Materials, or Vehicles
9. Leasing Vehicles
10. Non-Weatherization Use of Weatherization Equipment and Vehicles
11. Weatherization Materials Procurement
12. Recoverable Materials Requirement

B8. Authorized Weatherization Measures:

1. Authorized Weatherization Measures
   a. General
   b. HVAC Systems
   c. Programmable Setback Thermostats
   d. Insulation
   e. Water Heater Insulation
   f. Pipe Insulation
   g. Storm Windows
   h. Replacement Windows
   i. Re-glazing & Thermo-pane Units
   j. Refrigerators
   k. Infiltration Reduction
   l. Exhaust Fans
   m. Window Films
   n. Wood/Pellet Burning Stoves
   o. Replacement Boilers
   p. Heat Pumps
   q. Heat Exchangers
   r. Trailer Skirting
   s. Water Flow Controllers
   t. Vapor Barrier/Retarder
   u. Attic Ventilation
   v. Replacement Doors
   w. Waster Heat Recovery Devices
   x. Replacement Air Conditioners
   y. Water Heaters
   z. ECM Motors
   aa. HVAC Clean & Tune

2. Operation and Maintenance Items
3. Knob & Tube Wiring
4. Performance Standards

B9. Energy Audit:

1. Certified Energy Auditor
2. Weatherization Assistance (NEAT/MHEA Audits)

3. Energy Audit Prioritizations
4. Energy Auditing Procedures

B10. Training:

1. Utilization of Funds
2. Client Education
3. T & TA

B1. Agency Selection

All local Weatherization agencies in the state are either local government entities or community action programs. A list of current eligible and alternate local agencies along with a brief narrative of each is located in *Attachment 12*.

1. Agency Selection Criteria

a. All eligible local Weatherization agencies were selected on the following basis:
   - Public comment,
   - Experience in weatherization
   - Availability of State Certified Energy Auditors
   - Trained furnace technicians,
   - Past & Current weatherization performance,
   - Ability to secure qualified labor,
   - Experience in serving low-income households

b. Being an eligible Weatherization agency in no way guarantees ongoing funding due to reduction of funds, program changes, lack of compliance, downsizing, etc. All program allocations are grants and do not represent an entitlement in any way.

c. The final selection of local agencies that will receive funding and provide Weatherization services during the 2014-2015 program year beginning July 1, 2014 will be determined by the following factors:

   - Sufficient statewide funding levels are available that can justify the Weatherization funding of that agency.

- Technical expertise of the agency. Each agency must have staff qualified and certified to conduct energy audits, install furnaces, complete blower door tests, and implement other vital technical aspects of the program.
- Has a service area that can be justified and cannot be adequately served by another local Weatherization agency.
- Receive the support and approval of the Utah Energy Assistance Advisory Council.
- Can operate a year-round and adequately staffed program based upon projected funding levels including carryover. This includes being able to keep on staff personnel that have the critical technical expertise described above.
- Ability to serve all parts in the service area of the agency.
- Has adequate program management and financial experience needed to meet program regulation requirements.

2. Weatherization Operations Plan

All local agencies will also be required to submit an annual Weatherization Operations Plan. Reimbursements on the new- year contracts will not be honored until the updated document is received. Major components will include:

a. A complete, current copy of the agency liability insurance policy that contains all attachments and schedules pertaining to Weatherization.

b. Local agency client education plan:
   i. Identified client education personnel & duties assigned
   ii. Client education procedures
   iii. Client education materials used

c. Salary spreadsheet (*Budget Support sheet #4*) including:
   i. Descriptions for every Full or Part-time employee paid out of weatherization funds

d. Notification of Significant changes to the agency's Weatherization Policies & Procedures manual.

The Weatherization Policies & Procedures manual essentially it is a document that can be used to help implement the program in the event key personnel, for whatever reason, need to be replaced on a temporary or permanent basis. It should be available at the agency during monitoring. This manual essentially outlines:

i. Daily, weekly, monthly, quarterly, and annual duties of each Weatherization staff position.
ii. Address reporting duties and timelines
iii. All agency specific Weatherization functions and responsibilities
   - Inventory
   - Data entry
   - Client prioritization
   - Purchasing
   - Key leadership positions

e. List of all Weatherization property valued @$5,000 or greater
f. A complete client application packet.
g. Local Agency Contract Signature Certification Page
h. Copy of current Utah Contractor's License

3. Agency Contractor License

All local agencies are required to be a Utah Licensed contractor in the trades which that are doing regulated work effective 1 July 2013.

a. Agency using subcontracted labor shall comply with the provision of B4. 2. a

B2. Local Weatherization Agency Service Areas

The state of Utah delivers the Weatherization Assistance Program to the entire state through eight Local Government Agencies and Community Action Programs. See *Attachment* 12.

B3. Local Agency Responsibilities

The local agencies are sub-grantee's of the Housing and Community Development to receive and administer the Weatherization Assistance Program funds.

They implement and administer the program in their areas by:

a. Developing and submitting program proposals to the state.

b. Coordinating energy conservation activities with local, state and federal housing administrations, social service agencies and low-income organizations.

c. Assisting eligible households in applying for the Weatherization Assistance Program.

d. Soliciting appropriate volunteer labor and alternate sources of Weatherization funding.

e. Initiating and coordinating Weatherization projects.

f. Supervising the installation of Weatherization materials.

g. Fulfilling reporting requirements.

h. Assisting Housing and Community Development in monitoring and evaluating the local programs.

i. Assuring an adequate number of applications are on file and households become aware of the program through advertising by radio spots, newspaper articles, flyers, inserts in utility bills, outreach and personal contact.

j. Before any work is started, the applicant and/or owner should understand what work will be done, the energy savings potential associated with those measures, and approve of the proposed measures.

k. Instructing the applicants on how to properly use and maintain any Weatherization materials that have been installed.

l. Instructing the applicants on how to properly use and maintain any Weatherization materials that have been installed.

m. Educating the applicants on other ways to conserve energy

n. Promptly providing the Housing and Community Development staff with all requested information.

o. Assuring that all Weatherization work completed meets or exceeds all applicable local/state building and energy codes.

p. Assuring that all work completed on site built homes more than fifty (50) years old complies with the Historic Preservation Implementation (Program Notice 10-12) Factory built homes are exempt from this requirement.

q. Assuring that all persons who conduct energy audits/pre-inspection are certified energy auditors and at least one on-site crew member performing furnace work is trained and "RMGA" certified. This person must be completing the work or **directly** supervising it.

r. Purchase liability insurance or bonding to cover any damage to persons or property in connection with Weatherization activities (this is required of all agencies).

s. Guarantee that all workers are covered by a state approved Workers Compensation insurance policy.

t. Maintain an updated local Weatherization specific policies and procedures manual including a description of the fiscal process, application process, local standards, inspection process, procurement procedures, office management, etc.

u. Comply with the provision of the State WAP Guidelines.

v. When outreach is required to secure applications, methods should be used that will target high-energy users.

w. All homes weatherized that use a metered utility for the primary heating fuel will, where possible; include the utility account number on all BWR's.

x. Report the resignation, transfer, or termination of key staff to the state Weatherization manager. Key staff is identified as:

- Program coordinator
- certified energy auditors,
- RMGA furnace technicians
- Individuals that are the qualifier for the agency's contractor license

y. Agency Executive Directors must notify the state Weatherization manager of any work stoppage of the program prior to that action taking place. This information is required so that steps can be taken to make sure that program continuity is maintained, alternative options are explored, and unnecessary disruption of services does not take place.

z. Local agency Executive Directors shall notify the state Weatherization program manager prior to the closing down of their local Weatherization program. This is necessary in order for the state to take measures as required by law to provide continuing Weatherization service to areas served by the agency. It will also allow steps to be taken to preserve the technical expertise and institutional knowledge of the program that exists at the agency.

aa. Having qualified staff that has received Lead Renovator training and certification under EPA Rule 40 CFR Part 745 and complete approved Lead-Safe Weatherization practices as required.

bb. Local weatherization agencies will develop "whistle-blower" policies to protect staff who report problems and issues. Local staff complaint calls to the state will be immediately referred back to the local agencies to follow existing procedures except in the most unusual and serious situations. The state reserves the right to discuss serious problems and issues with staff through cooperation with the local program coordinators, executive director and /or board chair. It is not the role of the state to get involved in local agency policy and personnel issues. Through the normal course of monitoring, state and local staff may, however, discuss general program and other technical issues. Such a discussion will not be allowed to turn into a forum for lodging complaints or grievance.

cc. Local agencies that do not have specific policies for in-state travel will use the State of Utah Travel Policies as a default. *(Attachment 33)*

B4. Weatherization Labor

The philosophy of this program is to weatherize as many dwelling units as possible utilizing local labor and material resources to perform the work. The participating agency must consider the following labor resources for implementing the program:

1. **Other State or Federal Programs**
2. **Subcontractors**

   Local agencies may use private contractors to install Weatherization materials. The use of contract labor is necessary in some areas where local agencies do not want to assume direct risk for Weatherization activities, the numbers of agency crews are limited, or agency crews may lack the necessary expertise. Contractors must:

   a. Hold an active appropriate Utah Contractor's License (if the service they provide requires a license).

   b. They must carry comprehensive general liability insurance throughout the contract period and a minimum single limit of at least $2,000,000. Vehicle insurance must have a minimum single limit of at least $1,000,000 for bodily injury and property damage.

   c. Workers employed by a contractor must be covered by a state approved Workers Compensation insurance policy during the entire time they are working on Weatherization projects.

d. Subcontractors who are sole proprietors must either provide evidence of Workers Compensation Insurance or provide a waiver issued by an insurance agent.

e. All contractors and their employees who work on Weatherization projects must attend approved Weatherization training. This training will be made available by the State WAP staff or local Weatherization agency.

3. Self-Help

a. Unsupervised self-help is no longer a labor alternative that can be utilized. The DOE has determined that self-help labor is an ineffective method of installing Weatherization materials.

b. Under no circumstance shall materials be left with the applicant or property owner to be installed without supervision and Housing and Community Development permission.

c. When Income (rental) property is weatherized, the property owner will be required to contribute financial, labor and material resources in most cases.

d. Self help will not be used to move clients up on the waiting list.

4. Non Profit, Private, or Corporate Foundations

B5. Coordination of Funds

Agencies are directed to coordinate with HUD or other federal, state, or local agencies where opportunities exist to leverage funds and coordinate eligible activities. Some things to keep in mind are:

- Cost sharing is required.
- To aid in coordination of service local agencies may move the client up the priority list.
- Local agencies should consider trying to provide Weatherization inspections, audits, safety tests and conservation measures on non-Weatherization low-income and affordable housing projects as a fee-for-service where those services are not available commercially.

B6. Drug Free Workplace Certification

The U.S. Department of Energy requires all recipients and sub-recipients of federal Weatherization funds to certify that they meet the requirements of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D). This means that Local Weatherization agencies will be required to meet certain requirements including the following:

The agency certifies that it will comply or it will continue to provide a drug free work place by:

a. Publishing a statement of notification to employees.

b. Establish an ongoing drug free awareness program.

c. Provide a copy of notification to each employee.

d. Inform employees that the notification is a condition of employment.

e. Require that employees notify the agency of any drug convictions.

f. Take action within 30 days of notice regarding employee drug convictions.

g. Make a good faith effort to maintain a drug free work place.

B7. Local Agency Procurement Procedures

1. General

a. All agencies are required to follow their applicable Federal, State and local agency procurement requirements and practices.

b. State of Utah purchasing rules will apply to the State staff.

c. Local agencies may use their parent organization purchasing rules as long as they do not specifically contradict any applicable federal rules.

d. All agencies that have a written procurement policy must ensure it provides for open and free competition while ensuring the agency receives the goods and services necessary to conduct proper weatherization services.

e. State of Utah Purchasing contracts should be utilized whenever possible to reduce costs of goods and services as well as procurement costs themselves.

f. The key documents agencies need to be reviewing for guidance:

- 10 CFR 600
- 10 CFR 440
- OMB Circular A-87

- OMB Circular A-122

2. Property Accountability

a. General

i. Property accountability is the responsibility of the local agency.

ii. The dollar threshold for tracking of property purchased with State WAP funds shall be $5000 and higher.

b. Pilferable Property

Local agency's need to have measures in place that safeguard property below the tracking threshold that are commonly viewed as pilferable, such as:

i. Cordless drill kits
ii. Combustion analyzers
iii. Specialty tools

3. Duplicate Purchases

Each agency must have policies and take steps to prevent duplicate and unnecessary purchases.

4. Procurement Records

Procurement records need to include documentation of all procurement activities, not only for formal procurement activities but informal procurement activities as well. Examples of these types of activates are:

a. Formal
   i. Request for Proposal
   ii. Request for Bid
   iii. Request for Quotation
b. Informal
   i. Local purchase
   ii. Internet purchase

5. Contractor Disbarment

Agencies are required to verify that all contractors, suppliers, vendors, etc. are not on the federal debarment list. Prior to engaging in any transaction with these groups the agency must verify their current status by doing a search on the federal Excluded Parties List System at https://www.epls.gov.

6. Purchase of Equipment; $5000 and greater or vehicle with Weatherization Funds

a. General

i. Purchases of $5000 and greater or vehicle must be approved State WAP office. Purchases utilizing DOE funds will require DOE approval.

ii. Approval from DOE will be requested by the Housing and Community Development after State WAP office endorsement.

iii. The following procedures also generally apply to the purchase of new and used vehicles as well as other weatherization equipment with a cost of $5000 or greater.

b. State Purchasing Contracts & Cooperatives

All local agencies are encouraged to utilize State of Utah Purchasing contracts or other buying cooperatives that improve their buying power.

c. Pre-Bid or Solicitation

Prior to the solicitation for bids or quotes the local agency shall provide the State WAP office with:

i. Justification of the purchase

ii. Solicitation documents
- Open & Close dates
- Bid or Solicitation notification method
  - Steps must be taken by the local agency to ensure a competitive procurement process.
- Equipment minimum specifications
- Evaluation criteria
  - Extra items beyond minimum specification not taken in to account
  - Any rating systems to be used
  - Agency needs
  - Compliance to any standard or regulations
- Selection criteria
  - Lowest bid
  - Lowest bid that meets minimum specifications
  - Lowest bid that best meets the needs of the agency
  - Rating system

iii. Budgeting of purchase
- Funding sources
- Cost shares
- Trade-in from old equipment

d. Post-Bid or Solicitation

Prior to awarding the bid or solicitation or any funds are expended the local agency shall provide the State WAP Office with:

i. Copy of winning bid
ii. Approval of bid from local authorities (executive director, governing boards etc.)

7. Inter Agency Purchase/Transfer

Local agencies can also purchase/transfer used vehicles or equipment from other local Weatherization agencies. The local weatherization agencies wishing to purchase/transfer the used equipment should send the request to the State WAP office requesting permission to purchase the used equipment. This request should disclose the terms of the transaction.

a. Agency's may not use DOE funds for the purchase of vehicles/equipment from other agencies that used DOE funds for the original acquisition.

8. **Management & Disposal of Equipment, Materials or Vehicles**

a. General

Agencies must document the entire disposal process in their program files showing final disposition of items purchased with Weatherization funds. Approval by Housing and Community Development may be required in certain circumstances.

i. Property value is to be "Fair Market" value. The local agency is responsible to provide supporting documentation on determination of Fair Market value.

b. Vehicles

Approval by Housing and Community Development is required prior to disposing of a vehicle. Housing and Community Development needs the following information in the request for disposal:

i. Vehicle description and identification

ii. Date and cost of initial purchase **including original funding source**

iii. Approximate current market value

iv. The reason for disposing of the vehicle

v. Whether the agency has advertised the vehicle to other Weatherization agencies in the state

vi. The intended use of any proceeds from the disposal.

c. Equipment & Vehicles $5000 and above

i. Authorizations to sell, trade, donate or otherwise dispose of equipment must be received in writing by the Housing and Community Development before the actual disposal takes place.

ii. If the cumulative value of the items being disposed of exceeds $5,000 the Housing and Community Development approval is required

iii. Equipment of vehicles purchased with DOE funds will require approval prior to any action by DOE. The request to DOE will be made by HCD.

iv. Information required in the request:
- Equipment description and identification
- Date and cost of initial purchase **including original funding source**
- Approximate current market value
- The reason for disposing of the equipment.
- Whether the agency has advertised the equipment to other Weatherization agencies in the state.
- The intended use of any proceeds from the disposal.

v. Any proceeds that result from the disposal of vehicles or equipment acquired with DOE funds shall be returned to the U.S. Treasury or as otherwise instructed by DOE.

d. Equipment below $5000

i. Authorizations to sell, trade, donate or otherwise dispose of equipment is not required by the Housing and Community Development.

ii. The local agency shall follow the parent organization's disposal procedure if it has an accountability threshold less than $5000.

iii. Anytime equipment or other assets are to be sold, traded, donated or otherwise disposed of, the local agency must document the disposition and justification for the disposal to the level of accountability of the parent organization.

iv. A detailed description of the items and their condition, proceeds received, value, recipient, and any other pertinent or essential information must be documented in the program files.

v. Any proceeds must be credited to the funding source and budget category the items were originally purchased from.

vi. It is recommended that any such items be first offered to, donated or sold to other local Weatherization programs.

e. Materials

i. Disposal of weatherization materials, while not common, may occur from time to time. Situations such as:
- Mis-measured windows (bone yard)
- Damaged materials
- Expired products

ii. Since these products are not being accounted as installed they must be tracked to disposal. Documentation of this disposal needs to be detailed and justify these inventory adjustments.

iii. Agencies shall establish procedures for inventory control of materials. Those procedures will include:
- Accurate up-to-date posting of material
- Check-in and check-out logs
- Accurate cost accounting procedures
- Detailed verification of materials installed on each home.

iv. At least an annual comprehensive physical inventory count shall be made by the agency using a disinterested person to oversee and assist in the count as a guarantee of inventory accuracy.

f. Scrap, Removed Equipment, Waste, other items

i. Scrap materials, removed equipment, waste and other items taken from the jobsite shall be disposed of in an appropriate manner. These items shall not be re-used by reused by staff or other parties.

ii. Any recyclable waste should be taken to a recycling facility and funds recouped from these activates shall be returned to the program.

iii. Non-recyclable materials should be disposed of in a way that is the most environmentally sound.

iv. Waste and protective materials from Lead Safe Weatherization shall be disposed of in accordance with RRP requirements.

v. Weatherization workers shall not handle any hazardous materials, such as asbestos.

Exception: If an Agency is properly trained, holds any applicable nationally recognized certifications, maintains the necessary State of Utah License, and carries the Pollution Occurrence Insurance within acceptable limits.

9. Leasing Vehicles

Leasing of vehicles is not encouraged and the Housing and Community Development must first approve any vehicle lease.

DOE Weatherization regulations include leasing of vehicles as an allowable expenditure, OMB Circulars A-87 and A-122 require that the expenditures be justified, allowable, and reasonable.

10. Non-Weatherization Use of Weatherization Equipment and Vehicles

a. General

Equipment and vehicles purchased with Weatherization funds may be used by a local agency for non-Weatherization use, but only when reimbursement for that use is made to the Weatherization program.

b. Vehicles

i. Other agency or program's drivers are covered by their own insurance to drive the Weatherization vehicle.

ii. Non-Weatherization vehicle use will be charged at the rate of $0.555 per mile (2012 IRS rate).

c. Equipment

Weatherization equipment use will be charged at a comparable rate to what a rental company would charge for such equipment rental.

d. Fee for Service

Fee-for-Service projects undertaken by local agencies must follow the same guidelines as above with the following exceptions:

i. Agency vehicle and liability insurance will remain in effect.

ii. Agency staff salaries & fringe and other expenses will be reimbursed 100%

iii. 10% of the local fee-for-service charges may be designated as administration as long as all other agency costs are covered.

iv. Any fees received must be used within the Weatherization program and not for general agency administrative or other purposes.

5. Vehicle Insurance

All vehicles being used for Weatherization activities by both local Weatherization agencies and their contractors must meet the legal requirements of the state of Utah. In addition, bodily injury/property damage liability coverage limits should be at least $1,000,000.

11. Weatherization Materials Procurement

a. Materials Standards

Any materials purchased must comply with the standards set forth in:

i. Appendix A 10 CFR 400

ii. Current codes

b. Reasonable Inventory

Local agencies are cautioned to not maintain excessive inventory of weatherization materials. It is desirable to purchase in a volume allowing for price breaks when possible but unrealistic to maintain inventory levels that would account for multiple years of consumption of a line item.

12. Recoverable Materials Requirement

a. Resource Conservation Recovery Act (RCRA)

Section 6002 of the Solid Waste Disposal Act, as amended by the Conservation and Recovery Act of 1976 (RCRA) states that:

Local Weatherization agencies must put into effect affirmative procurement programs to insure the procurement of insulation products is composed of the highest percentage of recoverable materials practicable, taking into consideration completion, availability, technical performance, and cost. The insulation materials covered include cellulose, fiberglass, pearlite composite board, plastic foams and boards, and rock wool. Only

agencies that procure $10,000 or more of these products annually are required to put into effect an affirmative procurement program.

b. Materials Purchasing

Agencies will need to review and revise their purchasing specifications and institute an affirmative procurement program. This would have four elements:

i. A recovered materials preference
ii. Agency promotion
iii. Requiring estimation, certification and verification of recovered material content
iv. An annual review of the effectiveness of the procurement program

c. Material Content

EPA's Recommended Recovered Materials Content Levels for Building Insulation are as follows:

Material	Postconsumer Content %	Total Recovered Material Content %
1. Rock Wool	- -	75%
2. Fiberglass	--	20-25 %
3. Cellulose loose fill & spray on	75%	75 %
4. Perlite composite board	23%	23%
5. Plastic foam	--	9%
6. Foam-in-place	--	5%
7. Glass fiber reinforced	--	6%
8. Phenolic rigid foam	--	5%
9. Plastic. Non-woven batt	--	100%

Additional information can be found on the EPA website at
http://www.epa.gov/osw/conserve/tools/cpg/products/building.htm

B8. Weatherization Measures

1. **Authorized Weatherization Measures**

a. General

i. All Weatherization work implemented must first be justified under the NEAT/MHEA audit or other approved audit tool.

ii. Installation of a measure with an SIR lower than 1 is based off documented needs from non-DOE funding sources are permitted.

iii. All work must meet or exceed all local and state building codes.

iv. Local agencies are required to install only those Weatherization measures that have a stand-alone SIR of 1.0 or greater.

v. Agencies will install all qualified measures with an SIR of 1 or greater. When documented, circumstances require a measure may be omitted.

vi. If a client or landlord refuses installation of a certain measure with a higher SIR, then installation of lower SIR measures, such as window replacements, cannot be installed.

vii. The local agency coordinator, at their discretion, may decide to not install certain measures, under documented circumstances, where it is in the best interest of the program or client. These decisions should not be often or taken lightly and should be clearly justified.

viii. **No SIR buy down will be allowed**.

ix. The installation of measures that do not have an SIR of 1 or greater maybe installed when paid from non-DOE funds. Consistency in these decisions is strongly recommended.

The following activities fall in the scope of this program and shall be considered for Weatherization:

b. HVAC systems:

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis, Questar without an SIR.

iii. All HVAC equipment installed under this program shall be installed following *Attachment #22* Best Practices HVAC as reasonably as possible.

iv. All HVAC equipment installed under this program shall have corresponding forms in *Attachment #22* completed and placed in the client file or crisis file.

v. 60% AFUE furnaces (atmospheric burner, standing pilot light) in non-rental units discovered during normal weatherization activities or crisis situations, regardless of the fuel type, will be replaced with 90% - 95% units whenever possible.

vi. If natural gas is in the area, every effort should be made to utilize this fuel source. Only LIHEAP & LIHEAP Crisis funds can be used to run the gas piping from the street to the house. The agency must show an SIR of 1 or greater when doing this conversion.

vii. Replacement of existing 80% efficient furnaces will be based on the age and on the cost of repairing the existing equipment.
- If an existing unit is more than ten years old and the cost to repair the furnace will be greater than $300 it should be considered for replacement.
- If the furnace is 15 years or older it should be considered for replacement.

viii. Air Conditioning will not be added to replacement furnaces unless the guidelines are followed in *Attachment # 32 Cooling Equipment Policy*.

ix. New delivery and return ducts can be paid for by DOE as long as the full cost is included in the required payback or cost effectiveness calculations.

c. Programmable Setback Thermostats.

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis, Questar without an SIR.

iii. This measure cannot be included in the cost of a new furnace installation.

d. Ceiling, wall, floor, perimeter and duct insulation.

It is the intent of the program to fully insulate all portions of the building shell, where possible, up to the current State of Utah energy code R-value standards.

i. The measure requires an SIR of 1 or greater using DOE & LIHEAP funds.

ii. Actual R-values required are dependent upon the climate zone location of the dwelling. See *Attachment #34* for the current climate zone map and the corresponding R and U value requirements.

iii. Individual situations may prohibit the full implementation of these measures in some cases.

iv. Local agencies have the option to use the standards for the next higher climate zone if the area in question has a significantly colder climate than is reflected in the climate zone map.

v. Cellulose must be certified and approved for use by the Housing and Community Development before being installed in any client home as listed in *Attachment 17*. Every bag must bear the testing laboratory label and appropriate tag displayed near the attic access in the attic.

vi. An insulation certificate shall be installed on or in the electrical distribution panel. The certificate shall list the following:

- r-vale of insulation installed in
  - ceiling
  - roof
  - walls
  - floor
  - foundation wall
  - crawl space
  - mobile home belly
  - duct outside conditioned spaces
- u-factor and SHGC of fenestration
- results of building & duct leakage tests
- types and efficiencies of heating, cooling, and water heating equipment

e. Water heater insulation

i. This is an O&M item that does not require an SIR

ii. This measure can be paid from all funding sources except Questar.

f. Pipe insulation

i. This measure is done in conjunction with other insulation measures.

ii. This measure can be paid from all funding sources except Questar.

g. Interior storm windows, multi-glazed windows and heat-reflective window and door materials.

i. The measure requires an SIR of 1 or greater using all weatherization funds except Questar.

ii. When storm windows are used, recommended placement priority will be: North, first; East, second; West, third; South, fourth.

iii. Storm windows will not ordinarily be installed over thermo pane prime windows, or in unconditioned or unfinished areas.

h. Replacement prime windows.

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances.

iii. Only low-E double pane vinyl windows may be installed with a U-value of .30 or less.

iv. All windows must be labeled with the “ANSI” and “NFRC” sticker according to Federal labeling requirements.

v. At least one window considered for replacement in each bedroom must meet current egress standards. The minimum opening height of 24” high and minimum opening width of 20”. The window must have a net clear opening of 5.7 square feet (5.0 square feet for a ground level window) with a sill height of no more than 44”. This applies to all rooms used as sleeping facilities. Mobile homes are exempt from this policy.

i. Re-glazing and replacement of thermal units.

i. The measure requires an SIR of 1 or greater using DOE funds. Cost shall be included in air infiltration or incidental repair to wall insulation, when installed.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances that comply with the provisions of this measure.

iii. Insulated Glass units will be replaced only if the glass on one of the panes is cracked to the point it is either missing or has sharp jagged edges.

iv. Replacement is not permitted for bb holes, minor cracks or any type of fogging of the unit.

v. If the glass is severely cracked on both panes of glass, the unit may be replaced. Costs should be charged to incidental repairs and included in air infiltration where possible.

vi. Documentation of these replacements is required in the client file.

j. Replacement refrigerators

i. The measure requires an SIR of 1 or greater using DOE & LIHEAP funds.
ii. Replacement standards are:
- 18 CF for three to five persons
- 21 Cubic Feet for five to seven
- 25 Cubic Feet for over 7 persons

iii. Side-by-Side refrigerators with ice & water in the door cannot be paid for with DOE funds; they can be purchased with LIHEAP funds only.

iv. All refrigerators are to be tested for a minimum of 72 hours with the Digital Power Meter and the results run on the NEAT/MHEA audit.

v. Any refrigerator not tested must have an explanation in the client file.

vi. There will be no "crisis" or "after the fact" replacements unless refrigerator has been tested according to the above guidelines. And not after the unit has been reported as a completion.

vii. If the client is a Rocky Mountain Power customer, 50% of the replacement costs must be charged to the current Rocky Mountain Power contract.
- Cannot charge new refrigerators that have an estimated annual consumption over 500 kwh.

viii. Replacement refrigerators may be replaced with the same size as the tested refrigerator, except in the case of multiple replacements.

ix. Multiple refrigerators maybe replaced when:
- If the client agrees, replace two existing refrigerators with one new efficient refrigerator, the testing results from both refrigerators may be combined for the NEAT/MHEA audit. If the SIR is >1, a larger replacement may be used.

- If the client refuses, replace the refrigerator with the highest energy usage provided it has an SIR of >1

k. Infiltration Reduction

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances.

l. Exhaust Fans

i. This measure can be installed DOE Health & Safety without an SIR.

m. Window films or reflective materials

i. The measure requires an SIR of 1 or greater using DOE funds.

n. Wood/pellet burning stoves

i. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances.

ii. Any EPA certified wood or pellet stove is eligible.

iii. This is only an option when this is the sole source heat and not a supplement to an existing system.

iv. This should only be considered if it is not reasonable to connect to local utilities or other extenuating circumstance as approved by Housing and Community Development.

o. Replacement boilers

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis, & Questar without an SIR under documented circumstances.

p. Heat Pumps

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances.

q. Heat exchangers

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances.

r. Trailer skirting

i. Written approval from the Housing and Community Development is required before these materials can be purchased and installed.

s. Water flow controllers

i. This is an O&M item that does not require an SIR

ii. This measure can be paid from all funding sources except Questar.

t. Vapor barriers/retarders

i. This is an O&M item that does not require an SIR

ii. This measure can be paid from all funding sources except Questar.

u. Items to improve attic ventilation

i. This measure is done in conjunction with attic insulation measures.

ii. This measure can be paid from all funding sources except Questar.

v. Replacement doors

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP Crisis without an SIR under documented circumstances.

iii. If the door(s) are not audited as an energy efficiency measure they can only be replaced in conjunction with audited air sealing that includes the costs of the door(s).

w. Waste heat recovery devices

i. Written approval from the Housing and Community Development is required before these materials can be purchased and installed.

x. Replacement air conditioners

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR under documented circumstances outlined in Attachment 32 Air Conditioning Policy

y. Water Heaters

i. The measure may not be evaluated as an energy efficiency retrofit measure.

ii. This measure can be funded with LIHEAP Crisis or Questar funds only when the replacement is covered under the H&S Plan in E1.

iii. This measure can be installed using DOE & LIHEAP H&S funds when following all the requirements of the H&S Plan covered in E1.

z. ECM Motors

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis without an SIR.

iii. Agencies should ensure they are not creating a high static pressure in the HVAC system when installing this measure.

aa. HVAC Clean & Tune

i. The measure requires an SIR of 1 or greater using DOE funds.

ii. This measure can be installed with LIHEAP, LIHEAP Crisis & Questar funds without an SIR.

iii. The work conducted under this measure will need to be documented using:

- Attachment #22 Warm Air Furnace Long Form
- Attachment #22 Air Conditioner Start Up & Performance Check

2. **Operation and Maintenance Items (O&M's):**

a. General

i. O&M's are essentially Priority List Items that have been approved to be installed without an audited SIR of 1 or greater.

ii. When possible every effort should be made to install the measures.

1. Install 6 Mil Polyethylene vapor barrier on floor in crawlspaces. Joints are to be overlapped 12 inches and should extend up the sidewall 6 inches.
2. Install Water Heater Blankets per the following specification:
   - Natural Gas = R-5 minimum in a conditioned/semi-conditioned area.
   - Electric, propane, oil, or where water heater access is from the outside or when in unheated spaces = R-11.
   - Electric, propane, oil, or where water heater access is from the outside or when in unheated spaces = R-11.
3. Replace furnace filters and leave an extra set. Use washable filters if no other option exists.
4. Seal all transverse seams and other significant leakage areas in heating ducts and returns with appropriate mastic.
5. Insulate accessible heating ducts located in unheated spaces.
6. Install rim/band joist insulation.

7. Check home for moisture problems created by improper venting of moisture producing appliances such as gas and electric clothes dryers etc. Correct by venting all dryers and appliances to the outside the home. Replace existing white vinyl venting with approved metal venting.
8. Properly prepare and weatherize attic scuttle door and opening. This includes weather-stripping and insulating the door, and boxing up around the entrance with a rigid material. A latch or a weight should secure the door.
9. Cover evaporative cooler vents and window mount refrigeration units from the inside.
10. With wood single/double hung windows, weather-strip bottom with V-seal or spring metal. Install cranks and locks as needed. Install clamshell sash locks and pulley covers if interior storm windows are not installed.
11. Replace broken or missing glass and re-glaze windows as needed and appropriate
12. Prime or seal all bare wood installed during, WX, including all six sides of new doors.
13. Install energy saving showerheads and low- flow faucet aerators.
14. Install switch and outlet plate gaskets on all exterior and interior walls.
15. Test refrigerator(s) with digital power meter and run results on NEAT audit. Replace if the SIR is 1.0 or greater with DOE, LIHEAP, or Rocky Mountain Power funds
16. Clean-up all discarded materials from the work site.
17. Explain use of installed setback thermostats or timers.
18. Install at least one battery operated smoke alarm on each floor outside sleeping rooms. Existing operating smoke alarms and C/O detectors cannot be replaced
19. Perform inspections on combustion appliances, including all new furnaces, and include inspection forms and Combustion Gas Analyzer printout tape in every client file.
20. Have client complete the Applicant Health & Safety Evaluation and include in the client file.
21. Install CFL's in all light fixtures that are in use more than two hours per day

*****Individual improvements can be omitted if conditions require and documentation is recorded in client file.

3. Knob and Tube Wiring:

a. General

i. The agency should always consider abatement of the wiring first. The Local Agency should attempt to audit the abatement costs of the wiring in the insulation measure being considered and fund the measure using DOE.

ii. If the abatement costs do not audit the Local Agency may consider using LIHEAP or LIHEAP Crisis to abate the wiring.

iii. The presence of knob and tube wiring does not eliminate the possibility of insulating but may limit what can be done. With special testing and inspection procedures, an attic with knob and tube wiring can and should still be insulated.

iv. Knob & tube wiring should not be insulated over since this can cause overheating and increase the possibility of fire.

v. As a word of caution, since this condition is potentially dangerous, local agencies must continue to exercise uncompromising caution when insulating homes with knob-and-tube wiring. The responsibility for safety and the use of good judgment rests with the person authorizing the work.

vi. When insulation is installed over knob-and-tube wiring, agency inspection staff must document, in the client file, a summary of the condition of the existing wiring including but not limited to:

- Overall condition of wiring
- Un-soldered splices or connections
- Damaged or missing insulators
- Proper fuse size and panel condition

b. Attic with Knob & Tube

i. Because the first few inches of insulation reduce the greatest proportion of heat loss, it is imperative that attics with knob and tube wiring be insulated, even partially.

ii. Insulation can be installed up to and even touching the bottom of the wiring, but care must be taken not to cover the wiring under any circumstances.

iii. Batt or blown-in insulation must be installed <u>under</u> the wiring to prevent excessive heat loss into the attic.

iv. The trench method of insulating may be used as well, or other combinations of methods can be implemented.

c. Walls with Knob & Tube

i. Walls with knob and tube wiring cannot be insulated under normal circumstances unless special inspection by qualified inspectors and testing procedures are followed.

ii. Walls containing knob and tube wiring can be fully insulated providing every fuse panel and circuit involved has been visually inspected by qualified inspectors and tested

- Sure Test Branch Circuit Analyzer, or similar, that measures the voltage drop at full load (15 amps) and that the drop does not exceed 5%.

- A voltage drop of up to 10% will be allowable if a visual inspection of the wiring by a qualified inspector is completed in addition to the branch circuit voltage drop test and procedures established by the Philadelphia Housing Development Corporation (PHDC) as outlined in the September/October 1995 issue of Home Energy Magazine are followed.

iii. When insulation is installed over knob-and-tube wiring, agency inspection staff must document, in the client file, a summary of the condition of the existing wiring including but not limited to:

- Overall condition of wiring
- Un-soldered splices or connections
- Damaged or missing insulators
- Proper fuse size and panel condition

Local agencies must not insulate over knob-and-tube wiring unless they are satisfied that it is safe and has met the above conditions. The recommended best practice is to replace attic knob and tube wiring with modern electrical materials.

These requirements and standards will be implemented statewide unless prohibited, or otherwise superseded by local building codes.

4. Performance Standards

a. General

i. A pre and post-blower door test is required on all dwelling units.

- Data shall be captured using TecTite® or approved equivalent software.
- Data shall be part of the client file in hard copy or electronic format.

ii. If environmental, structural, or other reasons prevent a test, it is to be documented in the client file.

iii. A blower door operation checklist can be found in *Attachment 21*. This form should be completed and included in each client file.

iv. Blower door pre-tests should be performed after the following items have been addressed:
- Broken glass is replaced or a hole is temporarily patched.
- Major holes in building shell are repaired or temporarily patched.
- Evaporative cooler vents and window mount refrigeration units are sealed according to O&M Item #9.

v. Where the initial CFM 50 exceeds 4,000 on a dwelling unit, the CFM 50 should be reduced by fifty percent at least.

vi. The typical reduction for infiltration should be at least 30%.

b. Building Tightness Limit

i. The mandates of WPN 11-6 to use ASHRAE 62.2-2013 have, in effect, removed the Building Tightness Limit.

c. Final Inspections/Completions

i. The Final Inspection is the last step in the weatherization of the client home. This is the last opportunity to ensure the unit is properly weatherized, accounting for installed materials and that the materials are installed properly. This is also the last opportunity to conduct safety and diagnostic testing.

ii. At a minimum the following will be conducted before or during the Final Inspection on each dwelling to be reported as a completion:

- Blower Door
- Worst Case Draft/Spillage of atmospheric draft combustion appliances

- Combustion analysis of all non-solid fuel combustion furnaces and water heaters in the unit.
- Accounting for materials charged to the unit.
- Verification of material/WX measures properly installed
- Verification of compliance with ASHRAE 62.2-2013

iii. Each agency shall establish internal quality control systems to ensure that no dwelling unit be reported to the Housing and Community Development as completed until the local Weatherization agency, or its authorized representative, has performed a final inspection and certified that all applicable work has been completed in a professional manner and in accordance with 10 CFR 440.16(g) and 440.21**.**

iv. **Final inspection sheets must be signed by an adult member of the qualifying household only.**

v. If a signed Final cannot be obtained it should be documented in the client file this completion has no signed final and the attempts made to obtain the signed final.

vi. DOE Program Notice 11-03 Return/Call Back Work on Completed Units prohibits a local agency from returning to a dwelling that has been reported as a completion to DOE, with DOE funds. Any cost for Call Back work from DOE funds will be disallowed.

vii. Division of Housing & Community Development realizes situation will arise that require an agency to return to a completed dwelling. Agencies shall ensure this work is charged to other eligible funding sources, such as LIHEAP.

viii. If a situation arises where it is found that a dwelling unit was not properly completed during the original Weatherization, the agency is to complete that work and submit an amended BWR to the Division of Housing & Community Development and the dwelling unit is not to be counted as a new Weatherization completion.

ix. The same individual(s) completing the actual Weatherization work shall <u>not</u> complete a final inspection. An individual, who is familiar with Weatherization

work but does not necessarily have to be a certified energy auditor, must do the final inspection.

x. It is considered a "Best Practice" to have a person who did not conduct the energy audit to conduct the Final Inspection as well.

xi. No more than five percent of the homes completed where material costs did not exceed $50 can be reported as a completed home without prior approval from the Housing and Community Development. **Final inspections must be completed and BWR's must be submitted to HCD no more than 90 days after completion of physical work on the home.** *See Attachment 9.*

xii. The Department of Energy has defined a DOE completed unit as follows:

- A DOE Weatherized unit is: "A dwelling unit on which a DOE-approved energy audit or priority list has been performed. As funds allow, the appropriate measures installed on this unit have an SIR of 1.0 or greater, but also may include any necessary energy-related health and safety measures. The use of DOE funds on this unit may include but are not limited to auditing, testing, measure installation, inspection, use of DOE equipment, vehicles, or DOE provides the training and/or administration."

- Therefore, a dwelling unit that meets both the definition of a DOE weatherized unit and has DOE funds used directly on it must be counted as a DOE completed unit.

B9. Energy Audits

1. Certified Energy Auditor

a. General

i. All persons who conduct energy audits must be a certified Energy Auditor recognized by the Housing and Community Development. Those who are not certified must be directly supervised by a certified energy auditor and shall be certified within a reasonable period of time as determined by the Housing and Community Development.

ii. Energy Coordinators at each agency shall be certified as completing a course in residential energy auditing.

iii. Local agencies may contract out energy audit services to other certified energy auditors if needed.

b. Certification Revocation

i. The Housing and Community Development reserves the right to revoke the certification of any energy auditor as the Division deems necessary. The energy Auditor and the local agency they are affiliated with will be notified in writing of the decertification.

2. Weatherization Assistant (NEAT/MHEA Audit)

a. General:

i. Weatherization Assistant (NEAT/MHEA Audit) as approved by the Housing and Community Development and the DOE shall be used by all agencies. The audit tool will be used in determining the Savings to Investment Ratio of each weatherization measure and the correct priority of weatherization improvements for each dwelling unit.

ii. The current version to be used is:

Version 8.9
http://eber.ed.ornl.gov/pub/weatherization/Weatherization%20Assistant%208.9/WA%208-9-0-5.exe

iii. The Housing and Community Development applied for the NEAT/MHEA re-certification process with DOE during the 2010-2011 program year and will not be required until 2015.

iv. The NEAT audit will be used for all homes with the exception of factory built homes, as defined in *Attachment #26.*

v. The NEAT audit will be used for factory built homes that the building envelope has been altered with light conventional framing, factory built homes installed on conditioned basements, and modular homes. The key to this exception is the inclusion of additional conditioned space to the factory built home.

vi. The NEAT Audit will be utilized for multi-family buildings with 5 units or less and buildings with 5 to 24 units that are individually heated and cooled and less than four stories in height.

vii. All other multi-family buildings with be audited with EA-QUIP.

viii. Multi-Family audits done using the EA-QUIP will be reviewed using the procedure outlined in Attachment – 07 Multi-Family Review Protocol.

ix. The MHEA will be used on all factory built homes, as defined in *Attachment #26*, except factory built homes that the building envelope has been altered with light conventional framing, factory built homes installed on conditioned basements, and modular homes. The key to this exception is the inclusion of additional conditioned space to the factory built home.

b. Program Setup

The local agencies are responsible for the setup of the Weatherization Assistant. To maintain consistency between the local agencies the State is instituting the following:

i. The local agency is responsible for database preservation. If at any time the local agency cannot reproduce a NEAT/MHEA for a job which has been funding by this program the costs and job will be disallowed.

ii. Prices paid for materials and labor should be updated twice yearly or when a significant change in a cost factor occurs.

iii. A list of mandatory settings is included in *Attachment #7*. This includes the maximum life of the library measures and certain measure which shall be switched on or off.

iv. Under Setup Library → Key Parameters the *Minimum Acceptable SIR* shall be set to 1.0 in both the NEAT and MHEA.

v. Fuel costs will be provided to the agencies on an annual basis from the results of the fuel survey conducted by this office. In areas where the local agency has multiple fuel providers they may average like fuels with similar cost or create separate Fuel Cost Library. This should be reported in the Weatherization Operations Plan submitted to the State.

vi. Weather File selection for the NEAT/MHEA shall be based upon the physical location of the client home. Since there are many variables in these weather files the State has selected which files will be used in the State. The local agencies will select the file from the following:

- BRAG = Pocatello, ID
  Rich County = Rock Springs, WY

- UBAOG = Rock Springs, WY
- 5 County AOG =
  Washington County below 4000' = Yucca Flat, NV
  above 4000' = Cedar City, UT
  All other areas = Cedar City, UT
- SEUALG =
  San Juan County below 4500' = Yucca Flat, NV
  above 4500' =Salt Lake City, UT

- All other agencies below 4500' = Salt Lake City, UT
  above 4500' = Cedar City, UT

3. Energy Audit Prioritizations

a. General

i. **No weatherization work may be conducted or funds expended on a client home without first completing the appropriate NEAT/MHEA audit.**

Exception:

- No Heat Crisis
- Life safety situation
- Low Cost/No Cost WX measures

ii. Reserved

iii. Reserved

iv. The priority listing of activities (after O&M's and infiltration has been stopped) will be based upon NEAT/MHEA calculations and is limited to those listed in the NEAT/MHEA *Recommended Measures*.

v. When selecting replacement options in the audit NEAT/MHEA tool always try to use the "*Evaluate All*" or similar function. The use of "*Replacement Mandatory*" functions is discouraged since this will affect prioritization of measures and can lead to measures on the Recommend Measures that do not have an SIR of 1 or greater.

vi. Under NEAT/MHEA, a measure shall only be implemented where the savings to investment ratio (SIR) of that measure is a minimum of 1.0. If a client or landlord refuses installation of a certain measure, then measures with a lower priority or lower SIR **cannot** be installed.
(example: Client or landlord refuses wall insulation with a priority 2 and SIR of 4.8. Low-E window replacement with a priority of 5 and SIR of 1.1 cannot be installed.)

vii. Each NEAT/MHEA Recommended Measures (output form) and the NEAT/MHEA Input Report will remain in the client file.

viii. **No DOE Weatherization funds shall be used to make energy improvements where the "stand alone" SIR of the measure is less than 1.0. Client buy downs are not allowed.**

ix. Landlords will still be required to pay 50% of the material and labor cost on rentals, provided the entire labor and material cost audited is at 1.0 or greater before the co-pay**.** (See Section C4 Income Property for the specific rules)

4. Energy Auditing Procedures

i. Each agency shall conduct a thorough energy audit of all approved client homes at the beginning of the weatherization process. It is recommended that the energy auditor use a blank NEAT/MHEA Data Collection form during the audit to ensure all necessary information is collected. If the agency desires to use their own forms they need to ensure that it includes all data fields the NEAT/MHEA Data Collection form uses.

ii. During the energy audit the Auditor shall collect the following baseline data and record it in the client file.

- Pre-Weatherization Blower Door CFM_{50}
- Measuring of CO in the appliances and ambient air
- X-Ray Florescence (XRF) testing of painted surfaces that may potentially be disturbed during the WX process (pre-1978 homes)
- XRF testing of painted surfaces that may potentially be disturbed during the WX process in pre-1978 factory built homes.

iii. There are many additional diagnostic tests and other data that can be collected during the WX process which can be very helpful in preparing the work order for the unit and ensuring the health and safety of the client. Auditors should not just

rely on their experience but also the building science and technology available. Some of these items are:

- Testing of duct work (Pressure Pan or Duct Blaster)
- Combustion Analysis of Appliances
- Worst Case Draft/Spillage Testing (Attachment #9)
- Combustible gas leak testing

B10. Training

1. Utilization of Funds

Local Agencies – Training funds will be used primarily for salary, fringe and travel costs to attend local, state, regional and national training events for selected staff. Some funds may be used for training supplies, equipment, materials, facilities, etc. as needed for agency in-house training.

2. Client Education

i. The goal of Client Education is to involve Weatherization clients as partners in controlling their consumption, comfort, pollution and in establishing energy management habits in their household.

ii. All agencies are required to educate clients in ways to save energy such as thermostat setbacks, efficient use of draperies, lighting, appliances, day lighting, etc.

iii. They are required to provide program recipients a copy of selected client education materials and to explain the use and maintenance of items installed in the home such as *Energy Saver$*, *Bright Ideas*, *Lighting for Smarties*, *Saving Watts of Water*, etc.

iv. Each applicable household should also receive a copy of *"Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools"*.

v. The first educational objective with every client-customer is to identify his or her self-interest that could be connected to energy consumption. In order to establish a commitment on the part of the Weatherization client, a non-binding contract between the Weatherization agency and the Weatherization client will be used. This

Partnership Agreement can be found in *Attachment 9* as a part of the final inspection certification.

vi. Local Weatherization agency workers will continue to develop and implement a more comprehensive and effective client education program.

vii. Agencies wanting to claim the $50 rebate from Rocky Mountain Power for Energy Education on electrically heated homes must provide the approved training curriculum and complete the reimbursement request.

3. Training and Technical Assistance

a. General

i. Training and Technical Assistance (T&TA) in the Utah Weatherization Assistance Program takes on several forms. As a result of this diversity both individual and group training needs can be addressed for the majority of the local Weatherization agency staff.

b. Sub-grantee Monitoring Visits

During the course of sub-grantee monitoring opportunities will be available to conduct training on weaknesses identified or agency needs.

c. Weatherization Coordinators meetings

Every four months state staff and local agency program coordinators meet to discuss policy, changes, strategy and other topics of interest to the group. During these meetings there is usually some training time set aside for the program coordinators regarding program implementation.

d. The Intermountain Weatherization Training Center (IWTC)

i. The IWTC will be utilized primary resource for training of the Utah Weatherization Assistance Program. Currently the staff is developing a comprehensive training program based on DOE Standardized Workforce Curriculum.

ii. A training calendar will be published.

iii. Local agencies may also reserve the center for their own training upon request.

SECTION C

APPLICATION PROCESS

C1. Weatherization Program Eligibility (DOE)

1. LIHEAP Qualification Chart
2. Client Application
3. Determination of Income
4. Proof of Income Eligibility
5. Income Annualization
6. Residency Status
7. Proof of Property Ownership
   - Notes
8. Eligible Dwelling
9. Ineligible Dwelling
10. Weatherization Priority Rating System
11. Denial of Service

C2. LIHEAP Weatherization Program Eligibility

C3. Crisis Service Call Program

1. Crisis Policy
2. Crisis Service Call Application
3. Verification of HEAT Eligibility
4. Proof of Property Ownership
5. Income Property
6. No Heat Crisis
7. Cooling Crisis
8. Reporting & Requesting of Funds
9. Client File

C4. Client File Requirements

1. General
2. Application Documents
3. Energy Audit Documents
4. Weatherization Documents
5. Job Completion Documents
6. Forms
7. Record Retention

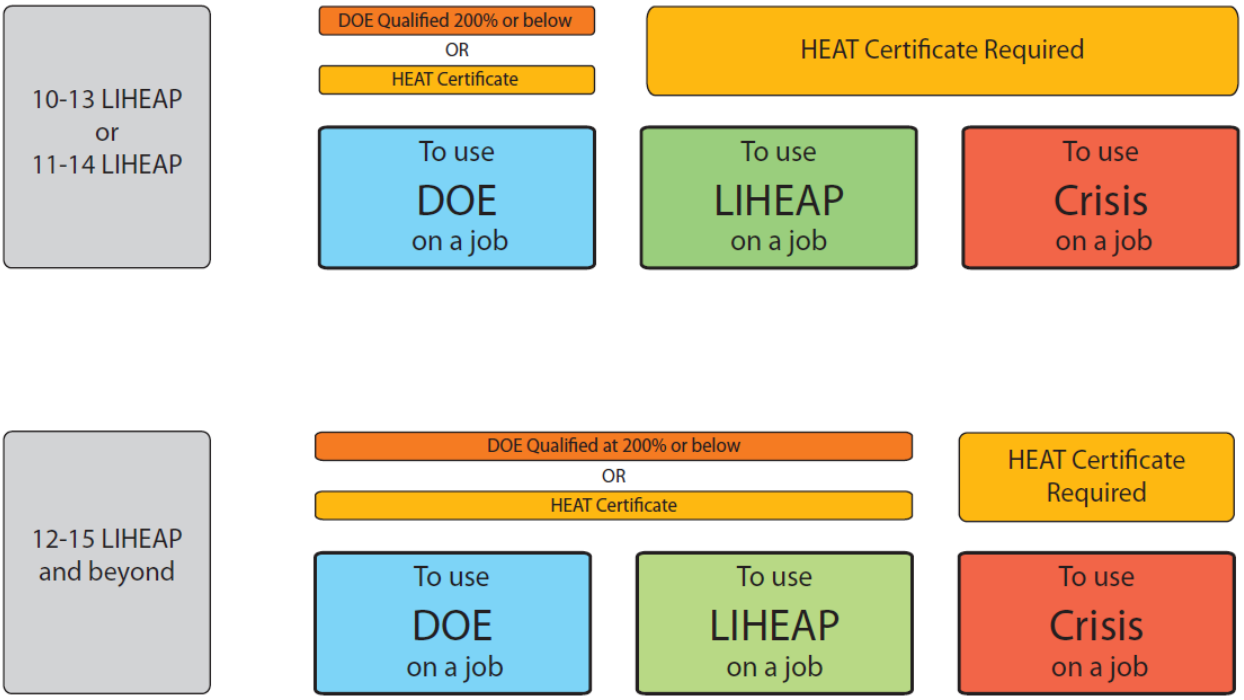
C5. Income Property

1. General
2. Shelters
3. Owner Participation
4. Crisis or No Heat
5. Multi-Family Complex Qualification Requirements
6. Master metered units
7. Refrigerator Replacement in rentals
8. Water Heater Replacement in rentals

C1. Weatherization Program Eligibility (DOE)

A client must complete the weatherization application and provide all appropriate documentation in order for an agency to determine a client's eligibility to the weatherization program. The agency is responsible to compile and store each client's information and documentation as proof of program eligibility. Client information must be available for inspection upon request by the Grantee or Grantor.

1. LIHEAP Qualification Chart



2. Client Application

a. A uniform application process will be implemented by all local Weatherization agencies. Standardized application documents will be used with the only changes allowed being the addition of local agency identification information. (See Attachment #3 WAP Application)

b. Applicants will be given at least 60 days from the date an application is submitted to return to the agency any missing or incomplete documentation. At least two agency follow-up contacts (letter, phone call, e-mail, etc.) will be made to attempt to obtain the missing documentation.

c. The local agency shall forward to the State WAP Office any weatherization application that involves, in <u>any way:</u>

- An agency employee
- Governing board member
- Extended family member of an employee or a governing board member

i. The State WAP Staff will review and approve the application.

- This includes both single & multi-family dwellings units.
- This includes any income property.
- The agency, in consult with the State WAP office, may turn over to the State WAP Staff the responsibility of qualifying the applicant, prioritizing the application and conducting the energy audit.

Note: Any deviations from this policy must be received in writing from the HCD.

d. HCD shall forward to the DOE Project Officer any weatherization application received from an agency that involves, in <u>any way:</u>

- A State WAP employee
- A State WAP staff extended family member

3. Determination of Income

a. Delete

b. The current version of DOE's Definition of Income is to be used to determine if an applicant is income eligible for Weatherization. According to DOE's Definition of Income, there are five ways an applicant can be determined income eligible:

i. DOE's Definition of Income is used to determine their household income is at or below the accepted federal poverty level.

ii. They are a qualified for the HEAT Program. This is done by obtaining a HEAT Certificate from SEAL Works.

- The Date of Award on the HEAT certificate must be within 12 month of the Application Date.
- The Date of Award on the HEAT Certificate must be within 12 months of the Work Start Date.
- A copy of the Application Summary is NOT acceptable as qualification for the HEAT program.

iii. Their residence is listed on one of the HUD Multifamily Properties Eligible lists for Weatherization Assistance lists.

iv. They have qualified for assistance under Title IV of the Social Security Act as administered by the State of Utah.

v. They have qualified for assistance under Title XVI of the Social Security Act.

c. The current income eligibility limit is 200% of the federal poverty level. The eligibility limit was changed from 150% to 200% in 2009 (see 10 CFR 440.22).

d. Attachment #3 WPN 13-3 contains further clarification on this subject and a table of income levels.

4. Proof of Income Eligibility

a. Proof of Income shall be provided for every household member listed on the application that is 18 years old or older.

b. The applicant must provide proof of all household income using one of the methods listed below. This information shall be retained in the client file. To align income information with the published tables the local agency may need to annualize the income information provided (see Section C1 3. For annualization guidance).

i. Proof of gross income earned for the applicable tax year.

- Annualization may be required. See Section C1 5
- Income is defined in Attachment #3 WPN 13-3

ii. A HEAT Program eligibility sheet, from the SEAL WX Search or copy from a Tribal HEAT program, showing proof client was deemed eligible.

- **(Ref. 10 CFR 400.22** "is eligible for assistance under the Low-Income Home Energy Assistance Act of 1981"
- HEAT qualification does not constitute weatherization approval. All aspects of the weatherization program eligibility must still be met.
- Because the Utah WAP has opted to allow the LIHEAP to determine income eligibility, agencies are required to accept current proof of LIHEAP eligibility as proof of income eligibility.

iii. If an applicant is self employed, **Attachment # 3 "Self Employment Ledger Form** must be completed and all verification the form requests must be included with the application to verify income. (See Attachment #3 WPN 11-5 B. 2. & D.3.)

iv. If a tax return is used as income verification, an IRS transcript of the prior year's tax filing must be provided. To obtain a transcript, applicants must submit form 4506-T to the IRS.

- The requested year or period shall be the most recent tax year.
- The qualification process cannot be completed until a transcript is received from the IRS.
- Only copies received from the IRS will be used.
- Copies provided by the applicant are not valid. Tax preparation software is readily available for individuals to prepare returns which may be different from the copies filed with the IRS.

v. Routine monthly income checks from retirement funds or any other monthly checks, will be counted towards income for the month they were intended, not the month they were received.

vi. Other checks will be counted based upon the date of issue, not the date cashed or deposited and must be annualized according to reoccurrence.

vii. If an applicant or adult household member does not have a source of income, **Attachment #3 Zero Income Statement** must be completed.

5. Income Annualization

a. Income qualification for the Weatherization program is based on gross household income during the previous 12 calendar months, or during the applicable tax year. If a client is unable to provide a complete 12 month record of gross household income, the local agency must annualize the client's income information for adaptation to the Annual Poverty Income Guidelines chart.

i. Applicable Tax Year – Is the most recent 12 consecutive month period for which the applicant has filed their income tax return.

b. An applicant cannot be rejected because they cannot provide a complete 12 month record of income. A minimum of 1 month of income for the previous calendar month is required as proof of income eligibility.

c. If a client receives a periodic payment, such as a quarterly or bi-monthly payment, the payment may be annualized according to its frequency so long as proof of frequency is provided. If no proof of frequency can be provided the payment must be added to the gross amount for the period and annualized accordingly.

> **Example**: Client is paid twice a month by their employer. Client is required to present consecutive paycheck stubs showing their gross pay for the previous calendar month. The agency would then add the gross pay for the month and multiply the monthly income by 12 to determine the gross annual income.
>
> **Example:** Client has provided two bi-weekly paycheck's in previous example along with a pension check for $5000 which the client claims is an annual payment. If the client is unable to provide proof of the frequency of the pension check the amount of the check must be added to the two bi-weekly checks and multiplied by 12 to determine the gross annual income.

6. Residency Status

To be considered for eligibility all applicants must be an adult (18 years old) and US Residents, or a "Qualified Alien".

i. US residents would typically have a birth certificate from the US or Social Security card.

ii. Qualified Aliens are residing in the US in a legal status and are in possession of documentation that indicates that status. Please refer to Attachment #3 - Form M-396 Attachment

iii. Any applicant who cannot produce documentation indicating citizenship or qualified alien status are not eligible.

iv. Social Security numbers will be requested for all residents 18 or older. This is needed to identify employment using E-Share or E-Rep. Refusals to provide this information will be dealt with by the local agency on a case-by-case basis. A copy of the Social Security Cards should **not** to be requested unless there are discrepancies in the information being supplied

v. **Total income from all of the occupants of the home must be counted, but only those individuals that are citizens or qualified aliens will be counted towards the Total in Household count when determining priority points.**

7. Proof of Property Ownership

a. The intent of determining property ownership is:

- Gaining right of entry
- Gaining right to conduct WX activities and alter structure
- Determining if the applicant has the right to grant the above permissions
- Verify age of construction for SHPO & LSW
- Determining if the legal owner of the property is using the property as income generating property. If the applicant/occupants are paying money to the legal owner for the right to occupy the property is should be treated as a rental unless further documentation can be provided.

b. To aid in the certification of home ownership issues where the property is not clearly owned by the applicant, **Attachment #3 Declaration of Ownership and Occupancy** form has been created. This form must be used in all situations where the client is not listed on the government records as the owner or ***Attachment #3 – Income Property Owner Weatherization Agreement*** has not been provided.

c. Local agencies can accept the following as verification of property ownership when the applicant information matches these records:

i. Property tax records or other government records

ii. Legal copy of a recorded deed. (Typically recorded within 12 months or less of the application.

iii. DMV title

iv. Promissory notes and or purchase contracts may be also used as ownership verification in mobile homes if the note has been in force and if the client has been living in the home at least two years

d. When the dwelling unit is located on Tribal Lands the applicant does not need to provide proof of ownership. When possible the agency should obtain a copy of the Home Site Lease or Chapter Certificate of Residency.

e. When an agency becomes aware, either through documentation provided by the client or a search of County property records, that the property taxes are four or more years delinquent on the application property, the application will not be accepted until the taxes are brought current

Notes:

i. It is the intent that the local agencies have the flexibility to address mitigating circumstances where the legal owner of the property is allowing the applicant/resident to occupy the

property as owner. It is important that the agency document the methods use to arrive at their decision. **Attachment #3 Declaration of Ownership** is available for this.

ii. Quitclaim deeds, warranty deeds and other similar types of documents are not proof of ownership and will not be accepted.

iii. A DMV property tax notice is not proof of ownership for mobile homes, unless the mobile home is on land owned by the client and they receive a property tax notice from the county assessors' office

iv. An individual holding a power of attorney for a deceased person cannot grant permission to enter and perform work on a home.

v. The person(s) shown on the County records, or other proof of ownership records provided, as the owner(s) **must** be the same person whose signature appears on the WX application, **Attachment #3 Declaration of Ownership** or on the ***Attachment #3 – Income Property Owner Weatherization Agreement*** in the case of a rental. If this person is deceased, the home cannot be weatherized.

8. Eligible Dwelling

To be considered an Eligible Dwelling unit the applicant's residence should meet the following:

a. A dwelling unit is a permanent structure such as a:

i. Single family dwelling (house)

ii. Townhome

iii. Apartment

iv. Studio Apartment

v. Cottage

vi. Condo

vii. Manufactured home

- Installed on permanent foundation
- Installed on a support system with a tie-down system

viii. Mobile home

- Installed on permanent foundation
- Installed on a support system with a tie-down system

ix. Shelter

b. An eligible dwelling unit is typically permanent in nature. Usually this means it would require significant disassembly or major disconnection of utility services before it could be moved. Things to consider are:

- A hitch or other device to be used for towing.
- Is not self-propelled.
- Does not have operable axles, tires or wheels
- Cannot be easily moved or relocated.

c. Not connected to public utilities:

This is applicable when public utilities are reasonably available, service has been disconnected, etc..

i. No repairs and or replacements of heating system and water heating equipment **will** be completed until utilities have been restored to the home. (when applicable)

ii. Repairs may be undertaken if they are necessary to restore the utilities. (e.g. a Red Tagged furnace)

iii. The local agency may defer weatherization if utilities are anticipated to be restored in a reasonably short period of time.

9. Ineligible Dwelling

No funds shall be used to weatherize a dwelling unit which is not eligible as defined in Section C1. 6. or when any of the following apply:

a. Dwellings that have been previously weatherized.
- If the dwelling unit was weatherized on or after 30 September 1994 it shall be considered ineligible for weatherization.
- Local agencies must verify this status by address using agency or Housing and Community Development files.

b. Dwelling is vacant or not being occupied

c. Designated for acquisition or clearance by a federal, state, or local program.

d. Dwelling has been foreclosed

e. A dwelling is not eligible for weatherization unless it is the present and primary residence of the applicant. (summer homes, cabins, or other part time residences are not eligible.)

f. The applicant has plans to move from the property within 12 months of completion.

g. A "For Sale" sign is observed

- The home will be ineligible for any weatherization services for a period of 12 months.

- If weatherization has started, the agency must determine if the weatherization should continue based on what has already been installed and/or purchased for the home. Details of the action taken should be recorded in the client file. The Housing and Community Development must first approve variations from this in writing.

- Crisis should be treated similar to rental units.
  The goal is to mitigate only the crisis, in the most economical way. The intent is to attempt to repair the unit when it is more cost effective than total replacement. If replacement is necessary the local agency shall follow the general crisis policy in *Section A1. 4. LIHEAP Crisis*

10. Weatherization Priority Rating System

a. Priority Rating System

i. If there is less than a 2 month backlog assistance shall be provided on a first-in first-out basis.

ii. If there is more than a 2 month backlog the local agency shall create a Priority List.

iii. Upon qualification of an applicant the local agency will assign a priority using the format in Section C1. 10. b. This will determine placement on the agency's Priority List.

iv. Definitions:

- **Energy User Percentage** - The most recent 12 consecutive month consumption, from date of application, of the applicant's metered primary heating fuel divided by Utah average energy usage. (7993kWh and 75.6dth)

- **Energy Burden Percentage** – The sum of expenses of the most recent 12 consecutive month, from date of application, of the applicant's metered utilities divided by their annualized household income. This would typically be natural gas & electricity.

- **Non-Metered Fuel** – A primary heating fuel that is not metered by a utility provider. These fuels would be:

  - Coal
  - Oil
  - Propane

– Wood

- **Wood Fuel** – The primary heating fuel of the dwelling is a stove or fireplace burning wood, wood pellets or similar fuel source.

- **Elderly** - Any individual who is at least 60 years of age.

- **Disabled** - **A**ny individual (1) who is a disabled individual as defined in Section 7(6) of the Rehabilitation Act of 1973, (2) who is under a disability as defined in Section 1614(a) (3)(A) or 223(d)(1) of the Social Security Act or in Section 102(7) of the Developmental Disabilities Services and Facilities Construction Act, or (3) who is receiving benefits under Chapter 11 or 15 of Title 38, U.S.C. (4) who has a letter from a physician stating that the disability will exist longer than six months, (5) who has a visible confirmation by Weatherization staff that there is a disability, or (6) who has a disability confirmed by the HEAT program.

- **Pre-School age Children** - Anyone that is under the age of six (6) years old. These children are considered to be at additional health risk because of their young age and the fact that in many cases they will be in the non-weatherized dwelling during the entire day.

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b. Priority Rating System

a. The household has Elderly or Disabled living in residence. (25 points) _____

b. Preschool children reside in the household add 3 points for each child under the age of six. _____

c. For every 6 months the application has been on file add 10 points. _____

d. Prior Weatherization of the dwelling unit subtract 10 points. _____

e. Where household income is:
Under 75% of the poverty level add **40** points.
75% to 100% of poverty add **30** points
101% to 125% of poverty add **20** points
126% to 150% of poverty add **10** points
151% to 175% of poverty **0** points
176% to 200% of poverty **0** points _____

f. Where Energy User Percentage is:
125% and greater add 20 points
120% to 124% add 15 points
115% to 119% add 10 points _____

g. When the household is Non-Metered Fuel
add 20 points _____

h. Energy Burden Percentage is:

25% and greater	add 20 points
20% to 24%	add 15 points
15% to 19%	add 10 points _____

TOTAL POINTS _____

c. Priority List Deviations:
A local agency may deviate from the Priority List when:

i. Coordinating with housing rehabilitation with other entities or programs. (Self Help is not approved for this exception)

ii. Coordination of agency services due to geographic reason.
Agencies with large geographic service areas may move clients up the Priority List, with documentation, when it is in the best interest of the program to conserve program funds.

iii. Local agencies may weatherize a LIHEAP Crisis client when documented circumstances show it is in the best interest of the program. (e.g. post-weatherization furnace sizing would not be adequate to heat the home)

d. Client Moving
Approved clients living in an approved residence that move before receiving services will retain their original priority listing when they reapply.

e. Multiple Applications
Clients can apply multiple times. Clients may not have more than one active application at a time. Individuals receiving Weatherization assistance within the last twelve months while residing at another residence shall receive assistance at their present residence based upon the applications Priority List ranking of their current active application.

f. Income Re-qualification
Applicants waiting more than twelve months to be assisted must re-qualify their income based upon their current income and household size before the work can begin.

- The 12-month waiting period starts on the date of the income verification provided at the time of weatherization application and ends when the first work starts on the home (crisis work, audit, etc.). A copy of the re-certification documentation must be placed in the client file.

11. Denial of Service

Service may only be denied when the applicant fails to qualify for the program.

a. If an income eligible applicant occupies a structure that is not an eligible dwelling unit, they are to be referred to a local housing provider for available housing assistance, when applicable. Any deviation from this policy will require written approval from the Housing and Community Development

C2. LIHEAP Weatherization Program Eligibility

Starting with 2012 -2015 LIHEAP contract weatherization qualification will follow the same process and require the same documentation as **C1. Weatherization Program Eligibility**.

C3. Crisis Service Call Program

1. Crisis Policy

a. General

A Crisis Service Call is different than using Energy Crisis Funds in a weatherization project:

i. The applicant would be either a referral from a HEAT Office or
An applicant contacts the Agency directly and is HEAT qualified.

ii. The applicant completes a separate Crisis Application.

iii. The work done is in response to an occurrence that is specified on the crisis application.

iv. The Crisis Service Call program is not a rehabilitation program. It repairs or replaces existing systems only.

v. Weatherization clients who are on the waiting list and have a Crisis Service Call can be treated 2 ways.

- They may be moved up the priority list to address the Crisis Service Call and all regular weatherization activities. This must be a Weatherized Units per Section A5 of the guideline and their file closed.

or

- They may be served as a Crisis Service Call client and only the issue causing the crisis will be addressed. The Crisis Service Call will then be closed out and reported according to Section C3. 9.

vi. Weatherization clients that do not have a HEAT Certification as part of their qualification will need to apply, and be approved, for HEAT Certification prior to working the on the Crisis Service Call.

vii. The primary use of LIHEAP Crisis funds are for the heating season. There are situations where a Cooling Crisis may arise. Caution should be exercised in expending LIHEAP Crisis funds to ensure availability of services during the No Heat season.

viii. Questar funds may be used to supplement LIHEAP Crisis funds for Questar clients.

b. Definitions:

Crisis Service Call - An immediate risk to the occupants of an eligible dwelling due to one of the following:

i. No Heat Crisis – the primary source of heat for the dwelling is not operational within normal limits. This would include:

- High CO level (100ppm or higher)
- Cracked heat exchanger
- Any measureable CO in the supply air stream

ii. Cooling Crisis – A home with "Target" clients that the primary source of cooling is not operational:

Target- Elderly, Disabled, Pre-School age children

c. Allowable Costs

i. The Administration funds for this budget category are included in the LIHEAP allocation so no additional Admin charges are permitted.

ii. The T&TA costs associated with this Crisis Service Call program are included in the LIHEAP T&TA budget category.

iii. Program Operations costs associated with operation of the Crisis Service Call Program are allowable charges to this budget category. Some of those allowable costs would be:

- Labor & fringe to determine crisis needs (diagnose, preliminary site assessment)
- Labor & fringe to install a crisis measure
- Materials used for the crisis
- Fuel & vehicle insurance used getting to the crisis job
- Labor & fringe to conduct intake and application processing of the Crisis Service Call Applications
- Labor, fringe, and the cost to purchase, transport, warehouse, & deliver crisis materials
- Temp space heaters loaded to qualified clients

2. Crisis Service Call Application

e. A uniform application process will be implemented by all local agencies. Standardized application documents will be used with the only changes allowed being the addition of local agency identification information. (See Attachment #3 Energy Crisis Application)

f. The local agency shall forward to the State WAP Office any weatherization application that involves, in <u>any way:</u>

- An agency employee
- Governing board member
- Extended family member of an employee or a governing board member

ii. The State WAP Staff will review and endorse approved applications.

Note: Any deviations from this policy must be received in writing from the HCD.

3. Verification of HEAT Eligibility

a. Once a signed Crisis Service Call Application has been obtained the local agency shall conduct a search of the SealWorks system to obtain a copy of the HEAT Qualification certificate.

b. If the applicant listed is not in the system you cannot search under another name without the signature of that person on the application.

c. A copy of the HEAT Certification shall be placed in the Crisis Service Call File.

4. Proof of Property Ownership

a. The intent of determining property ownership is:

- Determine if the crisis location is a Income Property

- Gaining right of entry
- Gaining right to conduct Crisis Service Call activities and alter structure
- Determining if the applicant has the right to grant the above permissions

b. Agencies will use the same methods to determine proof of ownership as they would for regular weatherization. See Section C1. 7.

c. If it is determined that the applicant is not legal property owner agencies will need to use Attachment #3 Declaration of Ownership & Occupancy.

5. Income Property

a. The Utah Fit Premises Act (Utah Code Title 57 Chapter 22) requires the owner to maintain the heating system, hot & cold water system, & any air conditioning system.

b. Energy Crisis applications received that involves any dwelling that is considered a Income Property shall be denied.

6. No Heat Crisis

a. The primary heating system of a home may be repaired or replaced as a No Heat Crisis.

b. Repairs

i. Diagnoses and evaluation of existing systems prior to taking any action is a best practice that can help the agency avoid unnecessary expenses.

ii. Attempts should be made to repair any existing system when feasible. When diagnosing and evaluating the system technicians need to be aware of the Repair Cost Limits: (materials only)

- Repair cost % should be calculated against a new 90%+ single stage unit. (NG)
  - 1-5 year old central systems up to 40% of the replacement cost.
  - 6-10 year old central system up to 25% of the replacement cost.
  - 11 + year old central system $400 maximum.
- When repairs are anticipated to exceed the Repair Costs Limits above replacement may be considered.
- Other fuels or non-forced air system consult the State WAP staff for guidance.

c. Replacement

i. New systems will meet all the specifications and installation requirements of a weatherization installation. This is to include:

- Attachment #22 HVAC Best Practices
- Attachment #22 New Furnace Install Checklist

ii. Air conditioning can be included in the replacement when the existing system had AC and has been verified as operational.

- Verification of the existing cooling equipment being operable within 12 months of the work start date shall be placed in the client file.
- When the operation cannot be physically verified use of the previous year's billing history will be acceptable.
- When verification of the existing system's operation is not possible work shall be considered as "New Installation" and follows all applicable rules.

7. Cooling Crisis

a. The primary cooling system of a home may be repaired or replaced as a Cooling Crisis.

b. Repairs

i. Diagnoses and evaluation of existing systems prior to taking any action is a best practice that can help the agency avoid unnecessary expenses.

ii. Attempts should be made to repair any existing system when feasible. When diagnosing and evaluating the system technicians need to be aware of the Repair Cost Limits: (materials only)

- Repair cost % should be calculated against a new 13/14 SEER single stage.
  - 1-5 year old central AC systems up to 40% of the replacement cost.
  - 6-10 year old central AC system up to 25% of the replacement cost.
  - 11 + year old central AC system $400 maximum.
  - Evaporative Cooler $250 maximum.

- When repairs are anticipated to exceed the Repair Costs Limits above replacement may be considered.

c. Replacement System

i. A replacement system can only be installed with the client's attending physician endorsement. The Physician's Note shall contain the following information:

- Be on official letterhead
- Doctor's name & contact information
- Patient name & information that corresponds to the application.
- The following statement:
- This person is a patient under my direct care who has a diagnosed medical condition. The patient's medical condition will worsen and could result in harm or death.

ii. New systems will meet all the specifications and installation requirements of a weatherization installation. This is to include:

- Attachment #22 HVAC Best Practices
- Attachment #22 Air Conditioner Start-Up & Performance Checklist

8. Reporting & Requesting of Funds

a. Agencies are required to report their completed Crisis Service work on a monthly basis.

b. Reporting will be through the WebGrants system and is due by the 25th of the month. If the 25th falls on a weekend or holiday, the reports will be due at the close of business on the following business day.

c. When completing a BWR in the WebGrants system the agency will select a Crisis Only BWR and complete as much information as possible. When the Crisis Service was labor only they will be required to enter $.01 for the system to accept the report.

d. Fund requests will be submitted as part of the regular Weatherization process.

9. Client File

a. Agencies are required to maintain a client file for each approved applicant. This file may contain the required documentation of multiple Crisis Service Calls.

b. Each client file shall contain:

i. Application
ii. Proof of HEAT approval. (This could be a HEAT certificate from a tribal ran program)
iii. Additional ownership documentation as needed.
iv. Required HVAC forms for the work done on the dwelling.
v. Contractor or vendor invoices or other proof of payment for services.

i. Material inventory sheet for warehouse materials used on the job.

C4. Client File Requirements

All client file shall be available for each approved applicant and reported completion. These files must include the following:

1. General

a. Agency may maintain separate LIHEAP Crisis files or they may be maintained jointly with the weatherization files.
b. **Client files should not generally contain documents/information that could be used for identity theft**. Items to be ***excluded*** from client files after completion of the qualification process are listed below but are not necessarily limited to these items. If the document must be retained, identifying information should be cut from or blacked out on the document.

- Death Certificates
- Birth Certificates
- IRS statements or W-2's, 1040 Tax returns except in the cases where there is self-employment or only as a last resort when someone applies in January.
- Copy of utility bills except for verifying who pays the utilities in rental situations.
- Bank and /or retirement account numbers
- Driver's License information
- Complete divorce decrees
- Mother's maiden name
- **Note:** Name on owner occupied unit utility bills will have **no** bearing on eligibility
- Child custody documents

Each agency should have a policy in place to protect sensitive material in client files and applications in-progress to avoid identity theft including securing files under lock & key.

2. Application Documents:

a. A completed Application (Crisis or Weatherization)

b. Income documentation and worksheet

c. Income re-certification when income data is not within 12 months of work start date.

d. Signed copy of "Income Property Owner Weatherization Agreement" (rental units)

e. Landlord Co-pay documentation (if applicable rental units)

f. Age verification of client homes. (**Must be from local government agency.** Use *Attachment #27* Alternate SHPO Age Verification if this can only be done via phone)

g. SHPO documentation on all homes over 50 years old. (Approval Letter & Pictures)

h. Verification of ownership details in file, including rental units

i. A longitude/latitude address established through the use of a Global Positioning System (GPS)

- Only required on dwelling units without a standardized street address
- GPS address will be the required address reference for all client file records such as applications and BWR's and other documents related to the project

j. Fuel history or release forms

3. Energy Audit Documents

a. NEAT/MHEA Input Report

b. NEAT/MHEA Recommend Measures Report

c. Approval document & Work Scope (EA-QUIP audits)

d. Applicant Health & Safety Evaluation completed prior to Weatherization

e. XRF testing results if home was built prior to 1978 (if applicable)

f. Knob-and-tube wiring inspection/certification documents

g. Documentation that refrigerator was tested

h. Notification of client receiving Renovate Right pamphlet (pre-1978 homes)

4. Weatherization Documents

a. O&M Checklist and omitted priorities documentation

b. Furnace forms and Green sticker verification

c. Combustion analyzer printout tapes: (non-solid fuel burning appliances)

i. Furnaces

ii. Water heater

iii. Boilers

iv. Wall Heater

d. Pre and post blower door test results

e. Work orders or other method documenting WX work

5. Job Completion Documents

a. Weatherization partnership agreement

b. Material invoices

c. Material inventory sheets

d. Contractor invoices

e. Completed & signed final inspection sheets

f. Building Weatherization Report (BWR)

g. Rocky Mountain Power Addendum (RMP customer homes only)

h. Worst Case Draft forms or TecLoc printout or electronic file

6. Forms

The forms included in these guidelines (see attachments) shall be used by all local agencies and shall not be altered in any way without written approval from the Housing and Community Development.

7. Record Retention

Client files and all other weatherization documents are required to be retained by local Weatherization agencies for a minimum of three (3) years following the reported completion or resolution of any CPA audit finding or recommendation.

Agencies are encouraged to develop a detailed retention policy to be included in their Weatherization Policy and Procedures manual.

C5. Income Property

1. General

a. Both owners and renters shall be eligible to receive Weatherization assistance. This also includes subsidized housing.

b. In the case of renter occupied dwellings the goal of any weatherization project must be to assist low-income tenants as much as possible without excessive or undue enrichment to the property owner.

c. Renters cannot be denied Weatherization services if the landlord declines to participate in providing matching funds or labor.

d. Whenever renter occupied dwellings are weatherized, a signed ***Attachment #3 – Income Property Owner Weatherization Agreement*** must be obtained from the property owner before work can begin.

e. If the building owner signs ***Attachment #3 – Income Property Owner Weatherization Agreement*** but declines the required cost sharing the local agency is permitted to:

   i. Conduct an approved energy audit on the unit(s).

   ii. Complete non-cost share audited weatherization measures, with an SIR of 1 or greater in order from higher to lower SIR.

   iii. When the first cost sharing item is reached the local agency will not proceed with anymore measures.

f. If the building owner or non-profit housing provider is not in a financial position to participate in the cost sharing the local agency is encouraged to refer them to a program such as Olene Walker Housing Fund or similar program.

g. The local agency may accept the property owner's authorized agent to act on behalf of the owner in the matters of the Weatherization Program when sufficient evidence has been presented to establish their authority in the eyes of the local agency.

2. Shelters

Shelters may also be eligible for Weatherization services.

a. "Shelter" means a dwelling unit or units whose principal purpose is to house, on a temporary basis, individuals who may or may not be related to one another and who are not living in nursing homes, prisons, or similar institutional care facilities.

b. To determine how many dwelling units exist in a shelter count each 800 square feet of the shelter as a dwelling unit or it may count each floor of the shelter as a dwelling unit.

c. Documentation qualifying the shelter:
   i. Program narrative
   ii. Charter
   iii. Other documentation clarifying the facility's function

d. There are no requirements to document the eligibility of shelter residents.

e. Shelters are not rental units but ***Attachment #3 – Income Property Owner Weatherization Agreement*** needs to be completed and placed in the client file(s) indicating right of entry and right of alteration.

f. Shelters can only be weatherized with DOE and Rocky Mountain Power funds. ***LIHEAP and Questar Gas funds cannot be used on these projects.***

3. Owner Participation

a. Owner Cost Share

The owner will be required to contribute fifty percent (50%) of all material and labor costs for each unit weatherized for the following measures:

i. Furnace

ii. Windows

iii. Door replacement

iv. Refrigerators (see C5. 7. Refrigerators In Rentals)

b. Contributions:

When contributions or required match monies are received from landlords or building owners, 10% of those funds may be used by the agency receiving those funds for administrative purposes.

c. Owner Declines Cost Share

If the property owner declines cost sharing refer to C5. 1. e.

d. Collection of Funds

All contribution funds are to be collected from the rental property owner before agency starts the work.

e. Program Income

Any contribution by the owner or non-profit housing provider will not be considered program income.

4. Crisis or "no heat" in rentals:

i. Under no circumstances will a "no heat" furnace be replaced.

ii. $200 maximum in materials may be spent to repair crisis or "no heat" situations in rental units.

iii. The replacement is sole responsibility of the landlord.

iv. This rule includes all funding sources.

5. **Multi-Family Complex Qualification Requirements:**

   a. **Use of DOE Funds for the Weatherization of income property:**

      i. Income eligible households must occupy sixty-six percent (66%) of the units in multi-family buildings.
      ii. Income eligible households must occupy fifty percent (50%) of the units in duplexes and 4-plexes.
      iii. The allowable maximum spending limit for the entire complex will be $6987 times the number of qualified units.

   b. Use of LIHEAP Funds for Weatherization of income property:

      i. LIHEAP Funds may only be used on the units that are income qualified under LIHEAP rules.

      ii. The allowable maximum spending limit for the entire complex will be $6987 times the number of LIHEAP qualified units.

      iii. If the unit is both DOE and LIHEAP qualified the spending limit will only be applied to the unit once.

   c. Use of RMP and Questar Funds for Weatherization of income property:

      i. RMP and Questar funds may be used in conjunction with other program funds of qualified units when they are individually metered.

6. **Master metered units:**
   Master metered units shall be classified as either:

   a. Owner occupied:

      i. Typically this would be a mobile home in a park or a condo.

      ii. The applicant has title or ownership of the unit but not the property is on.

      iii. The park is mastered metered and the client pays a fee to the park owner.

   b. Income Property:

      i. Typically this would be an apartment building.

      ii. The applicant has no title or ownership of anything.

      iii. The building is master metered and fees are typically part of the rent paid.

c. Upon classification of the master metered unit by the local agency they shall apply the other applicable rules of these guidelines accordingly.

7. Refrigerator replacements in rentals:

If the refrigerator is audited and the SIR is 1.0 or greater:

a. Client owns the refrigerator

i. No cost share

b. Landlord Owns refrigerator

i.50% landlord co-payment will be required

c. Master Metered Units

i. Replacement will be based upon who owns the refrigerator as outlined above.

Note: **Under *NO* circumstances shall the old refrigerator remain with the owner. All refrigerators replaced must be recycled with the refrigerant recovered according to EPA Guidelines.**

8. Water Heater Replacement in rentals

Water heater replacements in rental units will be done under the same conditions as owner occupied.

SECTION D

STATE RESPONSIBILITES

D1. Housing and Community Development

1. Program Guidelines

D2. Program Monitoring

1. Annual Program Monitoring
2. Periodic Monitoring
3. Financial Monitoring
4. Desktop Monitoring
5. Monitoring Process
6. Agency Participation

D3. Reporting

D4. Non-Compliance

1. Disallowance of Cost
2. Disallowance of Job
3. Letter of Non-Compliance
4. Agency Termination

D5. Policy Advisory Council

D6. Hearing and Transcripts

D1. Housing and Community Development

The Housing and Community Development (HCD) shall be responsible for the administration of the State of Utah Weatherization Assistance Program. The Division will designate the State Program Coordinator who shall act on behalf of the HCD in matters pertaining to this program. As the state-administering agency, the HCD will:

- Prepare the annual state application package to the U. S. Department of Energy along with all required reports to the cognizant federal agencies.
- Monitor and evaluate the program at all local agencies according to the federal and state guidelines.
- Disseminate information to local agencies regarding the requirements of the program.
- Assist the local agencies in implementing policies and guidelines from all funding sources.
- Assist the local agencies in meeting the reporting requirements of the program.
- Assist the local agencies with training and technical assistance.

1. Program Guidelines

a. The state WAP staff shall develop, maintain, and publish the Weatherization Guidelines. These guidelines are a portion of the State Plan submitted to Department of Energy. These guidelines shall serve as the standard operating procedure for agencies that operate with funds administered under this program.

b. Changes to the Guidelines will be in any of the following formats:

i. **Utah Weatherization Program Notice (UWPN):** This can be used when the State receives a similar notice from DOE. It also can be used when there is a need to provide technical clarification, such as date changes. These documents should be considered as additions to the existing guidelines. The effective date of the notice will be considered the date implementation unless otherwise specified.

ii. **Amendments:** When it is determined that a significant change is needed the state WAP staff may issue an amendment. This can be to address unspecified items not currently in the guidelines or used to rewrite a complete section. This document will be standalone in respect that it does not alter existing sections in the guidelines unless it is replacing an entire section. The amendment will be considered as part of the current guidelines and the effective date will be considered the date of implementation.

iii. **Guideline Update:** These are the significant revisions to the guidelines and will require a republication of the entire document. Upon republication of the guidelines the effective date will be the date of implementation.

c. It is the desire of the state WAP staff to develop and maintain a collaborative process when considering any changes to the program. Efforts will be made to solicit feedback to all proposed changes when practical and appropriate.

i. Non-Review changes will typically be limited to technical or administrative changes that would not substantially affect how the program conducts operations. These changes would also be mandatory directed from DOE.

ii. 14 to 30 Day Review changes will be the preferred method for changes. These draft changes will be published for sub-grantee review and comment for a specified period of time. Once the comment period has been closed a final version of the change will be published with an effective date of implementation.

d. Anyone wishing to propose a change to the WAP Guidelines will be required to complete *Attachment 01 – Utah WAP Guideline Change Form* either using the online or paper form. Changes will be tracked using the Utah WAP Change Log.

D2. Program Monitoring

The monitoring program will serve as the Quality Assurance tool of the program. The sub-grantee is responsible for their agencies Quality Control. Monitoring is used to verify local agency compliance, identify training needs of the program, and receive feedback from the local agencies. The process is meant to be as non-disruptive as possible. Since the involvement of the local agency staff will be necessary the state WAP staff will make all attempts to coordinate their needs with the Program Coordinator. The monitoring process is not limited by time but shall be conducted as expeditious as reasonably possible. The state WAP staff may conduct any type of monitoring or other investigations at anytime with our without notice.

1. **Annual Program Monitoring**: This is the scheduled comprehensive monitoring conducted of each local agency once a contract year. The primary tool for this will be Attachment # 11 *Monitoring Instrument*. This does not preclude any aspect of the program from examination during the monitoring visit.

2. **Periodic Monitoring**: This monitoring will be focused in a specific area of the local agency's program (i.e Admin, Production, HVAC). The primary goal of this monitoring is to be a informal highly interactive process. It should be just as much about education as it is evaluation. This monitoring will also be used when working with the local agencies to resolve findings, areas of concern, or items noted during other types of monitoring. In addition to regular Pre-Monitoring the monitor will need to consider:

   a. Develop a list of monitoring and training objectives in conjunction with the local Coordinator.

   b. Identify any immediate training needs and attempt to deliver them during the monitoring.

c. Coordinate the monitoring to include members of the local staff in the area being monitored.

d. Coordinate local resources to support any training.

3. **Financial Monitoring**: This monitoring is focused on the financial systems in place at the local agency. This monitoring is conducted in addition to the required external audit mentioned in **A2. 6. CPA Audit**. This type of monitoring will also include a review of the required CPA audit.

4. **Desktop Monitoring**: At the Housing and Community Development, state staff will review a sample of Building Weatherization Reports for program compliance, track monthly expenditures and draw downs for each agency, track production per each agency's contract.

5. **Monitoring Process**:
   a. Pre-Monitoring: To maximize the time spent in the monitoring process the State Staff needs to be thoroughly prepared prior to conducting any type of monitoring. The following items need to be reviewed prior to a monitoring activity.

      i. Review previous monitoring letters.

      ii. Review previous Monitoring Summary Reports

      iii. Review previous Monitoring Evaluation Summary

      iv. Review current agency reporting spreadsheets.

      v. Identify the required sample for the monitoring.
         - Annual Monitoring = 5% minimum of reported completions since last monitoring.

         - Periodic Monitoring = 5% minimum of applicable units
           (a) Admin = Completions and qualified clients on the agency waiting list.
           (b) Production = This sample may include completions, audits, work in progress , and final inspections.

         - HVAC = This sample will include 5% minimum of completed and in progress work that has not been reported as a completion.

   b. Annual Monitoring:

      i. A Tentative schedule of this monitoring will be published with the annual program update. As the tentative date draws near the staff will coordinate the specific date with the local agency.

      ii. The visit will follow the Monitoring Instrument in Attachment #11.

iii. Monitoring visit will close with an Exit Interview with the Executive Director or equivalent of the administrating agency.

iv. The state WAP staff will prepare a follow up Monitoring Letter within 30 days. The letter will summarize the monitoring visit, answer requests made at the time of the monitoring, list areas of needed improvement, and provide any other information or comments concerning the agency.

v. Copies of this letter will be sent to the program coordinator, executive director and the board chair or equivalent.

vi. The Monitoring Letter may require a response from the agency within 30 days of receipt.

c. Periodic Monitoring:

i. Monitoring as needed or in follow up to other monitoring findings.

ii. Entrance Interview with local agency Coordinator.

iii. A training component may be delivered during the visit.

iv. Evaluations of the area monitored will be recorded on appropriate forms in Attachment #11. HVAC monitoring will be done using existing HVAC forms in the guidelines.

v. Periodic Summary Monitoring Report will be completed and a copy provided to the local Coordinator.

vi. Exit Interview will be conducted with the local Coordinator. The monitor will review the Summary Monitoring Report with the local Coordinator and clearly cover strengths & weaknesses and any required actions or responses.

vii. Any deficiencies requiring a response must be received within 30 days from the monitoring.

viii. At the conclusion of the monitoring a copy of the Summary Monitoring Report shall be forwarded to the Executive Director or equivalent of the administrating agency. If deficiencies have been identified the Summary Report will be forwarded when the deficiencies have been corrected or within 30 days from the monitoring whichever comes first.

d. Financial Monitoring:

i. Financial Monitoring is conducted in compliance with the procedures of the office conducting this activity. The monitor is expected to apply the intent and practices of this section when conducting a visit in support of this program.

ii. The State Weatherization Program Coordinator will be copied on the results of the monitoring along with all other interested parties.

e. Desktop Monitoring:

i. This monitoring is conducted monthly in conjunction with reporting and requests for payments.

ii. Since reports will not be processed or payments approved until noted deficiencies have been corrected by the submitting agency no additional action is required.

6. **Agency Participation:**

a. Monitoring:

In order for the monitoring to be productive it is necessary for the local agency to provide complete cooperation and access. To ensure that the monitoring process is as transparent as possible agencies are invited and encouraged to participate in the following manner:

i. Have a staff member present during all monitoring conducted by the state.

ii. Have a staff member accompany client files into the field, or assist state monitors in following the local agency's file check out procedure.

b. Monitoring Survey:

The purpose of this evaluation is to obtain information from local agencies regarding the various strengths and weaknesses they observed during the time their agency was monitored.

i. This form will be sent as an online survey to the agencies at the conclusion of the monitoring visit.

D3 Reporting

The State WAP Staff will conduct reporting to the DOE, LIHEAP, Questar and Rocky Mountain Power as required. Reporting needs to be completed by the 30th of each month.

D4 Non-Compliance

When the sub-grantee does not correct the identified deficiencies in the allotted time the state WAP staff shall have the following recourse:

1. **Disallowance of Cost**:

A disallowance of cost occurs when it has been identified that any funds administered under this program have been improperly expended.

a. The Executive Director, Director of HCD, Board Chair or equivalent will be notified in writing of the specific costs being disallowed.

b. Those funds will need to be reimbursed to the Housing and Community Development within 30 days of notification.

c. Disallowed costs cannot be reimbursed with funds that are allocated by this office.

d. The local agency will be responsible to include all applicable amended paperwork as a result of this action.

2. **Disallowance of Job**:

A disallowance of a job occurs when it has been identified that any funds administered under this program have been improperly expended to qualify, audit, weatherize, or report a unit. All funds associated with this unit maybe included in the disallowance.

a. The Executive Director, Director of HCD, Board Chair or equivalent will be notified in writing of the specific costs being disallow.

b. Those funds will need to be reimbursed to the Housing and Community Development within 30 days of notification.

c. Disallowed costs cannot be reimbursed with funds that are allocated by this office.

d. The local agency will be responsible to include all applicable amended paperwork as a result of this action.

e. This disallowed job will be removed as a reported completion.

3. **Letter of Non-Compliance**:

A letter of Non-Compliance is issued by the state Weatherization Coordinator to the sub-grantee as a formal notification that the agency is not in compliance with the rules and guidelines the program is required to operate under. While this notification is meant to serve as an opportunity to correct ongoing problems it also the first step in defunding of the agency.

a. A letter of noncompliance with copies to the U.S. Department of Energy, Director of HCD, and the board chair or equivalent will be sent.

b. Sensitive or significant noncompliance findings will be reported to the U.S. Department of Energy immediately.

c. Letters of noncompliance will include recommended solutions, due dates for correction of problems, and any penalties for failure to correct the problems.

d. It will be the responsibility of the agency executive director to respond, in writing, to the state Weatherization Coordinator and Director of HCD within 10 days that the non-compliant activities have ceased or been corrected. If immediate compliance cannot be achieved a detailed plan to bring the agency into compliance shall be submitted for approval.

4. **Agency Termination**:

When the sub-grantee is not capable of bringing the agency in to compliance in the allotted time the Division shall be required to terminate the local agency contract.

a. Attachment A Section 12 of the contract will be executed.

b. A Notification of Termination will be issued to the sub-grantee. It will include:

i) Guidance for in production work.

ii) Disposition of warehouse inventory.

iii) Disposition of program equipment and property purchased with funds administered under this program.

iv) Method for administrative review of this action.

c. HCD will stop action on all payments to the local agency.

d. Notification to the Department of Energy.

D5 Policy Advisory Council

1. PAC Representation & Council members

a) The Policy Advisory Council for the LIHEAP and Weatherization Assistance Programs in the state of Utah is the ***Utah Energy Assistance Advisory Council***. It consists of 21 current members from a variety of backgrounds including energy conservation, utilities, low-income advocacy groups, government, etc. The members are listed in *Attachment 2.*

b) This Council is reconstituted from time to time and meets the second Tuesday of every month except during the months of June, July, and August. The Housing and Community Development has been designated as the grantee for the Department of Energy's Weatherization Assistance Program funds in the state of Utah. The Housing and Community Development shall administer the program with the assistance and guidance of the Utah Energy Advisory Council and local participating agencies.

D6 Hearings and Transcripts

1. Public Hearings

A notice of Public Hearing will be sent to all sub-grantees at least 10 days prior to the public hearing and will be advertised in compliance with Utah Public Meeting requirements. This hearing is to provide opportunity to present comments on to the Utah Weatherization Assistance Program State Plan prior to submission of the application to Department of Energy.

2. Transcript

The public hearing for the program was held at 12:00 p.m. on Wednesday, April 15, 2014 and a transcription of the hearing is included as *Attachment 1*.

Health & Safety Plan

E1. General Policy
1. General
2. Use of Funds

E2. Health & Safety Inspections
1. Client Participation
2. Required Inspections
3. Lead Testing
4. Mold Testing
5. Combustion Appliance Testing

E3. Health & Safety Measures
1. General
2. Lead: Renovation, Repair, & Painting Program (RRP)
3. Lead Safe Weatherization (LSW)
4. Building Ventilation
5. Combustion Appliance Safety
6. Carbon Monoxide & Smoke Detectors
7. Asbestos

E4. Health & Safety Alternatives
1. Deferred Service
2. Deferred Service Appeals
3. Referral of Service
4. Incidental Repair

E5. Worker Safety
1. General
2. OSHA Certification Requirements
3. Agency Safety Training Program
4. Personnel Protective Equipment

Health & Safety Plan

The Utah WAP has developed this Health & Safety Plan to ensure reasonable precautions are taken to protect clients and personnel. Contained in this policy are guidelines for identifying Health & Safety (H&S) issue(s), and determining whether issue(s) should be remedied, referred, deferred, or result in partial weatherization.

When an agency identifies an issue that is not specifically addressed in this policy they should consult with the State WAP staff to determine the best course of action.

E1. General Policy

1. General

a. This policy is driven by the Attachment #23 Health & Safety Table & Sections E2 & E3.

b. As part of the Energy Audit sub-grantees will conduct testing & inspections detailed in the Health & Safety Inspections Section E2. When issues are identified they will be addressed according to the table with H&S funds.

c. Items that are eligible for use of Health & Safety funds, which are not specifically listed in Attachment #23 Health & Safety Table, can be found in Section E3.

d. When identified H&S issues are not eligible for the use of H&S Funds the appropriate actions detailed in the Health & Safety Table columns, Deferral or Referral will be used. In some cases this may redirect the user to Section E4. Health & Safety Alternatives.

e. Intent

- Health & Safety measures are allowed only where energy efficiency measures are identified for installation or weatherization work will create a health or safety condition.

- Issues that are not listed in the Attachment #23 Health & Safety Table or Section E3. 1. may be addressed as an Incidental Repair (Section E4. 4.) when DOE funds are used and conditions are met.

- When considering doing work that will be charged to H&S there are two questions to consider:

  a. What must we do within reasonable costs to get the home to a point we can go forward with weatherizing, where the weatherization work will be lasting and effective?

  b. What must we do to ensure that the weatherization work we conducted does not create a health or safety problem for the occupant?

2. Use of Funds

Utah WAP has traditionally used LIHEAP Crisis funds to cover the cost of Health & Safety issues. Since there has been no historical information compiled to substantiate an accurate percentage we are selecting the allowable of 10%. By using the separate budget item it will allow the program to more accurately compile this information and further refine the allowable percentage over time. This percentage will be adjusted annually based off the previous year's expenditures.

a. The maximum Health and Safety expenditure per program year, using DOE or LIHEAP funds, will be averaged to no more than 12% of the per unit average established in A1 Use of Funds for materials.

b. Health & Safety funds are a separate DOE & LIHEAP Weatherization budget line. This policy is to be used for both funding sources.

c. Unused H&S funds will be re-budgeted to Program in the 3rd quarter of the program year for that funding source upon written request of the sub-grantee.

d. Measures that are covered under the H&S Table are eligible for use of these funds. Items that meet the Scope & Intent in Section

e. When another funding source, such as Questar or Crisis, is used to mitigate a H&S issue it is subject to the rules of that funding source.

f. The material and labor cost to install approved H&S measure shall be charged to this budget category unless allowed elsewhere in these guidelines.

g. Labor to conduct testing is an allowable H&S expense.

h. Health and Safety measures that can be audited to show a SIR of 1 or better should be funded as a weatherization measure using applicable funding source rules.

E2. Health & Safety Inspections

Prior to any weatherization activities being implemented, subgrantees are required to inspect dwellings for the presence of health and safety issues conduct applicable required testing, and to inform the client of any issues that are identified. Part of the Health & Safety Inspection is identifying occupant health concerns and attempting to identify & mitigate the impacts of weatherization activities on those concerns. Some of this information will be collected during the application process, but subgrantees are required to perform additional screening during the audit process to ensure that steps are taken to ensure that weatherization work will not worsen any occupant health issues. Health & Safety Form 1 has been created as the primary tool to collect and record this information.

1. Client Participation

a. The client is required to complete the Applicant Health & Safety Evaluation (Attachment 20) prior or during the Energy Audit.

b. As part of the process the Auditor will compare the client responses to their own findings and determine if all client comments have been addressed through the H&S Assessment process.

c. If issues were noted by the client that are not found by the auditor effort should be made to resolve the discrepancy through additional investigation or discussion with the client.

d. At the conclusion of the of the H&S Assessment the auditor will discuss all findings with the client and explain each party's responsibilities moving forward. This will be a Post Audit Client Interview.

e. If issues were identified that cannot be addressed as part of the program or otherwise meet the deferral standards the Deferred Service policy shall be followed in Section E4.

2. Required Inspections

a. Interior & Exterior Visual Inspection

i. Scope & Intent

- This inspection is to identify visually noticeable issues with the dwelling.
- This inspection is to include the site as well. It should identify issues that would impact the physical work or the measures.
- This inspection is to include testing of existing CO and smoke detectors to determine operability.
- This inspection is to be done as part of the Energy Audit and prior to any weatherization measure being done on the home.

ii. Documentation

- Documentation of this inspection will be conducted on H&S Form 1.
- Unfavorable results from this inspection shall be covered as part of the Post Audit Client Interview.

iii. Training

- Training for this inspection is how to perform a visual inspection and ways to identify the visual cues of problems that will affect weatherization activities.
- This will be part of the general IWTC Auditor Training.
- A person performing this inspection is required to have:
  - OSHA 10 hour card

b. Heating System Inspection

i. Scope & Intent

- This is a basic system inspection that attempts to identify non-technical faults with the heating systems in the home.
- This inspection will verify proper venting of the appliance.
- This inspection will attempt to verify if there is a presence of CO in the supply air stream.
- This inspection will check the fuel supply lines for leaks with a combustible gas detector. (NG & propane only)
- This inspection will cover all systems used for heating.

ii. Documentation

- Documentation of this inspection will be conducted on H&S Form 1.

iii. Training

- Training for this inspection will cover how to identify basic safety issues with heating systems.
- Training shall cover the use of tools like a combustible gas detector, combustion analyzer, or other CO detecting device.
- A person performing this inspection shall have
  - Rocky Mountain Gas Association (RMGA) certification.

c. Cooling System Inspection

i. Scope & Intent

- This non-technical inspection is to verify the basic operation and condition of the system and if any hazards are present.

- On evaporative systems this inspection will attempt to determine any conditions present that might affect weatherization activities, such as:

  - Damage to structure
  - Mold source
  - Inlet for combustion gasses

ii. Documentation

- Documentation of this inspection will be conducted on H&S Form 1.

iii. Training

- Training for this inspection is how to perform a visual inspection and ways to identify the visual cues of problems that will affect weatherization activities.

- This will be part of the general IWTC Auditor Training.

d. Water Heater Inspection

i. Scope & Intent

- This is a basic system inspection that attempts to identify non-technical faults with the water heater in the home.

- This inspection will verify proper venting of the appliance and if the appliance is drafting under worst case conditions.

- This inspection will measure the amount of CO the appliance is producing when firing.

- This inspection will check the fuel supply lines for leaks with a combustible gas detector. (NG & propane only)

ii. Documentation

- Documentation for this will be collected on H&S Form 1

- Attachment 9 Worst Case Draft Test (WCDT) form or TecLog software shall be used for recording WCDT results.

iii. Training

- Training for this inspection is how to perform a visual inspection and ways to identify the visual cues of problems that will affect weatherization activities.

- Training shall cover the use of tools like a combustible gas detector, combustion analyzer, or other CO detecting device.

- Training shall cover WCDT procedures and tools necessary to conduct this test.

- This will be part of the general IWTC Auditor Training.

- A person performing this inspection shall have

  - Rocky Mountain Gas Association (RMGA) certification.

e. Other Combustion Appliance Inspection

i. Scope & Intent

- This is a basic system inspection that attempts to identify non-technical faults with the other combustion appliances in the home.

- This inspection will measure the amount of CO the appliance is producing when firing.

- This inspection will check the fuel supply lines for leaks with a combustible gas detector. (NG & propane only)

- This inspection will identify non-vented space heaters.

ii. Documentation

- Documentation of this inspection will be conducted on H&S Form 1.

- Removal of non-vented space heaters will be documented. Refusal by the client will be processed as Deferral of Service.

- Unfavorable results from this inspection shall be covered as part of the Post Audit Client Interview.

iii. Training

- Training for this inspection is how to perform a visual inspection and ways to identify the visual cues of problems that will affect weatherization activities.

- Training shall cover the use of tools like a combustible gas detector, combustion analyzer, or other CO detecting device.

- This will be part of the general IWTC Auditor Training.

f. ASHRAE Inspection

i. Scope & Intent

- This inspection will begin the collection of data that will allow the home to meet ASHRAE compliance by the end of weatherization.

ii. Documentation

- Documentation of this inspection will recorded on Attachment 22 ASHRAE Calculator.

iii. Training

- Training for this inspection will cover collection of necessary data for determining ASHRAE ventilation requirements.

- Training for this inspection will cover the use of tools like a exhaust fan flow meter, DG-700.

- This will be part of the general IWTC Auditor Training.

3. Lead Testing

i. Scope & Intent

- This inspection will be done on homes built prior to 1978. It will check <u>any</u> painted surface that may be disturbed during the weatherization process. These surfaces would be typically, but not limited to:

  - Door or window jambs
  - Window sill
  - Window sash
  - Door slab
  - Interior or exterior walls

- Ceiling
- Soffit, fascia, building trim

- This inspection will be done on both site built and manufactured of mobile homes.

- This testing will be conducted with X-Ray Fluorescence (XRF) devices with a current calibration certification.

- Agencies are not required to conduct a Lead Inspection (R307-842-3(2)), Hazard Screen (R307-842-3(3)), Risk Assessment R307-842-3(4)). As defined by Utah Administrative Code. Since these defined inspections/testing would not ensure the sampling of areas where weatherization activities would be conducted.

ii. Documentation

- Documentation of this inspection shall be recorded on software provided by the XRF manufacture or other agency created form.

- Documentation will clearly show:

  - Client Information
  - Where each test was taken
  - The positive or negative results.

- Agencies will develop an internal process to ensure once a positive result is found that every person working on that job is aware of the presence of lead and what location it was found.

iii. Training

- A person conducting this inspection will be licensed by the State of Utah Division of Air Quality as a Lead Based Paint Inspector (R307-842-2)

4. Mold Testing

i. Scope & Intent

- Mold testing & remediation **is not** an allowable expense.

- A visual assessment is required on all projects to identify mold & moisture issues.

ii. Documentation

- Identification of existing or potential moisture problems shall be documented on H&S Form 1.

- Mold & Moisture problems found must be pointed out and discussed with the client.

- When moisture or mold issues are the cause of deferral of weatherization activities the agency needs to ensure clear expectations of the client responsibilities communicated to them and acknowledged through the deferral documentation.

- The client will provide with EPA pamphlet 402-K-02-003, A Brief Guide to Mold, Moisture, and Your Home.

iii. Training

- This will be part of the general IWTC Auditor Training.

5. Combustion Appliance Testing

i. Scope & Intent

- Identify if the appliance is firing properly.

- Determine the level of CO being produced

- Determine if atmospheric appliances will draft under worst case conditions.

ii. Documentation

- This testing can be recorded on the combustion analyzer and saved electronically or printed on a tape.

- Attachment 9 Worst Case Draft Test (WCDT) form or TecLog software shall be used for recording WCDT results.

- When TecLog is used all client & job information shall be placed on the log. Event markers shall be placed for each step of the test. The numbering of the markers should correspond to the Attachment 9 WCDT form.

iii. Training

- This training can be done as OJT or part of a more detailed combustion analysis class.

- WCDT training is available through the IWTC

E3. Health & Safety Measures

1. General

The Attachment #23 Health & Safety Table contains a list of issues that, when identified during the Health & Safety Testing, will result in the corresponding action. While situations might arise these items will be the typical Health & Safety measures for the program. Specific guidance on certain measures are covered below.

a. Air conditioning systems

i. Repair or replacement of the cooling systems is not an allowable H&S measure.
   - Allowable H&S work is limited to the safe recovery of refrigerants from the system.

ii. This measure is allowed under general weatherization B8. 1. x. and the Crisis Policy.

b. Heating Systems

i. Replacement of the heating system is not an allowable H&S measure. Replacement should be done under Weatherization or Crisis.

ii. Repair of the heating system is an allowable H&S measure. Work should be limited to mitigation of unsafe conditions such as:

- Venting
- Gas leaks
- High CO
- Cleaning & tuning

c. Other Appliances

i. Replacement of other appliances is not an allowable H&S measure. Replacement should be done under Weatherization or Crisis.

ii. Repair of other appliances is an allowable H&S measure. Work should be limited to mitigation of unsafe conditions such as:

- Venting
- Gas leaks
- High CO
- Cleaning & tuning

d. Water Heaters

i. Replacement of a water heater is an allowable H&S measure when:

- The existing water heater no longer drafts due to weatherization activities.

- The water heater is located in a sleeping area as covered in E3. 5. b.

ii. Repair of a water heater is an allowable H&S measure. Work should be limited to mitigation of unsafe conditions such as:

- Venting
- Gas leaks
- High CO
- Cleaning & tuning

e. Radon

i. Testing & mitigation are not allowed H&S measures.

ii. Client shall be provided with EPA pamphlet "*A Citizen's Guide to Radon*" EPA 403/K-12/002 May 2012.

f. Knob & Tube

i. Knob & Tube mitigation is not an allowable H&S measure.

ii. Knob & Tube guidance is located in Section B8. 3.

g. Space Heaters

i. Repair or replacement is not an allowed H&S measure.

ii. Un-vented combustion space heaters must be removed before weatherization or service shall be deferred.

h. Pests

i. Infestations are a reason for Deferral of Service

ii. Minor problems that can be addressed with a bug bomb or hornet spray that allow work to proceed are allowable.

2. Lead Renovation, Repair, & Painting Program (RRP)

a. Scope & Intent

i. This activity is regulated by State of Utah licensure. It is the responsibility of the licensed party to comply with all applicable State laws of that licensure.

ii. When dwellings have been identified as being positive, for the presence of lead, work will be subject to the provisions of 40 CFR 745 and Utah Code R307-840, 841, 842.

iii. All costs associated with implementing and complying with RRP are allowable H&S expenses.

b. Documentation

i. The required documentation for work done under RRP shall be documented on Attachment #28 LSW Declaration.

c. Training

i. All sub-grantees or the contractors they employ are required to be certified as a Lead Renovator Firm; regulated by the Utah Department of Environmental Quality (DEQ) pursuant to Utah Annotated Code R307-842.2(5)

ii. All sub-grantees will retain qualified staff or contractors who have received certification as a Certified Renovator pursuant to Utah Annotated Code R307-841-8(1) and R307-842-2.

3. **Lead Safe Weatherization (LSW)**

a. Scope & Intent

i. This is to establish guidance on safe work practices that will minimize the exposure hazards for both resident and worker when lead is present.

ii. It must be clear to all workers in the program that NO surface of the dwelling unit may be disturbed in homes built prior to 1978 that have not been tested according to Section E2. 3. Lead Testing. This includes "test holes" by the Auditor.

iii. While the RRP rules frame the basis for LSW there are additional considerations and requirements to be compliant with LSW. These additional areas are covered here.

iv. All costs associated with implementing and complying with LSW are allowable H&S expenses.

b. Worker Training

i. Any worker performing a LSW activity shall be licensed by the State of Utah DEQ as a Certified Renovator.

ii. Additional training shall be conducted on an annual basis by the local agency. This training shall be documented and made available for Annual Monitoring. The documentation of this training shall include:

- Names & signatures of attendees
- Copy of the training outline
- Name of trainer and credentials
- If this training was done by 3rd party they shall issue a certificate of training

iii. The additional training shall cover the requirements of this policy, (Section E3. 3)

c. Client Notification

i. The residents of homes that were constructed prior to 1978, site built or mobile, shall be given a copy of Renovate Right.

- Proof of service shall be obtained.

- This is regardless of the testing results.

ii. This notification must be given to the client not more than 60 prior to weatherization activities.

- Example: The auditor delivers the Renovate Right booklet on 1 February. If weatherization work does not begin before 3 April a second booklet must be delivered.

iii. When LSW work is to be conducted the client will be notified prior to work beginning. This is a additional notification, which can be verbal, at the time the physical work is to be done.

d. Work Site Access

i. Efforts to restrict the access of the work site shall be undertaken by the agency prior to any LSW being undertaken.

ii. Signage shall be posted warning or lead renovation work being conducted. At a minimum these postings will:

- Be outside the work area (5' minimum recommended)
- Identify that lead renovation is being done.
- Inform that only authorized persons should enter the area.

iii. Additional barricades or other means of preventing unauthorized access are encouraged but not required.

e. Containment

i. Definitions;

- Containment – A system of temporary barriers used to isolate a work area so that no dust or debris escapes while the renovation is being preformed.

- Level 1 Containment – The lowest level of containment. This containment is not required by RRP but is required by this program. Level 1 Containment is required when working on a know lead surface that:
  - All work disturbs less than 6 ft^2 of interior paint or
  - All work disturbs less than 20 ft^2 of exterior paint

- Level 2 Containment – The highest level of containment. This is work that is covered under the RRP. Level 2 Containment is required when working on a know lead surface that:
  - All work disturbs more than 6 ft^2 of interior paint or
  - All work disturbs more than 20 ft^2 of exterior paint

ii. Level 1 Containment Practices

- Dust & debris generation will be controlled & collected by used of drill shrouds connected to HEPA vacuums. or

- Dust & debris generation will be controlled & collected by catch bags, working wet or similar methods.

- The key to successful Level 1 work is no dust is released exposing the worker or client and all debris is collected and contained.

iii. Level 2 Containment Practices

- Level 2 Containment should separate the entire work from the rest of the dwelling. Setting up vertical containment walls and other methods will be employed.

- When feasible door & widow replacements will use the "catch bag" technique allows all the work to be done from the exterior of the home while keeping the interior completely isolated.

- Attachment #28 LSW Declaration details the areas to be checked & verified for containment during setup.

f. Personal Protective Equipment (PPE)

i. It is just as important to protect the Weatherization as it is the client. PPE is a requirement for all workers when Level 2 Containment is required.

ii. LSW Level 2 PPE is:

- Disposable suit. (Preferably with hood.)
- Disposable head cover. (If suit does not have hood)
- NIOSH approved and properly fitted tested respirator with P-100 HEPA filters installed
- Safety glasses
- Disposable gloves
- Disposable booties (If suit does not have)

iii. Consideration should be given to LSW work taking place during the warmer months as well. The risk of heat injuries increases considerably.

g. Safe Work Practices

i. One of the best was to ensure both client and worker safety while conducting LSW is to use Safe Work Practices.

ii. As part of any LSW project the Agency and RRP Renovator in charge of the job should be aware of these activities that are prohibited:

- NEVER - reuse material used as protective containment sheeting.
- NEVER – dry sweep using brooms.
- NEVER – use a conventional shop vacuum with HEPA filters – only HEPA-designed vacuums are acceptable for LSW.
- NEVER - turn leaded paint into leaded dust by dry scraping or sanding.
- NEVER – use machine/power sanders, grinders, abrasive blasting, or sandblasting without HEPA vacuum attachments (shroud).
- NEVER - use an open-flame torch or heat gun (above 1100°F) to remove paint or window glazing.

h. Work Site Clean Up

i. All dirt, dust, and work related debris must be removed from the client's home and job site.

ii. HEPA vacuuming followed by wet cleaning should be used to clean up the work area.

iii. The 5 key Site Clean Up Elements are:

- Start with effective containment
- Clean as you go
- Use proper cleaning techniques & sequences
- Safe & secure disposal
- Visual inspection verification

i. Debris Disposal

i. All waste materials from LSW shall be placed in 6 mil or better plastic bags that are gooseneck seal with duct tape.

ii. All waste will be transported off site and disposed of as household waste. This material is not a hazardous material.

j. Work Site Inspection

i. This is a visual inspection that takes place prior to clearance testing. This is only required when Level 2 Containment has been emplaced.

ii. This is a 2 part process:

- Part 1- Worker conducts a visual inspection. Ensuring there is plenty of light, there should be no visible signs of dust in the work area. The entire area should be re-cleaned if any is found.

- Part 2 – The certified renovator conducts a visual inspection. There should be no visible signs of dust in the work area. The entire area should be re-cleaned if any is found.

iii. Once the visual inspection has been passed Cleaning Verification may take place.

k. Cleaning Verification

i. Cleaning verification is a component of RRP and is conducted only when Level 2 Contained was emplaced.

ii. Cleaning Verification must be conducted by the Certified Renovator on the job and done to the RRP standards & procedures.

iii. Cleaning verification is conducted using wet disposal wipes.

l. Documentation

i. Each LSW job requiring Level 2 Containment must have documentation in the client file. Documentation will be done using Attachment #28 LSW Declaration.

ii. This document will be signed by the Certified and Licensed Renovator on the job and a copy of their license will be attached.

4. Building Ventilation

a. Scope & Intent

a. ASHRAE 62.2-2013 compliance is required on home units weatherized by this program.

b. ASHRAE 62.2-2013 standard will not be applied to units that are not supplied with commercial power with written approval of State WAP.

c. In units that are heated solely with solid fuel agencies will implement ASHRAE standards to the fullest extent possible without endangering the clients. This may require a supply or balanced system installation.

d. Agencies will need to consider ASHRAE 62.2-2013 compliance early in the weatherization process.

e. It is recommended the dwelling unit be "baselined" during the audit to determine where the dwelling is in relation to the standard. The Agency's work order can then include measures to bring the home in to compliance.

f. It is strongly recommended the agencies use a fan that has an adjustable cfm to allow fine tuning at the end of weatherization.

g. When the Post-blower door is taken that data can be entered to create the final compliance target.

h. Attachment #22 ASHRAE Calculator (Excel spreadsheet) has been created to help the local agencies.

i. All costs associated with implementing and complying with ASHRAE standards are allowable H&S expenses.

5. Combustion Appliance Safety

An inherent risk of tightening homes during the weatherization process is the increased hazards combustion appliances pose to indoor air quality. It is imperative that each agency take every precaution to ensure the safety of the client at all times.

a. A Worst Case Draft/Spillage Test shall be conducted on every client home after significant weatherization measure are conducted and *Attachment 9* ***Worst Case Draft*** form shall be filled out and signed by the member of the agency or contractor doing the test. This form shall be added to the client file. The intent is to ensure the unit is safe before WX leaves the property at the end of the work day. If multiple measures are installed in single day only one test is necessary for the day. Examples of significant weatherization measures are:

   - Window replacement
   - Sidewall dense pack insulation
   - Furnace replacement
   - Water heater replacement
   - Air sealing

   Tec Log software maybe used for this testing. A printout or copy of the electronic file is required. When TecLog is used all client & job information shall be placed on the log. Event markers shall be placed for each step of the test. The numbering of the markers should correspond to the Attachment 9 WCDT form.

b. Additional attention needs to be paid during the audit process to identify possible dangers in the home where the client's sleeping arrangements might create a code conflict with the location of combustion appliances. Local agencies need the flexibility to choose the best possible course of action after assessing the situation in the field while maintaining compliance with both the State Weatherization Guidelines and the applicable codes for the work being done, which are State law. The need for guidance from the State WAP Staff can be beneficial in the decision process but cannot supersede the first hand knowledge of the local agency. It is crucial that these situations are identified early in the weatherization process, during the audit, prior to any work being done on the home. Viable options for solution to these problems should address factors in the WX process the agencies can control. Possible solutions that comply with both the code and these guidelines are:

c. The installation of direct vent combustion appliances will mitigate the problem while maintaining code compliance. This is the preferred solution to the problem.

d. The installation of a hybrid heat pump/electric water heater is acceptable solution in some circumstances.

e. When orphaning an atmospheric draft water heater after furnace replacement particular attention needs to be given to the vent system. Even though compliance with the IFGC or RMGA standards are met the appliance still may not draft properly. WCD testing shall be conducted and documented in the Client File.

When questionable or marginal results are noted relining of the flue should always be considered.

f. A back drafting combustion appliance may be replaced using LIHEAP Crisis or Questar funds when identified as part of the Health & Safety Inspection.

6. Carbon Monoxide & Smoke Detectors

a. CO Alarms

i. Weatherization agencies must install carbon monoxide (CO) alarms on each floor in dwelling units where these devices are nonexistent or inoperable. CO alarms must be, UL listed and installed in accordance with the manufacturer's recommendations.

ii. There should be 1 detector on each habitable level.

iii. Detectors should be placed in the immediate vicinity of all sleeping areas.

iv. All costs associated with purchasing and installing CO detectors are allowable H&S expenses.

b. Smoke alarms

i. Installation of smoke alarms is allowed where alarms are nonexistent or are inoperable. Smoke alarms must be, installed in accordance with the manufacturer's recommendations, listed in accordance with UL 217, comply with NFPA 72.

ii. There should be 1 detector on each habitable level of the dwelling.

iii. There should be at least 1 detector in each hallway serving a bedroom.

iv. All costs associated with purchasing and installing smoke detectors are allowable H&S expenses.

7. **Asbestos**

a. Asbestos testing & remediation **<u>is not</u>** an allowable H&S expense.

b. Asbestos Containing Material (ACM) less than the Small Scale Short Duration (SSSD), which is less than 3 square feet or 3 linear feet, is not regulated by the State of Utah Department of Environmental Quality (DEQ). ACM that is less than SSSD may be removed to facilitate new HVAC system installation.

c. ACM above SSSD and below National Emission Standards for Hazardous Air Pollutants (NESHAP), which is equal to 260 linear feet, 160 square feet, 35 cubic

feet, can only be removed by an Agency, for installation of a new HVAC system when:

i. Agency staff is certified by Utah DEQ as Asbestos Certified Renovator and
ii. The Agency is certified by Utah DEQ as a Certified Asbestos Renovation Company and
iii. The Agency carries Pollution Occurrence Insurance

E4 Health & Safety Alternatives

All Weatherization Technicians must be able to perform all authorized activities & measures without undue threats or concerns regarding their health & safety. Conditions which may constitute Health & Safety issues have been list in the H&S Table E3. 1. When the table directs the sub-grantee to Defer Service they will follow this policy. This policy may also be used at other times in the Weatherization Process when necessary.

1. Deferred Service

The most important aspect of Deferred Service is setting and managing the Clients expectations. Sub-grantees should make every effort to clearly communicate to the client their reason for deferral and exactly what is required of them for the weatherization process to proceed.

a. Client Notification

Clients must be notified, in writing, of the reason they are being placed in Deferral Status. Attachment #24 Deferral Notification maybe used or the sub-grantee may develop a form letter. A copy shall be placed in the client file. The Notification shall include:

- Client name and address of the unit in question.
- Date, time, location which the hazard was identified.
- Nature & extent of the problem /concern related to the Weatherization of the dwelling
- Any corrective action required prior to the resumption of Weatherization work with a related time frame to correct the situation: and,
- An explanation regarding the right to appeal and the appeals process
- Signature of the client or their authorized agent indicating receipt of the notification and the understanding of their rights and responsibilities.

b. Deferral Description

Sub-grantees shall clearly describe and detail each reason the client is being deferred.

c. Corrective Action

i. Sub-grantee shall clearly describe and detail the necessary corrective action required by the client to allow weatherization activities to resume.

ii. If there is more than one reason for deferral there shall be a corrective action for each deficiency and conditions of either all or just an individual deficiency need to be corrected to allow weatherization activities to resume.

d. Time Limits

Sub-grantee shall notify the client of the time limits for correction of the cause for deferral. A minimum of thirty (30) calendar days will be afforded to the client per deferral notification.

e. Notice of Termination

After the time limits of the deferral have been met the Sub-grantee may terminate the Client from the Weatherization Program.

i. If Deferral was prior to installation of any materials the home will not be subject to the Re-Weatherization provisions of Section C1. 9. a.

ii. If materials have been installed on the dwelling it shall be considered a Partial Weatherization and reported according to Section A5 2. Partial Weatherized Unit.

2. Deferred Service Appeals Procedure

Applicants who are denied Weatherization assistance will be assured an opportunity to have a fair administrative hearing regarding the deferral of services pertaining to the Deferred Service Policy.

a. Local Resolution

It is the desire of HCD to see these issues resolved at the local level when possible. When contacted by a client HCD will contact the sub-grantee to help facilitate a local resolution.

b. State WAP Resolution

When necessary, State WAP may intervene to help resolve the matter. This may be accomplished by State WAP staff or the assistance of other sub-grantees to help facilitate a resolution.

c. Formal Appeal

If the client disagrees with the decisions, they have the right to a hearing before an impartial Hearing Examiner. To request a hearing, they must ask for it within 60 days of the date of notice. Send a written request and a copy of the deferral letter to the Department of Workforce Services, Division of Adjudication; P.O. Box 45244, Salt Lake City, UT 84145-0244.

3. Referral of Service

a. There will be times that the needs of the client exceed the abilities of the program. Agencies should make maximum effort to direct the client to other programs or organizations that might be able to assist them.

b. The intent is to find assistance for the client that will allow the weatherization activities to proceed.

c. The Standard for Referral column in the H&S Table needs to be further developed. Once this policy is circulated to the program there is an expectation that it will aid in that process.

4. Incidental Repair

Incidental Repairs are defined as follows:

Incidental Repairs- means those repairs necessary for the effective performance or preservation of weatherization materials. Such repairs include, but are not limited to, framing to repair an opening for doors or windows, repairing windows and doors that could not otherwise be caulked or weather-stripped and providing protective materials to seal materials installed under this program.

a. Incidental repairs are not considered a Health and Safety cost item and shall be funded as outlined in 10 CFR 440.18(c)(9) and those costs will be counted against the per unit average established in *A1 Use of Funds.*

b. The cost of the incidental repair shall be included in the cost of the measure to which it incidental when using DOE funds. Use of other funds for incidental repairs shall be in accordance with those funding source rules. (Example: The cost to replace a damaged door to establish the envelope to complete air sealing needs to be included in the Infiltration SIR)

c. Replacement of windows as an Incidental Repair are permitted under conditions similar to the example below and shall only be done as a last resort when all other attempts to tighten the unit have failed. All steps and resulting lack of reduction that lead to replacement shall be documented in the Client File. After replacement of windows a post blower door and/or pressure diagnostics data to substantiate the installation of the windows shall also be included in the Client File.

Examples:

- Extensive air sealing has already been conducted on the unit, with corresponding material costs and the pre/post blower door results showing no significant reduction. (*See B8 4 Performance Standards*)

- Room to room pressure diagnostics are documented to show specific areas of excessive infiltration prior to window replacement.

- Photographs of the windows to be replaced clearly showing the justification for replacement. (i.e. broken glass, damaged frame, not shutting or closing completely)

d. Replacement of an atmospheric vent water heater as an Incidental Repair is permitted under any of the following conditions.

- Orphaned water heater not drafting after installation of direct vent furnace and flue cannot be relined.
- Water heater no longer drafts after weatherization measures tighten the unit and other attempts to correct this problem fail.
- Water heater is in a location that is not permitted by code and weatherization measures have increased the risks to the occupants.

e. Replacement of air conditioning or evaporative cooling units may be permitted as an Incidental Repair. *See Attachment # 32* for permissible conditions.

f. Replacement of Knob & Tube wiring in an attic that is to be weatherized and insulated may be permitted as an Incidental Repair.

E5. Worker Safety

1. General

a. It is the responsibility of each agency to develop a Worker Safety program that contains policies and procedures to ensure a safe working environment for their employees. At a minimum their program shall contain the provisions of Section E5.

b. The agency safety program will include provisions for quarterly site inspections. These inspections will document:

i. Date & Time of inspection
ii. Location
iii. Names of field staff on site
iv. Deficiencies noted & corrective action taken

c. Safety program documentation will be made available for review during Annual Monitoring.

d. Hazard Communication Safety Data Sheets (SDS) shall be included in the program.

2. OSHA Certification Requirements

a. Each agency is required to have OSHA certified field staff.

b. Field Staff is considered a person with the following job responsibilities regardless of title:

i. Energy Auditor
ii. Weatherization Technician
iii. HVAC Technician
iv. Final Inspector
v. Production Manager
vi. Crew Chief

c. Field Staff shall have the Construction Industry 10 hour certification

d. Each agency shall have at least 1 person with the Construction Industry 30 hour certification.

e. New hires should be certified within 30 days when working on jobs using any HCD Weatherization funds.

3. Agency Training Program

a. To maintain a safe work force the agency shall implement a training program.

b. Trainings should be conducted at least quarterly.

c. Basic documentation shall be retained for review during Annual Monitoring:

i. Training outline or agenda from each class held or attended
ii. Sign in sheet of attendees when training is conducted in house.
iii. Certificate of attendance or completion when using outside training.

4. Personnel Protective Equipment (PPE)

a. The agency is responsible for requiring the worker to wear appropriate PPE in all operations where there is an exposure to hazardous conditions.

b. The cost to provide this PPE is an allowable Health & Safety expenditure.

c. Minimum PPE should be:

i. Eye protection
    - Safety glasses, goggles, or face shield
ii. Respiratory protection
    - Both a properly fit tested respirator and dust masks
iii. Hearing protection
iv. Gloves
v. Ground Fault Protection

d. Weatherization vehicles should also contain basic safety equipment as well.

i. First aid kit
ii. Fire extinguisher
iii. Warning triangles