

BUDGET INFORMATION - Non-Construction Programs

1. Program/Project Identification No. EE0007940		2. Program/Project Title Weatherization Assistance Program	
3. Name and Address North Dakota Dept of Commerce 1600 East Century Avenue, Suite 2 Bismarck, ND 585030000		4. Program/Project Start Date 07/01/2020	5. Completion Date 06/30/2021

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Federal	81.042	\$ 0.00		\$ 2,971,658.00		\$ 2,971,658.00
2.						
3.						
4.						
5. TOTAL		\$ 0.00	\$ 0.00	\$ 2,971,658.00	\$ 0.00	\$ 2,971,658.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) DOE	(2) GRANTEE ADMINISTRA TION	(3) SUBGRANTE E ADMINISTRA	(4) GRANTEE T&TA	
a. Personnel	\$ 0.00	\$ 19,223.00	\$ 0.00	\$ 40,241.00	\$ 59,464.00
b. Fringe Benefits	\$ 0.00	\$ 5,713.00	\$ 0.00	\$ 11,424.00	\$ 17,137.00
c. Travel	\$ 0.00	\$ 1,377.00	\$ 0.00	\$ 31,687.00	\$ 33,064.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
e. Supplies	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
f. Contract	\$ 0.00	\$ 0.00	\$ 194,634.00	\$ 45,000.00	\$ 2,788,599.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
h. Other Direct Costs	\$ 0.00	\$ 14,586.00	\$ 0.00	\$ 28,083.00	\$ 42,669.00
i. Total Direct Charges	\$ 0.00	\$ 40,899.00	\$ 194,634.00	\$ 156,435.00	\$ 2,940,933.00
j. Indirect Costs	\$ 0.00	\$ 7,759.00	\$ 0.00	\$ 22,966.00	\$ 30,725.00
k. Totals	\$ 0.00	\$ 48,658.00	\$ 194,634.00	\$ 179,401.00	\$ 2,971,658.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

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SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. TOTAL		\$ 0.00	\$ 0.00	\$ 2,971,658.00	\$ 0.00	\$ 2,971,658.00

SECTION B - BUDGET CATEGORIES					
6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) SUBGRANTEE T&TA	(2) PROGRAM OPERATIONS	(3) HEALTH AND SAFETY	(4)	
a. Personnel	\$ 0.00	\$ 0.00	\$ 0.00		\$ 59,464.00
b. Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00		\$ 17,137.00
c. Travel	\$ 0.00	\$ 0.00	\$ 0.00		\$ 33,064.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00		\$ 0.00
e. Supplies	\$ 0.00	\$ 0.00	\$ 0.00		\$ 0.00
f. Contract	\$ 359,340.00	\$ 1,928,903.00	\$ 260,722.00		\$ 2,788,599.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00		\$ 0.00
h. Other Direct Costs	\$ 0.00	\$ 0.00	\$ 0.00		\$ 42,669.00
i. Total Direct Charges	\$ 359,340.00	\$ 1,928,903.00	\$ 260,722.00		\$ 2,940,933.00
j. Indirect Costs	\$ 0.00	\$ 0.00	\$ 0.00		\$ 30,725.00
k. Totals	\$ 359,340.00	\$ 1,928,903.00	\$ 260,722.00		\$ 2,971,658.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00		\$ 0.00

**U.S. Department of Energy
WEATHERIZATION ASSISTANCE PROGRAM (WAP)
WEATHERIZATION ANNUAL FILE WORKSHEET**

(Grant Number: EE0007940, State: ND, Program Year: 2020)

IV.1 Subgrantees

Subgrantee (City)	Planned Funds/Units
Community Action Partnership - Minot Region (Minot)	\$373,127.00 34
Community Action Partnership; Inc (Dickinson)	\$445,582.00 44
Community Action Program Region VII (Bismarck)	\$428,787.00 39
Community Action Region VI (Jamestown)	\$283,829.00 25
Dakota Prairie Community Action Agency (Devils Lake)	\$394,485.00 37
Red River Valley Community Action (Grand Forks)	\$333,956.00 31
Southeastern ND Community Action Agency (Fargo)	\$483,833.00 45
Total:	\$2,743,599.00 255

IV.2 WAP Production Schedule

Weatherization Plans	Units
Total Units (excluding reweatherized)	245
Rewatherized Units	10
Note: Planned units by quarter or category are no longer required, no information required for persons.	

Average Unit Costs, Units subject to DOE Project Rules		
VEHICLE & EQUIPMENT AVERAGE COST PER DWELLING UNIT (DOE RULES)		
A	Total Vehicles & Equipment (\$5,000 or more) Budget	\$0.00
B	Total Units Weatherized	245
C	Total Units Reweatherized	10
D	Total Dwelling Units to be Weatherized and Reweatherized (B + C)	255
E	Average Vehicles & Equipment Acquisition Cost per Unit (A divided by D)	\$0.00
AVERAGE COST PER DWELLING UNIT (DOE RULES)		
F	Total Funds for Program Operations	\$1,928,903.00
G	Total Dwelling Units to be Weatherized and Reweatherized (from line D)	255
H	Average Program Operations Costs per Unit (F divided by G)	\$7,564.33
I	Average Vehicles & Equipment Acquisition Cost per Unit (from line E)	\$0.00
J	Total Average Cost per Dwelling (H plus I)	\$7,564.33

IV.3 Energy Savings

Method used to calculate savings: <input type="checkbox"/> WAP algorithm <input checked="" type="checkbox"/> Other (describe below)			
	Units	Savings Calculator (MBtus)	Energy Savings
This Year Estimate	255	N/A	5711 *
Prior Year Estimate	246	N/A	5711 *

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Prior Year Actual	277	N/A	0	*
* Energy Savings values were manually entered.				

Method used to calculate savings description:

Projected Energy Savings

Projected Energy Savings

A 1992 study of single family dwellings weatherized in program years 1989 through 1991 has served as the basis of projecting energy savings resulting from North Dakota's Weatherization Assistance Program. The estimated energy savings for the 182 natural gas-heated homes in the sample averaged 13.3% for conventional homes and 14% for mobile homes, when adjusted for seasonal variations. It is estimated that program improvements since the evaluation, especially in the area of increasing furnace efficiency, conservatively adds an additional 10% energy savings on average.

Low income housing varies widely in condition and energy efficiency. It is, therefore, difficult to confidently project energy savings to result for the current program year. Average post-weatherization energy consumption (BTU's/HDD) for the sample listed above, serves as a basis for projecting energy savings among the homes to be weatherized during the current program year. Table I, below, lists annual energy savings projections for conventional and mobile homes.

**TABLE I
Projected Energy Savings For Weatherization Assistance Program
North Dakota**

	Consumption before Weatherization	Consumption After Wx*	Annual Savings*	Number FY15 Units	Total Projected Annual savings*
Conventional	116.09	89.42	26.66	153	4079
Mobile Home	105.12	80	25.12	66	1658
*BTU's x 106		TOTAL		393	5737

IV.4 DOE-Funded Leveraging Activities

Leveraging :

\$2000 will be allowed per agency from program operations to leverage funds for weatherization. T&Ta funds may be used with prior approval from the state.

IV.5 Policy Advisory Council Members

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

CAP 7	Type of organization: Non-profit (not a financial institution) Contact Name: Lloyd Winterberg Phone: 7012582240 Email: Lloydw@cap7.com
Community Action Partnership - Minot Region	Type of organization: Local agency Contact Name: John Meyer Phone: 7018397221 Email: johnm@capminotregion.org
Community Action Partnership of ND	Type of organization: Contact Name: Andrea Olson Phone: 7012322452 Email: andrea@capnd.org
Community Action Partnership; Inc	Type of organization: Local agency Contact Name: Mr. Erv Bren, Director Phone: (701)227-0131 Email: comact@dickinson.ctctel.com
	Type of organization: Local agency

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Community Action Program Region VII, Inc.	Contact Name: Jayden Hausauer Phone: 7012582240 Email: jaydenh@cap7.com
Community Action Program Region VII, Inc.	Type of organization: Local agency Contact Name: Bill Miller Phone: 7012582240 Email: billm@cap7.com
Community Action Region VI	Type of organization: Local agency Contact Name: Rich Geringer Phone: 7012521821 Email: rich@cap6.com
Dakota Prairie Community Action Agency	Type of organization: Local agency Contact Name: Perry Lundon Phone: 7016626500 Email: dpcaalundon@stellarnet.com
Department of Commerce, Bruce Hagen	Type of organization: Unit of State Government Contact Name: Bruce Hagen Phone: 7013904806 Email: bahagen@nd.gov
Montana Dakota Utilites	Type of organization: Unit of State Government Contact Name: Tami Aberle Phone: 7012227853 Email: tami.aberle@mdu.com
ND Department of Commerce	Type of organization: Unit of State Government Contact Name: Rory Hoffmann Phone: 7014863330 Email: rjhoffmann@nd.gov
ND Department of Commerce	Type of organization: Unit of State Government Contact Name: Bonnie Malo Phone: 7013282476 Email: bmalo@nd.gov
North Dakota State University	Type of organization: Other Contact Name: Ken Hellevang Phone: 7012317243 Email: kenneth.hellevang@ndsu.edu
Red River Valley Community Action Agency	Type of organization: Non-profit (not a financial institution) Contact Name: Kathie Johnson Phone: 7017465431 Email: kjohnson@rrvca.com
Southeastern ND Community Action Agency	Type of organization: Local agency Contact Name: Brandon Kjelden Phone: 7012322452 Email: brandonk@sendcaa.org

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

Date Held	Newspapers that publicized the hearings and the dates the notice ran
04/15/2020	Transcript and notice attached.

IV.7 Miscellaneous

Recipient Business Officer:

Megan Reis
mreis@nd.gov
701-328-7255

Principle Investigator:

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WEATHERIZATION ASSISTANCE PROGRAM (WAP)
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(Grant Number: EE0007940, State: ND, Program Year: 2020)

Bruce Hagen
bahagen@nd.gov
701-390-4806

Communication was one of the items that the ACSI survey indicated we need to address. We are continuing to work with a committee from CAPND to develop this year's state plan in the hope we could increase transparency in this process. We have appreciated their input and had good comments on the process from the members and CAPND. We have met with each agency to address training needs. An assessment was done and we are working on a plan to provide the training that was indicated during the assessments. We have started putting out technical bulletins when questions come up about rules or what to do in situations that the agencies are unclear about. They can keep these in a binder for future reference.

We are giving the agencies the option to blend LIHEAP funds on DOE jobs starting with this program year. All jobs with any DOE funds used will follow all DOE rules. This will help avoid some deferrals and should lower the cost per unit as some of the agencies are struggling to maintain a low cost per unit and buy needed equipment.

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

V.1 Eligibility

V.1.1 Approach to Determining Client Eligibility

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

Verifications:

1. A LIHEAP referral from the DCS or the County Social Services Office for the current program year identifying the client and the client's current address.
2. Verification documentation generally available from the client consists of: pay stubs, Employee W-2 forms, income tax returns (State or Federal), self-employment IRS form 1040, Schedule C or F.
3. Other sources which may be used for income verification are: employer statements of at least three months wage records, statements from employers, state income tax records.
4. Social Security Benefit verification include: Social Security benefit checks, SSA/SSI Award Letters, correspondence from Social Security regarding benefits, requests from the agency for information from local SSA offices.
5. Pension and other benefits verification generally available from applicants: unemployment compensation award or determination letter, pension award notice, Veterans Administration Award letter, income tax records, railroad retirement award letter.
6. Other income must generally be obtained from clients and include: rental agreements or leases, receipts from services provided, statements from Dept. of Labor for unemployment benefits, statements from insurance carriers for Workmen Compensation Claims.
7. Documentation is required, to the most reasonable extent possible, for applicants who report zero incomes. A signed statement by the applicant is acceptable, provided information has been obtained regarding basic living costs including food, shelter, utilities, medical expenses, etc, for the months of zero income reported.
8. A Community Action Agency (CAA) authorized representative's signature on the application for weatherization assistance certifies that the agency representative has verified the client's eligibility.

Definition of income is as described in WPN 12-3.

Applications more than a year old that have not been served must be re-evaluated for income eligibility.

2020 POVERTY INCOME GUIDELINES CONTIGUOUS STATES U.S. GRANTEES
EFFECTIVE January 15th, 2020

Size of Family Unit	Threshold	200%
1	\$12,760	\$25,520
2	\$17,240	\$34,480
3	\$21,720	\$43,440
4	\$26,200	\$52,400
5	\$30,680	\$61,360
6	\$35,160	\$70,320
7	\$39,640	\$79,280
8	\$44,120	\$88,240

For families with more than 8 persons, 100% of poverty level increases \$4,480 for each additional person. Therefore, for weatherization at 200% of poverty level, add \$8,960 for each additional person.

LIHEAP Eligibility Determination will follow section 415-25 of the attached 2019 ND LIHEAP State Plan.

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Describe what household eligibility basis will be used in the Program

LIHEAP Income Eligibility Criteria

The maximum income eligibility limit for heating assistance is 60% of the state median income as updated annually in the Federal Register by the U.S. Department of Health and Human Services, under authority of section 673(2) of the Omnibus Budget Reconciliation Act of 1981, that are in effect at the beginning of this federal fiscal year and subsequent federal fiscal years.

Income Eligibility Levels 415-25-05-10

The income eligibility limits for heating assistance are based on 60% of the North Dakota median income. The monthly income eligibility levels are determined by dividing the annual amount by 12 months and rounding off to the nearest dollar (indicated by *).

Therefore, the adjusted gross income eligibility limits for FY2020 are as follows:

Household Size Annual Eligibility Limit Monthly Eligibility Limit

1	\$30,346	\$2,529
2	\$39,683	\$3,307
3	\$49,021	\$4,085
4	\$58,358	\$4,863
5	\$67,695	\$5,641
6	\$77,033	\$6,419
7	\$78,783	\$6,565
8	\$80,534	\$6,711
9	\$82,285	\$6,857
10	\$84,036	\$7,003
11	\$85,786	\$7,149
12	\$87,537	\$7,295

If an applicant is not eligible for LIHEAP or chooses to not apply for LIHEAP assistance, their income is verified and checked against the DOE income guidelines to make sure service is provided where eligibility exists.

DOE Income Eligibility

New 2020 Guidelines

Size of Family Unit	Maximum Family Income
1	\$25,520
2	\$34,480
3	\$43,440

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4	\$52,400
5	\$61,360
6	\$70,320
7	\$79,280
8	\$88,240
For each additional household member add \$8,960	

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

Grantees are directed to review guidance provided by Health and Human Services (HHS) under the Low Income Home Energy Assistance Program (LIHEAP).

V.1.2 Approach to Determining Building Eligibility

Procedures to determine that units weatherized have eligibility documentation

See Monitoring Section and ND QCI inspection form checklist attachments.

Describe Reweatherization compliance

All homes weatherized with DOE funds since September 30, 1994 are ineligible for additional weatherization assistance. However, DOE allows weatherization funds to be used to re-weatherize units which were partially weatherized with DOE funds prior to September 30, 1994. Regulations also permit re-weatherization in the event that previously applied weatherization materials are damaged by fire, flood or act of God and the needed repairs to weatherization materials are not covered by insurance. Therefore, the State will allow the re-weatherization of qualified units during the 2020 Plan Year.

To qualify a unit for re-weatherization, the occupant must reapply and be determined eligible for assistance. A new energy audit must be completed to determine which measures and materials should be installed on the basis of current standards.

There are no computerized records from the period prior to 7-1-2009. The software used by the sub-grantees was discontinued and could not be transferred to new computers. Some agencies have access to older paper files but since they are not required to keep files that old there are no records available for most of that time period. In cases where an auditor gets to a home that has been previously weatherized, efforts are made to determine when the weatherization was done. If it is questionable, LIHEAP funds will be used for the weatherization of the home. There is no requirement on reweatherization with those funds.

Describe what structures are eligible for weatherization

Single family site built homes, manufactured homes, multi-family buildings

Any non-traditional housing such as shelters will need Grantee approval after consulting the DOE Project Officer.

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The weatherization of non-stationary campers and trailers is not allowed. Manufactured houses must meet HUD requirements.

The ND Weatherization Assistance Program follows the State Historic Preservation Office Agreement signed with the ND Historic Preservation Office on 3/14/2019. (Agreement attached)

Describe how Rental Units/Multifamily Buildings will be addressed

North Dakota Weatherization Program Rental/Multi-Family Building Procedures

It is a goal of the North Dakota Weatherization Program to provide assistance in a manner that treats persons eligible for weatherization services living in rental housing equally with persons who are homeowners. However, because the unit to be weatherized is owned by a person who may not be eligible to receive program benefits, sub-grantees must comply with the following before the weatherization process is completed.

- 1) The sub-grantee has obtained the written permission of the owner or his agent to weatherize the property.
- 2) If 66 percent (50 percent for 2 to 4 unit buildings, and certain eligible types of large multi-family buildings as determined by consulting with the DOE Project Officer) of the dwelling units in the building are eligible dwelling units, or will become eligible dwelling units within 180 days under a Federal, State, or local government program for rehabilitating the building or making similar improvements to the building:
 - a) The entire building must be weatherized.
 - b) All units weatherized will be counted as completions.
- 3) If less than 66 percent (50 percent for 2 to 4 unit buildings, and certain eligible types of large multifamily buildings as determined by consulting with the DOE Project Officer) of the dwelling units in the building are eligible dwelling units or will become eligible dwelling units within 180 days under a Federal, State, or local government program for rehabilitating the building or making similar improvements to the building:
 - a) Only the qualifying units can be weatherized.
 - b) Only the qualifying units can be counted as completions.
 - c) The unit is self-contained, without sharing an attic or basement with adjacent units, and has its own individual heating and cooling systems,
 - 4) The unit has been audited with a current, approved energy audit tool and protocol that can adequately address a single unit within a larger structure,
 - 5) The scope of work is specific to allowable measures within the eligible units.
 - 6) The units would be considered on a case by case basis with approval from the DOE Project Officer.
 - 7) The subgrantee has established procedures for dwellings which consist of a rental unit or rental units to ensure that:
 - a) The benefits of weatherization assistance in connection with such rental units, including units where the tenants pay for their energy through their rent, will accrue primarily to the low-income tenants residing in such units;
 - b) For a reasonable period of time after weatherization work has been completed on a dwelling containing a unit occupied by an eligible household, the tenants in that unit (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed;
 - c) Procedures must be established by the Subgrantee by which tenants may file complaints, and owners, in response to such complaints, shall demonstrate that the rent increase concerned is related to matters other than the weatherization work performed;
 - i) No undue or excessive enhancement shall occur to the value of the dwelling units. One specific application of this policy is to limit expenditures for furnace or boiler replacements for Health and Safety reasons in rental property. As stated above, landlords are responsible for maintaining safe, operable heating systems in rental units.
 - d) Weatherization funds may, however, be used to upgrade the efficiency of heating systems in rental property by retrofitting or replacing existing equipment that meets the SIR requirement. The agency

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will pay no more than \$100 for repair costs.

8) The North Dakota Weatherization staff has made it a policy to require that each multifamily project that is to be weatherized have at least one major task performed.

a) Once we determine there is a major task needed on a project, and the project is deemed eligible, the following steps are taken.

i) A state weatherization staff member, accompanied by the local Community Action auditor, visits the property for data collection.

ii) A Health and Safety assessment is done.

(1) If needed Health and Safety tasks are estimated to be too costly or Health and Safety requirements cannot be met the project will be deferred.

(2) If the project passes the Health and Safety assessment the following areas are inspected:

(a) Attic insulation levels

(b) Wall insulation levels

(c) Basement and/or crawl space insulation levels

(d) Refrigerator make and model

(e) Existing light bulb wattage

(f) Heating systems

(g) Cooling systems

(h) Hot water distribution system

(i) Primary and storm window condition

(j) Primary door condition

(k) Air infiltration points and chase ways

(l) Integrity of roof and building envelope

(m) Any other area(s) that affect the building's thermal performance

(n) The utility bills from the previous year are collected.

9) The local Community Action runs the tasks through the state approved energy audit to get a cost for the task.

a) This gives us a local cost that is used for the DOE approved multifamily energy audit.

10) The state staff member models the building using the DOE approved multifamily energy audit software with all the data collected from the site and inputs the utility bills.

a) All tasks or improvements are run through DOE approved multifamily energy audit to get the Savings to Investment Ratio (SIR) for each task.

b) All improvement SIRs must meet the levels as set forth in the North Dakota Standard Work Specifications and Field Guide as well as State Policy before they can be performed.

c) The project documentation is sent to the DOE Project Officer for approval before any work is started.

d) The eligible improvements, as recommended by DOE approved multifamily energy audit, are sent to the local Community

Action agency for the weatherization process.

e) All the improvements must be installed in accordance with the North Dakota Standard Work Specifications and Field Guide.

f) All multi-family projects must have a final inspection done by a certified multi-family inspector before the state does a final inspection.

2.05.1 Landlord Obligations

1. Under North Dakota law, landlords have the following obligations to the renter and rental units:

1. Comply with the requirements of building and housing codes relating to health and safety.

2. Arrange for or make all repairs and do whatever is necessary to put and keep the premises in a fit and habitable condition. The tenant must give the landlord reason-able notice and a reasonable amount of time in which to make repairs. (The definition of reasonable very often depends on the needed repair.)

3. Keep all common areas in a clean and safe condition.

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4. Maintain in good, safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, air conditioning systems, other facilities, and appliances, including elevators, supplied or required to be supplied by the landlord.
5. Provide and maintain appropriate receptacles and conveniences for the removal of ashes, garbage, rubbish, and other waste incidental to the occupancy of the dwelling unit and arrange for their removal.
6. Provide smoke detectors in each unit.
7. Provide running water and reasonable amounts of hot water and heat.
2. Sub-grantees must assure that a landlord has met his/her obligation under North Dakota law before weatherizing rental property which they own.

2.05.2 North Dakota Weatherization Assistance Program Rental Agreement

Before a rental unit can be weatherized, the landlord and the eligible tenant must agree to and sign the North Dakota Weatherization Assistance Program Rental Agreement (see attachment).

At the time the agreement is executed, sub-grantees must inform the eligible tenant that in the event the landlord violates the weatherization agreement, they should notify the sub-grantees office so the appropriate action can be taken against the landlord.

Describe the deferral Process

Refer to the ND 2020 DOE Policies and Procedures Manual - Section 500.70

V.1.3 Definition of Children

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

V.1.4 Approach to Tribal Organizations

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

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

Tribal Allocation

-

DOE funded weatherization activities will also be made available to all eligible Native American households residing on reservations within the State. The CAAs will be allowed to weatherize any eligible residence located within the boundaries of the Spirit Lake Sioux, Standing Rock, Turtle Mountain and Fort Berthold (Three Affiliated Tribes) Reservations. Grant agreements with the sub-grantees specify the minimum amount of WAP funds to be available for expenditure for the weatherization of Native American households within the boundaries of each tribal jurisdiction served by North Dakota's WAP program.

Minimum WAP funding levels allocated for tribal weatherization services on each reservation and to be distributed to North Dakota's sub-grantee agencies are as follows:

Percent of ND WAP: 7.2%

Distribution of Tribal Weatherization Funds to Sub-grantees:

Sub-grantee Tribal Jurisdiction Percent of Tribal WAP/PVE

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Community Action (Region II) Ft. Berthold 20.63

Dakota Prairie CAA (Region III) Spirit Lake 21.78

Turtle Mountain 39.05

Community Action (Region VII) Standing Rock 18.54

Although tribal households represent a small percentage of the state's low income population, a large proportion of tribal residents qualify for weatherization and many of the housing units within these tribal jurisdictions are in poor condition. Should the need arise, the State of North Dakota will permit sub-grantees to exceed the minimum allocation levels for each tribal jurisdiction, as specified above, in order to have a greater impact on energy use and housing conditions on the reservations.

However, if after soliciting weatherization applications, the sub-grantee finds that there are insufficient applications to fully utilize the tribal allocation, the sub-grantee may utilize the funds to serve clients off the reservation.

During the program year, the majority of labor for installing weatherization materials will be supplied by CAA weatherization crews. Contract labor will be used the event of furnace retrofit or replacement and to a limited extent for other weatherization labor.

V.2 Selection of Areas to Be Served

Sub-grantee Service Areas

North Dakota's fifty-three counties are grouped into eight regions for the purposes of the Weatherization Assistance Program. The regions correspond with the jurisdictions of the seven (7) community action agencies (CAAs), which conduct weatherization activities on the local level (See attachment). Weatherization services for Regions I and VIII are provided by the Regional VIII CAA.

The Weatherization Assistance Program has been conducted by North Dakota's CAAs since 1977. Each of the seven agencies has demonstrated its ability to complete the work assigned in a timely and effective manner. The crew members, estimators, and coordinators currently in place possess considerable experience and training in the theory and methods of effective home weatherization. The agencies are checked for debarment before the start of each grant. The State also checks the latest audit to see if there are concerns or findings to be aware of.

DOE funded weatherization activities will also be made available to all eligible Native American households residing on reservations within the State. The CAAs will be allowed to weatherize any eligible residence located within the boundaries of the Spirit Lake Sioux, Standing Rock, Turtle Mountain and Fort Berthold (Three Affiliated Tribes) Reservations. Grant agreements with the sub-grantees specify the minimum amount of WAP funds to be available for expenditure for the weatherization of Native American households within the boundaries of each tribal jurisdiction served by North Dakota's WAP program. The minimum amount allocated for all reservations in the State is determined based upon the percentage of the State's low income households residing within the reservation boundaries (8.39% according to the 2010 Census data).

Minimum WAP funding levels allocated for tribal weatherization services on each reservation and to be distributed to North Dakota's sub-grantee agencies are as follows:

Percent of ND WAP/PVE: 7.2%		
Distribution of Tribal Weatherization Funds to Sub-grantees:		
Sub-grantee	Tribal Jurisdiction	Percent of Tribal WAP/PVE
Community Action (Region II)	Ft. Berthold	20.63
Dakota Prairie CAA (Region III)	Spirit Lake	21.78
	Turtle Mountain	39.05
Community Action (Region VII)	Standing Rock	18.54

Although tribal households represent a small percentage of the state's low income population, a large proportion of tribal residents qualify for weatherization and many of the housing units within these tribal jurisdictions are in poor condition. The State of North Dakota will permit sub-grantees to exceed the minimum service levels for each tribal jurisdiction, as specified above, in order to have a greater impact on energy use and housing conditions on the reservations. Should

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an agency be unable to expend the amount allocated for tribal weatherization, they may request permission from DOC to utilize the funds for non-tribal weatherization purposes.

During the program year, the majority of labor for installing weatherization materials will be supplied by CAA weatherization crews. Contract labor will be used the event of furnace retrofit or replacement and to a limited extent for other weatherization labor.

The Grantee reserves the right to change the regional boundaries and the funding to go with the change in the event of changes in eligible population and available applications.

North Dakota has added new language in the agreements and contracts to reflect the requirements of WPN 15-4 Section 2. We have also developed a system for verifying receipt of any new information that is given to the sub-grantees.

The Grantee may use a Request For Proposal to administer the Weatherization Assistance Program in certain regions now served by a Community Action Agency. This may be to consolidate services in case of a change in funding or if it is determined through monitoring and risk analysis that an agency is not serving the population of the region as required by the Grantee and the funding source. Existing ND Community Action Agencies who have demonstrated the ability to administer the program will be given preference in the process.

V.3 Priorities

Client Prioritization

From the 2020 ND DOE Weatherization Policies and Procedures Manual

SUBJECT: Client Prioritization

DATE: November 2017

POLICY/GUIDANCE NUMBER: 500.12

PROGRAM: DOE

Priority for Providing Weatherization Services

POLICY: In accordance with 10 CFR 440.16, priority must be given in identifying and providing weatherization assistance to households where one or more of the following exist:

1. High energy usage
2. High energy burden
3. Elderly household member(s) (60 years or over)
4. Disabled household member(s)
5. Household member(s) under the age of 18

Households who do not meet at least one of the priority categories may only be served if all eligible priority households in the Service Provider's territory have been served.

Within the above listed priority, Service Providers may choose the order in which households are served. Priority systems must be applied equally to both renter and owner occupied dwellings and applied equitably to all areas of the Service Provider's territory.

Service Providers may choose to consider using the oldest application approval date for positioning applicants with priority points. An application with at least one priority point may be moved up on the list when working in the same area to save travel time.

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V.4 Climatic Conditions

Climatic Conditions

North Dakota's climate is typical of its continental location in the northern Great Plains.

Situated approximately at the center of North America and isolated from the moderating effects of the oceans, the state is subjected to extreme seasonal temperature variations. Mid-summer highs often exceed 100 degrees Fahrenheit; while mid-winter temperatures can fall below -30 degrees Fahrenheit.

North Dakota also endures some of the longest, coldest winters of the lower forty-eight states, according to the U.S. Weather Service. See the attached Accumulated Daily Heating Degree Days 1-1-2014 to 12-31-2019 map.

FIGURE I

5 Year Average Heating Degree Days for

North Dakota and Selected Cities from the ND Agricultural Network (NDAWN)

Region	City	Heating Degree Days
I	Williston	10,943
II	Minot	11,573
III	Devils Lake	11,370
IV	Grand Forks	11,642
V	Fargo	10,317
VI	Jamestown	10,932
VII	Bismarck	11,012
VIII	Dickinson	10,107

V.5 Type of Weatherization Work to Be Done

V.5.1 Technical Guides and Materials

Typical Weatherization Services Provided

Each household is visited by an energy auditor who after conducting an energy audit determines which conservation measures will be most effective for this specific unit. There are 10 general categories of energy conservation measures from which the auditor may choose based upon their ability to save energy. The actual conservation measures installed on a specific unit is dependent upon the potential energy savings, the cost of material, the life of the measure, and the labor needed to install the measure. All measures must have a target savings to investment ratio of 1 or greater (\$1.00 return for each \$1.00 invested). Energy auditors are given the flexibility on a case by case basis to allow the installation of a conservation measure having a SIR below the target of 1.5 but above a minimum SIR of 1.

All work is being performed in accordance to the DOE-approved energy audit procedures and 10 CFR 440 Appendix A.

Residential site built, mobile homes and multi-family structures will be addressed.

Typical weatherization measures are:

1. General Heat Waste: Measures that reduce air infiltration and heat loss in the home. This typically includes caulking and weather stripping which in recent years has been guided by the use of advanced blower door guided air sealing and the use of infrared cameras.
2. Attic Insulation: Insulation is installed to bring the attic up to an R-60 for electrically heated homes and R-50 for all other fuels.
3. Wall Insulation: Wall insulation is installed where needed by a variety of methods to access wall cavities.
4. Floor Insulation: Floor insulation is installed in floors over unheated basements or crawlspace and in mobile home bellies.
5. Perimeter Insulation: The insulation of the interior or exterior of the foundation depending upon existing conditions.
6. Windows: The installation replacement windows or a series of window treatments that prevent or mitigate heat loss. These include the installation of window films and storm windows.
7. Doors: The installation of a series of door treatments to reduce heat loss including repair and replacement.
8. Furnace Efficiency Measures: Includes testing of heating systems for efficiency and safety purposes. Repair and/or replacement is allowed based on energy efficiency and savings to an investment ratio.

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9. Electric Baseload Measures: Includes replacement of existing lighting with energy efficient lighting and replacement of high usage refrigerators with new energy efficient models.
10. Building Repair: This measure includes a variety of repairs to the house structure which are necessary to protect the integrity of eligible weatherization measures.

The Standard Work Specifications (SWS) and Field Guide documents (Single family and Manufactured Home) have been approved by DOE along with several variance requests that have been incorporated into the document. The SWS will also be incorporated into all work orders. Here is a link to our webpage that contains the documents <https://www.communityservices.nd.gov/lowincomeprograms/weatherizationassistance/CAPInformationandForms/>.

All work will meet the guidelines set forth in the ND Standard Work Specifications and Field Guide documents and the ND 2019 DOE Policies and Procedures Manual. All contracts with the sub-grantees will contain language requiring them to follow these guidelines and to require any of their contractors to follow the guidelines. The documents are available at all times through our online audit and reporting software (WxPro). A copy of the terms and conditions that the sub-grantees sign is attached.

We have submitted our multi-family SWS and Field Guide for approval. The state staff and several agency QCI inspectors have passed a multi-family inspection course. We will be submitting multi-family projects for review before proceeding with any work on multi-family buildings. We will be deciding on which audit we will use in the coming months.

Field guide types approval dates

Single-Family: 3/20/2018
Manufactured Housing: 3/20/2018
Multi-Family:

V.5.2 Energy Audit Procedures

Audit Procedures and Dates Most Recently Approved by DOE

Audit Procedure: Single-Family

Audit Name: WxPRO (North Dakota & Nevada)

Approval Date: 10/16/2019

Audit Procedure: Manufactured Housing

Audit Name: WxPRO (North Dakota & Nevada)

Approval Date: 10/16/2019

Audit Procedure: Multi-Family

Audit Name: TREAT

Approval Date:

Comments

Energy Audit Procedures

North Dakota's weatherization program emphasizes cost effectiveness in selecting measures to reduce general heat waste, conductive heat loss, electric baseload and mechanical systems inefficiencies.

Each weatherization measure to be installed must have a savings to investment ratio (SIR) equal to or greater than 1 in order to be included as a priority. Energy auditors are given the flexibility on a case by case basis to exclude the installation of a conservation measure having a SIR below 1.5. All measures having a 1.5 or greater are required. Repair materials will only be allowed, if when included in the calculation of the SIR for all weatherization measures installed (to include repairs materials), is greater than one for the unit as a whole.

General heat waste and air infiltration are addressed in every weatherized dwelling. Blower door tests will be conducted on each weatherized home, unless weather conditions or health and safety concerns, such as extreme cold or high wind preclude safe and accurate testing. The blower door tests will be

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conducted by weatherization crews using the "North Dakota's Standard Blower Door Procedures." This is determined by using the Cost Effective Guideline procedure as outlined in the Field Standards.

The weatherization crews employ a top down approach to sealing air leaks. The crews first work within the attic, sealing chase ways and bypasses around chimneys, soil pipe, soffits and other openings into the attic space. Attention is then focused on interior caulking of infiltration through doors, windows, attic hatches, and around the rim joist. Occasionally, inside storm windows, composed of rigid acrylic or plastic film, are applied as an economical means of combating infiltration through unusually leaky windows.

Conductive, electric baseload, and mechanical measures are prioritized using the state approved computerized audit package. The state approved audit is an integrated estimation program which prioritizes weatherization materials to be installed on either site built or mobile homes based on the calculated cost effectiveness (discounted SIR > 1) of those materials when installed on that specific unit. The program is completely self contained and requires no additional manual computations. The State of North Dakota submitted the WXEOR Program to the DOE Support Office and it was approved as a waiver audit for use in the Weatherization Assistance Program in 2008. In 2012 the audit was combined with the state reporting system and is now called WxPro.

The equation utilized to calculate the savings to investment ratio for a conductive heatloss measure is:

$$(1 \times ((1 - \text{discount rate})^{\# \text{years}})) \times ((\text{HDD} \times 16 \times (\text{Unit Price} \times \text{Esc. Rate})) \div (\text{BTUs} \times \text{AFUE}) \times (\text{Area} \times \text{Delta U}) \times \text{Buffer})$$

Where:

Discount Rate = 3% per year and updated yearly to current rate

years = Number of years for measure to payback

2DD = Heating degree days for specific Region of the State

16 = Correction factor to allow for internal heat gain from occupants, solar, etc.

Unit Price = Cost per unit of heating fuel

Esc. Rate = Fuel cost escalation rate as provided by DOE – updated yearly.

BTUs = 100% efficient BTU content of fuel

AFUE = Annual fuel utilization efficiency

Area = Net area affected by measure in square feet

Delta U = $(1/\text{Pre R-Value}) - (1/\text{Post R-Value})$

Buffer = Buffer correction factor to account for differences in exposure as provided by ASHRAE

The equation utilized to calculate the savings to investment ratio for a refrigerator replacement is:

$$((((\text{KWH Per Year of existing model} \times (1 + ((\text{Average Ambient Temperature} - \text{Present Ambient Temperature}) \times 0.025)))) - (\text{KWH Per Year of new model} \times (1 + ((\text{Average Ambient Temperature} - 70) \times 0.025)))) \times (\text{Cost Per KWH} \times \text{Esc. Rate})) \times (\text{Lifetime} \times \text{Discount Rate})) / \text{Total Cost}$$

The equation utilized to calculate the savings to investment ratio for lighting replacement is:

$$(((\text{Existing Watts} - \text{Replacement Watts}) \times \text{Qty of Bulbs} \times \text{Hrs on per day} \times 365/1000 \times (\text{Cost per KWH} \times \text{Esc. Rate}))) \times (\text{Lifetime} \times \text{Discount Rate}) / \text{Total Cost}$$

The equations yield a dollar amount saved during the first year after each measure is in-stalled. The first year savings is then discounted at a rate of 3% per year over the life of the measure to yield the total savings to be realized for that measure. The amount saved is further adjusted through the application of a fuel escalation cost factor applied over the life of the measure to account future price increases in the cost of the heating fuel use by that particular unit.

Once the adjusted savings is calculated, the savings to investment ratio is then generated by dividing the adjusted savings by the cost of materials and labor to install the measure. (the state approved audit figures labor on a square foot installed cost and adds this to the material cost for purposes of this calculation).

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Each sub-grantee is allowed the flexibility to input their own agency costs for materials and labor and heating degree days so that the calculations are customized to their specific agency.

After the savings to investment ratio is calculated for each measure they are then ranked in order by the state approved audit (highest SIR to lowest SIR). The Weatherization crews will install measures based on their ranking (prioritization) and may only deviate from the ranking with prior approval of the State Weatherization Program Manager.

WxPro also accounts for the interaction of mechanical and conductive weatherization measures and is able to produce a SIR on a heating system replacement or retrofit. The SIR for mechanical measures can be calculated with or without conductive heat loss measures installed and estimate future heating costs when historical fuel usage data is supplied.

In addition to the calculation of the SIR, WxPro also generates the number of BTUs saved per heating degree day for use in future evaluations of the Weatherization Program.

The replacement of furnaces in conventional homes will be permitted based upon a determination that:

1. The existing furnace will not last at least five years;
2. That the existing system cannot be retrofitted for \$500 or less; and
3. The SIR for the replacement system and associated costs is 1 or greater.

The documentation to support furnace replacement must include fuel consumption records for the prior year, existing furnace efficiency test results (if the system is operable) and an analysis of the potential savings and payback associated with the replacement.

The WxPro audit was given conditional approval in October of 2019. ND has 12 months to incorporate the evaluation of air and duct sealing as separate measures into the WxPro audit to ensure cost-effectiveness after adjusting for interaction and to assign priorities among individual weatherization materials in descending order of their cost-effectiveness. The approval letter is attached.

ND has received approval for 3 materials not listed in Appendix A - LED bulbs, refrigerators, and spray foam.

V.5.3 Final Inspection

See the attached ND 2020 DOE Policies and Procedures Manual - Section 600.60 - 600.62

At this time ND has 17 agency people QCI certified. The state staff is QCI certified. We have one contractor available to contract with any agencies that need it. The Grand Forks agency has 4 people certified and they have a for-profit business that will contract with any agencies needing the service. We will continue to have people take the training and testing to get as many people certified as possible.

We are asking to use the third option in the Quality Work Plan that allows a different method for using the Quality Control Inspector. We feel this plan will continue to assure quality work while reducing expenses and reducing time required for turning in completed jobs. Our sub-grantees have large regions with a lot of travel involved. By allowing a Quality Control Inspector to do the final inspection even when that Inspector worked on the job, we will save extra travel and expenses. We would still require at least one third of the jobs be inspected by someone who did not work on the job. All jobs would be inspected by a certified Quality Control Inspector. We have used this method now for 2 years in DOE and in our LIHEAP Weatherization for years and have seen no reduction in quality. We would increase the monitoring by the State to 30% of jobs in those cases where this method is approved. We also would reserve the right to require a different method if we find problems when we monitor.

V.6 Weatherization Analysis of Effectiveness

Analysis of Effectiveness

In 1993, the State of North Dakota completed an evaluation of its weatherization efforts, focusing on energy savings and program delivery during the years 1989-1991. North Dakota's evaluation analyzed energy consumption and energy savings in terms of housing type, household type and measures applied. The analysis provided insights into the effectiveness of the program in targeting clients and selecting weatherization measures.

The personnel of the Grantee are constantly looking for ways to improve the program by attending trainings and making upgrades to the state's online software to better track

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efficiency and production in the local agencies. We are also in contact with other Grantees to see what is working well in other states and offering advice on what is working well in North Dakota.

North Dakota's weatherization program is subjected to regular monitoring by the State and its sub-grantees. Sub-grantees are required to inspect 100% of the work completed and maintain control over expenditures in accordance with federal financial management guidelines and generally accepted accounting procedures. Sub-grantees also submit monthly reports providing detailed information on production and expenditures. The sub-grantee reports are consolidated into a monthly program summary which includes:

1. A production summary that breaks out the number of dwelling units weatherized, and the number of persons served among major ethnic groups, elderly and the handicapped; and
2. A breakdown of expenditures for administration, materials, program support, labor, financial audit and general liability insurance.

The monthly summary tables permit direct comparison of planned versus actual performance for each sub-grantee and comparison between agencies on production. We use this comparison to determine if more oversight or training is needed. This comparison has recently shown one agency not reaching production goals and not performing as well as most of the others. We developed a plan that included training and has resulted in better performance at the agency. See more on this in section V.8.3 Monitoring.

Because of the size differences in the sub-grantees staff and the large differences in types of housing encountered, we do not try to track energy savings between the sub-grantees. If they are meeting production goals, it is assumed they are doing the best job possible to save energy for the clients. We can assume this because they all follow the same set of guidelines and because of the rigorous final inspection and monitoring process. We will look at the evaluations that are set to come out later this year to see if any changes need to be addressed.

Monitoring visits provide a second level of weatherization program analysis. Each sub-grantee is monitored at least once annually by DOC staff or a contract monitor. The monitoring effort focuses on accountability and technical proficiency. Sub-grantee records, client files, and invoices are checked for consistency and compliance. At least five percent of the housing units completed under the DOE Weatherization Assistance Program are physically inspected by the State's Program Manager or Program Administrator. Job orders and invoices are cross-checked with the measures that have been applied to the client's home. The inspector evaluates the workmanship and techniques employed by weatherization crews; focusing on compliance with weatherization priorities and the quality of work. Previous performance reviews are looked at before monitoring to make sure problems encountered before have been addressed. Any finding in a review must be checked on in the next monitoring visit.

We have had no Sub-grantees that have had a significant number of failed inspections because of the rigorous final inspection process we require. During the monitoring visits we always stress the importance of the inspection process at the home and the value of a thorough desk monitoring process. Since beginning this process, we generally have very few findings during our monitoring visits. When we do see something we make sure it is discussed at length with the Sub-grantee to prevent reoccurrence.

We have seen very few issues with the management, financial, and technical systems during monitoring. When problems have occurred the Sub-grantees have been quick to put any recommendations or requirements we have made in place. We are sponsoring on-going training for all our fiscal staff and local agency staff on the new OMB requirements that will go into effect later this year.

We have not done specific market analysis on measure costs, but our software and audit use real time costs for the materials and labor. These costs are checked during monitoring. Sub-grantees are required to use fair procurement practices and document efforts to get the best prices available for the material they are using. Labor costs are updated in the program anytime someone's rate of pay changes or when new employees are added. The labor allowed in the measures comes from a two year long labor study on how long each measure should normally take. The Sub-grantees are given a range to use in the audit that was determined by the study (see Final Condensed Labor Study attachment). This information is checked on the work orders for the jobs we monitor.

V.7 Health and Safety

See 2020 Health and Safety Policy attachment.

North Dakota does not allow air conditioning repair or replacement with DOE funds. The LIHEAP Emergency Furnace Repair and Replacement grant has funds for cooling repair or replacement for at risk clients. These clients simply have to be income eligible and do not have to be LIHEAP clients. If under age 60, doctor's recommendation is required.

V.8 Program Management

V.8.1 Overview and Organization

Program Management

2.06.1 Overview - Organization

The following is a description of the background, structure, functions and programs of the Division of Community Services (DOC). Following these

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descriptions is a brief discussion of issues surrounding the programs administered by the office.

2.06.1.1 Background

The Department of Commerce's Division of Community Services has evolved since 1979 when it was first established as the Federal Aid Coordinator's Office. While the office has existed as part of a number of State agencies during this time, the functions of the office have remained relatively constant. They are:

1. Administration consisting of fiscal and clerical support;
1. Energy Conservation Programs;
1. Low Income Assistance Programs;
1. Community Development consisting of the CDBG Program; and
1. Governmental Assistance which provides assistance and analysis services to the Governor's Office; performs some of the remaining functions of the Planning Division; and provides administrative support to the Director of the DOC.

Eighty-two percent of the office's 2019-2021 budget is Federal and other funds subject to Federal and other judicially imposed regulations. It is necessary that, in addition to the programmatic functions, the office maintain a fiscal support function to track and account for the numerous grants and sources of funds.

Exhibit 2

North Dakota Community Action Agencies

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REGION II

Willy Soderholm

Community Action Partnership - Minot Region.

2020 8th Ave SE

Minot, ND 58701

REGION III

Perry Lundon

Dakota Prairie Community Action Agency

223 4th St. NE

Devils Lake, ND 58301

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REGION IV

Kent Keys

Red River Valley Community Action

1013 North 5th Street

Grand Forks, ND 58203

REGION V

James Kappel

Southeastern ND Community Action Agency

3233 South University

PO Box 2683

Fargo, ND 58108

REGION VI

Kathy Williams

Community Action Region VI, Inc.

1311 12th Ave. NE

PO Box 507

Jamestown, ND 58402

REGION VII

Andrea Werner

Community Action Program Region VII, Inc.

2105 Lee Avenue

Bismarck, ND 58504

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REGION VIII

Erv Bren
Community Action Partnership
202 East Villard
Dickinson, ND 58601

BRANCH OFFICE

Community Action & Development Program
316 2nd Avenue West
Williston, ND 58801

Name

Type of Organization

Typical

Allocation

Average Annual # Units Completed

Congressional District

REGION II

Private Non-Profit

10 -15. %

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	102
	1
REGION III	
Private Non-Profit	
	5 - 10%
	110
	1
REGION IV	
Private Non-Profit	
	10 – 15%
	97
	1
REGION V	
Private Non-Profit	
	15 -20.0%

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	114
	1
REGION VI	
Private Non-Profit	
	10 – 15%
	103
	1
REGION VII	
Private Non-Profit	
	15 – 20%
	121
	1
REGION VIII	
Private Non-Profit	
	15 – 20%

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2.06.1.2 Programmatic Functional Areas

The current activities of the DOC focus upon the functional areas of Community Development, Energy Conservation, Low Income Assistance, and Governmental Assistance. The following are brief summaries of the activities associated with each area:

Community Development: The Federal Community Development Block Grant (CDBG) Program is the focus of DOC's community development activities. The CDBG program provides financial assistance to eligible cities and counties in the form of grants and loans for Public Facility projects, Housing Rehabilitation projects, and Economic Development projects. These projects must be of benefit to low and moderate income households.

Energy Conservation: The energy conservation activities of DOC encompass the federally funded State Energy Program (SEP), the North Dakota State University Extension Service, the Energy Conservation Grant for Public Buildings, and Oil Overcharge Restitution programs. Within these programs, energy conservation assistance is provided in the form of workshops, publications, and information to the general public; grants to schools, hospitals, nursing homes, local governments, small businesses, and state institutions for energy conservation improvements; and outreach programs to residential consumers and small businesses.

Low Income Assistance: The low income assistance activities within DOC center around the Federal Weatherization Assistance and the Community Services Block Grant (CSBG) programs. The Weatherization Program provides low income households with assistance through the purchase and installation of weatherization measures such as insulation, caulking, weather-stripping, and furnace repairs. The CSBG program provides, through the state's seven Community Action Agencies (CAAs), emergency assistance, outreach, and budget and housing counseling to low income households. Clients can also participate in the Self Reliance Program to increase social and economic self sufficiency.

Governmental Assistance: Governmental Assistance services consist of research and analysis services to the Governors' office and the Director of the Office of Management and Budget; the collection and maintenance of statewide Energy Supply and Consumption Data; the Census Data Center Program; the review and comment on federal funding and development applications; and technical assistance to units of local government.

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Building Code/Americans with Disabilities Act (ADA): The Building Code/ADA activities within DOC include planning, directing, and managing the implementation, education and compliance of all State and Local Government Facilities, and public accommodations with the Handicapped Accessibility requirements of the Americans with Disabilities Act. This section is also charged with the administration of the State Building Code and with the preparation and maintenance of a Comprehensive Housing Affordability Strategy (CHAS) which governs the use of eleven (11) major Federal Housing Programs administered within DOC and other state and local agencies statewide.

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Administrative Expenditure Limits

The State of North Dakota and its sub-grantees will not use more than 10% of any Weatherization Assistance grant for administrative purposes. Eight percent of the available administrative funds will be allocated between sub-grantees based on their prorated share of the grant. The remaining two percent will be used by the state.

V.8.3 Monitoring Activities

Monitoring Approach

2.06.3.1 Overview

The Department of Commerce Division of Community Services continually monitors Weatherization Program sub-grantees both in-house and onsite. Monitoring is under-taken to evaluate sub-grantee compliance with required fiscal procedures, performance goals, and weatherization priorities and to observe the quality of work performed by weatherization crews, identify specific problems and instigate corrective action. The monitoring of Weatherization Sub-grantees is the principal method by which DCS identifies areas for potential improvement in the areas of program operation and administration. The monitoring approach is viewed as an occasion for providing assistance to Weatherization Agencies to assist them in becoming more efficient and effective when delivering services. Up to 25% of T & TA funds will be used for monitoring activities.

Program monitoring focuses primarily upon sub-grantee management procedures such as records management, reporting methods, inspection, procurement and production. The Sub-grantees monitoring program is comprised of three elements: fiscal control, program review, and technical inspection. See section 600.60 - 600.62 of the ND 2019 DOE Policies and Procedures Manual for more information on the monitoring process and the use of Quality Control Inspectors.

Fiscal control is accomplished through the analysis of the monthly reports submitted by each sub-grantee. The monthly reports are consolidated into a monthly weatherization program summary, which provides monthly and cumulative financial and production data for each sub-grantee. In addition, financial personnel from the DCS will conduct on-site fiscal reviews of each sub-grantee during the program year. The fiscal review focuses upon compliance with federal financial management guidelines and agency fiscal policies and procedures.

Technical inspections will consist of the State Program Manager or Program Administrator visiting at least 5% of the weatherized units at each agency for the purpose of monitoring compliance with the North Dakota Standard Work Specifications and Field Guide. But while their first priority is to insure compliance with the Standards, their observations of current techniques being utilized in the field is viewed as an opportunity to train and educate crews on alternative approaches to weatherization. Where common deficiencies are noted at a number of Agencies, statewide trainings are planned.

The Program Manager also reviews the administration and record keeping in the same manner; first reviewing for program compliance while always looking for areas where the Agency may reduce the time and cost of program administration. As a result client files have become more complete, many forms have been standardized, bulk purchasing has been implemented and the quality continues to improve.

The state has incorporated all aspects of “*Grantee Monitoring of Subgrantees*” section of WPN 12-05” in its monitoring forms. These forms have been designed by incorporating the DOE State review form and WPN 12-05 information and can be found in the attachments under the SF-424. These forms include the following

1. 2019 North Dakota Agency Monitoring Instrument
2. ND QCI Final Inspection Form
3. 2019 Financial Monitoring Form
4. CAA Risk Assessment Form
5. North Dakota Desk review form

2.06.3.2 Monitoring Areas

- a. **Audit** - An annual audit, as required by contract agreement, shall be monitored by DCS to verify information received on quarterly reports and clarify questions raised by DCS, the sub-grantee and/or the auditor.
- b. **In-House** - All quarterly reports shall be monitored by DCS to determine compliance with program requirements, monitor spending patterns and chart program progress. Any irregularities or questions raised by the in-house review will be sufficient reasons to schedule an on-site review.

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c. **On-Site Review** - DCS will conduct an on-site review on an annual basis and when deemed necessary. The on-site review shall consist of programmatic and technical staff from DCS. The following items at a minimum shall be reviewed.

- **Financial Records** - Fiscal control is accomplished through the analysis of the monthly reports submitted by each sub-grantee. The monthly reports are consolidated into a monthly weatherization program summary, which provides monthly and cumulative financial and production data for each of sub-grantee. In addition, financial personnel from the DOC will conduct on-site fiscal reviews of each sub-grantee during the program year. The fiscal review focuses upon compliance with federal financial management guidelines and agency fiscal policies and procedures to include but not limited to: general ledger, bank statements, checks, audit reports, financial statements and other records necessary for their view of the financial records.

- **Inventory System** - Including but not limited to purchasing system, controls, perpetual inventory, financial records and other records deemed necessary by the reviewer.

- **Client Files** - For accuracy, completeness, demographic information and proper reflections of work needed/work completed, client eligibility and inspection of work.

- **Work Completed** - Homes shall be reviewed to determine: quality of work, completeness of work, conservation measures installed follow a computerized methodology to determine cost effectiveness, geographic distribution, and proper documentation in client files, client satisfaction and other information deemed necessary by the reviewer.

d. **Sub-grantee Post-Installation Inspection** - Each weatherized unit must be inspected by the sub-grantee to ensure that the work is in compliance with required specifications before the unit is reported to DCS as completed. A complete inspection, signed by the sub-grantee's inspector shall be placed in each job file.

e. **Sub-grantee Review** - A copy of individual sub-grantee reviews shall be sent to each sub-grantee upon the completion of the review. If deficiencies in agency program operations indicate non-compliance with the North Dakota Weatherization Program Policies and Procedures, the North Dakota Standard Work Specifications and Field Guide or the federal rules and regulations, DCS will respond by working with the deficient sub-grantee to correct deficiencies and taking the action deemed necessary to insure future compliance.

f. **Provide Training and Technical Assistance** - T&TA activities are intended to maintain or increase the efficiency, quality, and effectiveness of the Weatherization Assistance Program at all levels. Such activities should be designed to maximize energy savings, minimize production cost, improve program management, and/or reduce the potential for waste, fraud and abuse.

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2.06.3.3 Monitoring Goals and Procedures

1. At least 5% of the dwelling units completed during immediate preceding program year will be inspected by the Division of Community Services personnel or a contract monitor. 10% of homes that were inspected by the auditor will be monitored and 30% of the homes inspected by someone who worked on the job will be monitored. At the time of the annual program review, a random sample of recent completions will be selected for inspection by the DOC monitor. This will consist of both file review and physical inspection.

b. The physical inspection will address the quality of materials and their installation. The inspector will obtain information on the type of materials used on homes subject to inspection, and compare specifications with those listed in CFR 440, Appendix A.

c. The program and fiscal monitoring process will include an analysis of materials and contractor procurement procedures. Material costs for commonly used items will be obtained from the agency and compared with the prices paid by other sub-grantees. Procurement records will be reviewed to determine if materials were purchased in reasonable quantities and if free and open competition was permitted in the procurement of materials and services.

d. The State Program Manager or Program Administrator will compare work orders with audit priority lists to determine if the lists are used and, where deviations from the priorities were observed, there is adequate written justification. The final inspections performed by sub-grantees will be cross checked by the State Program Manager or Program Administrator. Oversight will be noted in the inspection report and appropriate follow-up actions will be required.

The inspection procedure for each home will evaluate compliance with the North Dakota Weatherization Standard Work Specifications and Field Guide, the computerized audit priority list and quality of work. The State Program Manager or Program Administrator will review each client file for content of required documentation, including an approved application, job order, inspection form and purchase orders or warehouse slips for the materials applied. A physical inspection of the unit is then conducted. The inspection will follow an inspection checklist. Discrepancies or deficiencies will be recorded on the checklist. The physical inspection consists of visual examination of the exterior and interior of each dwelling to confirm the presence of materials as listed on the job order and assess the quality of workmanship. The inspector will determine if compatible caulking and weather-stripping is used and if all materials conform to the field standard requirements. Normally the State Program Manager or Program Administrator will be accompanied at on-site visits by a representative of the sub-grantee,

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usually the weatherization coordinator or an estimator. Any findings and recommendations for improvement will be discussed with the sub-grantee on site, during a meeting with the weatherization employees, during an exit interview with the agency director and in writing as part of the monitoring report. Fiscal or programmatic deficiencies identified in the monitoring process will be address in the following manner:

1. The Grantee will issue a report within 30 days to the sub-grantee in which the sub-grantee will be informed of any deficiencies. If there are deficiencies, the monitoring report will contain specific recommendations for improvement.
1. A written response will be required from the sub-grantee within 30 days of receiving the monitoring report. The response must include a Corrective Action Plan to address any findings documented in the monitoring report.
- c. A follow-up of the sub-grantee's effort to implement recommendations will be conducted within a prescribed period of time.
- d. Training sessions will be conducted to resolve shortcomings that are apparently widespread among sub-grantees.
- e. Ineligible expenditures of material, program support or administrative funds will be disallowed. The sub-grantee will be required to reimburse disallowed costs from non-federal funds.
- f. If remedial measures fail to eliminate significant fiscal or programmatic problems, the Division of Community Services has several options. Please refer to Section 600.60-600.62 of the 2019 Policies and Procedures attachment.

Currently, we have one agency on High Risk. They were previously on probation. The recent file, field, and admin monitoring showed improvement however there are some findings in the fiscal monitoring. Those findings have finally been addressed. There had also been improvement in production numbers but several staff have left the program. They have also been findings by HHS that are still under investigation. We are monitoring the situation closely. They are on reimbursement status for cash requests. We will continue to keep the DOE Project Officer and Program Manager informed.

V.8.4 Training and Technical Assistance Approach and Activities

Training and Technical Assistance Approach

The sub-grantees will be required to submit new T&Ta budget plans for their T&Ta allocation. Up to 25% of Grantee T&TA funds can be used for monitoring the Sub-Grantees.

Training needs are determined by a review of program monitoring reports and by observations made by the Program Manager, Program Administrator, recommendations from the State Weatherization Technical Committee as well as from input from local coordinators, estimators and crew members. Training needs will also be determined by DOE program requirements. North Dakota weatherization program sub-grantees are currently monitored for compliance to the North Dakota Standard Work Specifications and Field Guide and will continue to direct the bulk of their training activities towards the implementation and perfection of these standards.

In addition, the State Program Manager or Program Administrator will assist and visit agencies to deliver individualized training, depending on the needs of that agency. The needs will be determined by the monitoring process and requests from the coordinators, estimators and crews.

There will be continuing training on the ND SWS and Field Guide at the agency levels and with the State Weatherization Technical Committee.

The State does not require any certifications or training prior to hiring but may recommend trainings after hiring on a case by case basis.

Credentials are monitored by the State at the time of Administrative monitoring.

Sub-grantees will be authorized to use T&TA funds for the following activities:

1. Attendance at state and national training seminars.
2. Purchase of equipment needed for associated training approved by the DCS.
3. Continuing refinement of state and local weatherization data management systems.
4. Periodic meetings with DCS personnel.
5. Interagency visits and joint training exercises.

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6. Trial application of new weatherization techniques or measures and the correction of any problems that may result during the trial of new weatherization techniques.
7. Dissemination of client education materials and website page references, as provided by DCS.
8. **Allowable training during the 2020 program year will cover:**
 1. Agency specific individualized training based on monitoring findings. The State Energy Specialist will visit each agency and spend time with the crew to give needed training and observe weatherization practices. Each agency will be visited at least once. Additional visits are possible if required.
 2. Training on changes to the North Dakota Weatherization Program Field Standards to align with the SWS.
 3. Software expenses are shared between Administration and T&TA. The energy audit software (WxPro) that calculates the SIR, develops a work order, and stores reporting information has been purchased by the state to be used in developing a comprehensive software package that will be used by both the state and local agencies. The state will have access to the data on-line and the agencies will have a fully operating package that will include inventory, SIR, Job Costing and reporting capabilities. We are in the process of updating the online software to a web-based program. We are also adding several new reports and air and duct sealing measures as required.
 4. Furnace training
 5. Injury prevention training – agency level.
 6. OSHA 10 hour courses - required for all crew members or foremen.
 7. EPA RR&P certified renovator training -required for all crew members and foremen.
 8. Hazard identification training.
 1. This would include, but not be limited to:
 1. Mold & moisture evaluation;
 2. Building structure conditions;
 3. Recognition of biological and unsanitary conditions;
 4. Recognition of vermiculite and asbestos;
 5. Indoor air pollutants, such as formaldehyde, radon, VOC's, etc.;
 6. Fire hazards;
 7. Electrical hazards;
 9. Code compliance issues.
 10. Occupant preexisting health conditions
 11. Obtain/develop client education materials and program.
 12. Trial application of new weatherization techniques or measures and the correction of any problems that may result during the trial of new weatherization techniques.
 13. Weatherization Cost Effective Guideline air sealing and infiltration training.
 14. Quality Control Inspector training and certification.
 15. OSHA Confined space training
 16. Multi-family inspection certification
 17. Peer exchange with other states

Not all training outlined will be paid with DOE funds. We will be using LIHEAP funding to cover some of the training.

Comprehensive trainings will be done by IREC accredited trainers. Since we have no training center located within the state, North Dakota will work with training centers located out of state to provide comprehensive training tailored to the JTA for each position. Program year 2020 will be the start of a three year plan in which every person in weatherization will receive comprehensive training. This training can consist of traveling to the training center, having trainers come to North Dakota from the training centers and distance learning programs. We have utilized the Montana Weatherization Training Center, the Building Performance Center in Washington, and New York State Weatherization Directors Association Energy Efficiency Training Center. We are also looking at online training from CHP or the Santa Fe Weatherization Training Center.

The Grantee will continue to attend trainings at national conferences and meetings (NASCS, Energy Outwest,) for training to ensure effectiveness in managing the program.

Client Education is covered by the subgrantees by the auditor at the time of the audit and during and at the completion of the work by the crews and final inspector. This includes distributing documents that are required to be given out and discussion of the work to be done and maintenance after the job is complete.

We will continue working with a communications firm to play a video we developed last year in the Tribal Health offices across the state to educate tribal

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members about weatherization. Applications from the tribes are down and we are hoping to get this information out in an attempt to reach more tribal clients.

Percent of overall trainings

Comprehensive Trainings:	35.0
Specific Trainings:	65.0

Breakdown of T&TA training budget

Percent of budget allocated to Auditor/QCI trainings:	43.0
Percent of budget allocated to Crew/Installer trainings:	50.0
Percent of budget allocated to Management/Financial trainings:	7.0

V.9 Energy Crisis and Disaster Plan

None

Weatherization Grantee Health and Safety Plan

Optional Template

☒ POLICY SUBMITTED WITH PLAN

1.0 – GENERAL INFORMATION

Grantees are encouraged to enter additional information here that does not fit neatly in one of the other sections of this document.

2.0 – BUDGETING

Grantees are encouraged to budget Health & Safety (H&S) costs as a separate category and, thereby, exclude such costs from the average cost per unit cost (ACPU) limitation. This separate category also allows these costs to be isolated from energy efficiency costs in program evaluations. Grantees are reminded that, if H&S costs are budgeted and reported under the program operations category rather than the H&S category, the related H&S costs must be included in the calculation of the ACPU and cost-justified through the approved energy audit.

Select which option is used below.

Separate Health and Safety Budget ☒

Contained in Program Operations ☐

3.0 – HEALTH AND SAFETY EXPENDITURE LIMITS

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

Low percentages should include a statement of what other funding is being used to support H&S costs, while larger percentages will require greater justification and relevant historical support. It is possible that these limits may vary depending upon conditions found in different geographical areas. These limits must be expressed as a percentage of the ACPU. For example, if the ACPU is \$5,000, then an average expenditure of \$750 per dwelling would equal 15 percent expenditures for H&S.

15 percent is not a limit on H&S expenditures but exceeding this amount will require ample justification. These funds are to be expended by the Program in direct weatherization activities. While required as a percentage of the ACPU, if budgeted separately, the H&S costs are not calculated into the per-house limitation. DOE strongly encourages using the table below in developing justification for the requested H&S budget amount. Each H&S measure the Grantee anticipates addressing with H&S funds should be listed along with an associated cost for each measure, and by using historical data the estimated frequency that each measure is installed over the total production for the year.

It is also recommend reviewing recent budget requests, versus expenditures to see if previous budget estimates have been accurate. The resulting "Total Average H&S Cost per Unit" multiplied by the Grantee's production estimate in the Annual File should correlate to the H&S budget amount listed in the Grantee's state plan.

Should a Grantee request to have more than 15 percent of Program Operations used for health and safety purposes, DOE will conduct a secondary level of review. DOE strongly encourages use of this H&S template and matrix to help expedite this process

Ventilation	\$196	80%	\$156.80
Sump pump covers	\$77	3%	\$2.31
Knob and Tube cleanup	\$1,686	1%	\$16.86
Other Electrical Repair	\$176	3%	\$5.28
Plumbing repair	\$506	3%	\$15.18
Furnace Replacement	\$3,933	2%	\$78.66
Water Heater Replacement	\$1,885	2%	\$37.70
Other	\$43	34%	\$14.62
Furnace or Water Heater Repair	\$32	5%	\$1.60
CO meters	\$185	84%	\$155.40
Dryer Vents	\$14	42%	\$5.88
Smoke Alarms	\$33	62%	\$20.46
H&S labor	\$426	100%	\$426.00
Grills	\$16	8%	\$1.28
Roof Coating	\$213	3%	\$6.39
Poly	\$21	62%	\$13.02
Support	\$65.00	100.0%	\$65.00
Total Average H&S Cost Per Unit			\$1,022.44
Enter Estimated Production (Annual File: IV.2 WAP Production Schedule) →			255
Enter Estimated Program Operations Budget →			1928903
H&S Budget (Total Average H&S Cost Per Unit * Estimated Production)			\$260,722.20
Requested H&S Percentage Per Unit (H&S Budget/Program Operations)			13.5%

4.0 – INCIDENTAL REPAIR MEASURES

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

Incidental Repairs means those repairs necessary for the effective performance or preservation of weatherization materials. Such repairs include, but are not limited to, framing or repairing windows and doors which could not otherwise be caulked or weather-stripped and providing protective materials, such as paint, used to seal materials installed under this program. ([10 CFR 440 "Definitions"](#))

No incidental repair measures will be assigned as H&S measures.

5.0 – DEFERRAL/REFERRAL POLICY

Deferral of services may be necessary if H&S issues cannot be adequately addressed according to WPN 17-06 guidance. The decision to defer work in a dwelling is difficult but necessary in some cases. This does not mean that assistance will never be available, but that work must be postponed until the problems can be resolved and/or alternative sources of help are found. If, in the judgment of the auditor, any conditions exist which may endanger the health and/or safety of the workers or occupants, the unit should be deferred until the conditions are corrected. Deferral may also be necessary where occupants are uncooperative, abusive, or threatening. Grantees must be specific in their approach and provide the process for clients to be notified in writing of the deferral and what conditions must be met for weatherization to continue. Grantees must also provide a process for the client to appeal the deferral decision to a higher level in the organization.

Grantee has developed a comprehensive written deferral/referral policy that covers both H&S, and other deferral reasons?

Yes ☒ No ☐

Where can this deferral/referral policy be accessed?

2018 ND DOE Policies and Procedures Manual – Section 500.70 and ND Single Family and MH SWS section 2312

6.0 – HAZARD IDENTIFICATION AND NOTIFICATION FORM(S)

Documentation forms must be developed that include at a minimum: the client's name and address, dates of the audit/assessment and when the client was informed of a potential H&S issue, a clear description of the problem, a statement indicating if, or when weatherization could continue, and the client(s) signature(s) indicating that they understand and have been informed of their rights and options.

Documentation Form(s) have been developed and comply with guidance?

Yes ☒ No ☐

7.0 – HEALTH AND SAFETY CATEGORIES

For each of the following H&S categories identified by DOE:

- Explain whether you concur with existing guidance from WPN 17-06 and how that guidance will be implemented in your Program, if you are proposing an alternative action/allowability, or if the identified category will not be addressed and will always result in deferral. Alternatives must be comprehensively explained and meet the intent of DOE guidance.
- Where an Action/Allowability or Testing is “required” or “not allowed” through WPN 17-06, Grantees must concur, or choose to defer all units where the specific category is encountered.
- “Allowable” items under WPN 17-06 leave room for Grantees to determine if the category, or testing, will be addressed and in what circumstances.
- Declare whether DOE funds or alternate funding source(s) will be used to address the particular category.
- Describe the explicit methods to remedy the specific category.
- Describe what testing protocols (if any) will be used.
- Define minimum thresholds that determine minor and major repairs
- Identify minimum documentation requirements for at-risk occupants
- Discuss what explicit steps will be taken to educate the client, if any, on the specific category if this is not explained elsewhere in the Plan. Some categories, like mold and moisture, require client education.
- Discuss how training and certification requirements will be provided for the specific category. Some categories, like Lead Based Paint, require training.
- Describe how occupant health and safety concerns and conditions will be solicited and documented

Grantees may include additional H&S categories for their particular Programs. Additional categories must include, at a minimum, all of the same data fields as the DOE-provided categories. Two additional tables have been created to utilize.

7.1 – Air Conditioning and Heating Systems

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☐ Alternative Guidance ☒ Results in Deferral ☐

Air Conditioning Unallowable Measure ☐ Heating Unallowable Measure ☐

Funding

DOE ☒ LIHEAP ☒ State ☐ Utility ☐ Other ☐

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

When a space conditioning system does not qualify as an ECM, the following conditions must be met before the unit can be replaced or repaired with Health and Safety funds:

- “Red tagged,” inoperable, or nonexistent primary heating system may be replaced, repaired, or installed consistent with this guidance.
- Use proper sizing protocols (Heatloss calculation in WxPro Software which is based on Manual J.) based on post-weatherization housing characteristics, including installed mechanical ventilation, when installing or replacing a heating appliance.
- Unsafe primary units must be repaired or replaced, or deferral is required.
- See Hazardous Materials Disposal section for more information.
- There must be an identified and documented imminent H&S hazard (e.g. cracked heat exchanger) that necessitates the system replacement.

Almost all our heating system work is done with LIHEAP Emergency Furnace funds prior to weatherization. DOE funds are only used on clients that do not qualify for LIHEAP.
See attachment A for more information on heating system policies.

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

- Replacement or installation of secondary units is not allowed with DOE funds.
- Unsafe secondary units, including space heaters, must be repaired, or deferral is required.

Almost all our heating system work is done with LIHEAP Emergency Furnace funds prior to weatherization. DOE funds are only used on clients that do not qualify for LIHEAP.

Indicate Documentation Required for At-Risk Occupants

- All cooling work is funded through the LIHEAP Emergency Furnace program. Clients 60 and older are qualified. Client under 60 years of age are required to have a doctor’s note describing a health issue.

Testing Protocols

- Make sure primary systems are present, operable, and performing correctly.
- Check DOE-approved audit to determine if the system can be installed as an energy conservation measure (ECM) prior to replacement as an H&S measure.
- On combustion equipment, inspect chimney and flue and test for Combustion Appliance Zone (CAZ) depressurization. See attached ND Furnace Field Inspection form. Shaded cells are required.
- For solid fuel appliances look for visual evidence of soot on the walls, mantel or ceiling or creosote staining near the flue pipe.

Client Education

- When deferral is necessary, provide information to the client, in writing, describing conditions that must be met in order for weatherization to commence. A copy of this notification must also be placed in the client file.
- Discuss appropriate use and maintenance of units, in addition to education about combustion safety and signs of depressurization.
- Provide all paperwork and manuals for any installed equipment.
- Discuss and provide information on proper disposal of bulk fuel tanks when not removed as part of the weatherization work.

Training

- WAP H&S policy training on allowable activities.
- Licensing and/or certification for HVAC installers as required by authority having jurisdiction (AHJ).
- CAZ depressurization test and inspection training.
- Furnace training at IREC accredited training centers is available and is allowed in agency training plans.

7.2 - Asbestos - All

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

- Blower door testing is allowed where friable suspected ACM is present unless the suspected ACM is in such condition that it cannot be contained and may be introduced into the living space of the home. Vermiculite in attics is not a reason to not do blower door testing. Workers should use PPE and access should be from outside when working in attics with vermiculite. Air sealing should be done before doing a blower door test. If inside access is necessary, containment must be used. If the ACM is in such a condition that blower door testing cannot be done, the home must be deferred. State Health Department Asbestos trainers have agreed with this policy.

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

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☐ Alternative Guidance ☒ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

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

- The existence of asbestos siding that is in good condition does not prevent installing dense-pack insulation from the exterior.
- Siding may be removed and reinstalled in order to perform the ECM, and the associated costs may be charged as part of the ECM.
- General abatement of asbestos siding or replacement with new siding is not an allowable H&S cost.

Testing Protocols

<ul style="list-style-type: none"> Visually inspect exterior wall surface and subsurface, floors, walls, and ceilings for suspected ACM prior to drilling or cutting. Asbestos Hazard Emergency Response Act of 1986 (AHERA) sample collection and testing must be conducted by a certified tester.
Client Education
<ul style="list-style-type: none"> Inform the client in writing that suspected ACMs are present and what precautions will be taken to ensure the occupants' and workers' safety during weatherization. Formally notify client in writing of results if testing was performed.
Training and Certification Requirements
<ul style="list-style-type: none"> Safe practices for siding removal and replacement. How to identify suspected ACM. Licensing/certification for removal and reinstallation of asbestos siding if required by AHJ.

7.2b – Asbestos - in vermiculite				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
How do you address suspected ACM's in vermiculite that will be disturbed through the course of weatherization work?				
<ul style="list-style-type: none"> When vermiculite is present, assume it contains asbestos unless testing determines otherwise. Use proper respiratory protection while in areas containing vermiculite. Removal is not allowed. When deferral is necessary due to asbestos, occupant must provide documentation that a certified professional performed the remediation before work continues. 				
Testing				
<ul style="list-style-type: none"> AHERA sample collection and testing must be conducted by a certified tester. Baseline environmental asbestos sampling is an allowable cost. 				
Client Education				
<ul style="list-style-type: none"> Instruct clients in writing not to disturb suspected ACM. Provide asbestos safety information to the client. Formally notify client in writing of results if testing was performed. When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence. 				

Training and Certification Requirements				
<ul style="list-style-type: none"> • Training on how to recognize vermiculite. • AHERA or state certification to conduct testing. 				
7.2c – Asbestos - on pipes, furnaces, other small covered surfaces				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>		Alternative Guidance <input checked="" type="checkbox"/>		Results in Deferral <input type="checkbox"/>
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
How do you address suspected ACM's (e.g., pipes, furnaces, other small surfaces) that will be disturbed through the course of weatherization work?				
<ul style="list-style-type: none"> • Assume asbestos is present in suspect covering materials. • When suspected friable ACM is present, take precautionary measures as if it is asbestos unless testing determines otherwise. • Grantee may allow removal or encapsulation by an appropriately trained professional on a case-by-case basis. Grantees will look at the savings that would be lost by deferring the home compared to the cost of the removal. • Charge only those costs directly associated with the testing, encapsulation, or removal to the H&S budget category. • When deferral is necessary due to asbestos, occupant must provide documentation that a certified professional performed the remediation before work continues. 				
Testing Protocols				
<ul style="list-style-type: none"> • Assess whether suspected ACMs are present. • AHERA sample collection and testing is allowed and must be conducted by a certified tester. 				
Client Education				
<ul style="list-style-type: none"> • Instruct clients in writing not to disturb suspected ACM. • Provide asbestos safety information to the client. • Formally notify client in writing of results if testing was performed. • When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence. 				
Training and Certification Requirements				
<ul style="list-style-type: none"> • How to recognize suspected ACM. 				

7.5 – Biologicals and Unsanitary Conditions (odors, mustiness, bacteria, viruses, raw sewage, rotting wood, etc.)				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Unallowable Measure <input type="checkbox"/>				
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
What guidance do you provide Subgrantees for dealing with biological and/or unsanitary conditions in homes slated for weatherization?				
<ul style="list-style-type: none"> • Remediation of conditions that may lead to or promote biological concerns and unsanitary conditions is allowed. • Addressing bacteria and viruses is not an allowable cost. • Deferral may be necessary in cases where conditions in the home pose a health risk to occupants and/or weatherization workers. • See Mold and Moisture section for more information. 				
Testing Protocols				
<ul style="list-style-type: none"> • Sensory inspection 				
Client Education				
<ul style="list-style-type: none"> • Inform client in writing of observed conditions. • Provide information on how to maintain a sanitary home. • When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence. 				
Training				
<ul style="list-style-type: none"> • How to recognize unsafe conditions and when to defer. • Safe work practices when encountering such conditions. 				

7.6 – Building Structure and Roofing				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
What guidance do you provide Subgrantees for dealing with structural issues (e.g., roofing, wall, foundation) in homes slated for weatherization?				

<ul style="list-style-type: none"> • Building rehabilitation is beyond the scope of the Weatherization Assistance Program. • Homes that require more than minor repairs must be deferred. • See Mold and Moisture, Code Compliance, and Pests sections for more information. • Visual inspection. • Ensure that access to the portions of the home where weatherization will occur are safe for entry and performance of assessments, work, and inspections.
How do you define “minor” or allowable structure and roofing repairs, and at what point are repairs considered beyond the scope of weatherization?
<ul style="list-style-type: none"> • Minor or allowable structure and roofing repairs must be tied to a measure being done during the weatherization or to protect existing insulation and other energy related parts of the home. The cost must not go above the \$1,049 H&S average per home without state approval. Grantees will look at the savings that would be lost by deferring the home compared to the cost of the repair.
If priority lists are used, and these repairs are designated as Incidental Repairs, at what point is a site-specific audit required?
All homes have a site-specific audit.
Client Education
<ul style="list-style-type: none"> • Notify client in writing of structurally compromised areas. • When deferral is necessary, provide information in writing describing conditions that must be met for weatherization to commence.
Training
<input type="checkbox"/> How to identify structural and roofing issues. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall and will be working on putting this training on during that conference. See the T&TA section of the Master Plan for more information on the conference.

7.7 – Code Compliance				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
What guidance do you provide Subgrantees for dealing with code compliance issues in homes receiving weatherization measures?				

- Correction of preexisting code compliance issues is not an allowable cost unless triggered by weatherization measures being installed in a specific room or area of the home.
- When correction of preexisting code compliance issues is triggered and paid for with WAP funds, cite specific code requirements with reference to the weatherization measure(s) that triggered the code compliance issue in the client file.
- Follow State and local or AHJ codes while installing weatherization measures, including H&S measures.
- Condemned properties and properties where “red tagged” H&S conditions exist that cannot be corrected under this guidance must be deferred.
- Visual inspection.

What specific situations commonly trigger code compliance work requirements for your network? How are they addressed?

- Mechanical work on HVAC systems, egress requirements for door and windows. Crews and auditors are trained in code compliance for these items and they work with the AHJ in permitting and required inspections.

Client Education

- Inform client in writing of observed code compliance issues when it results in a deferral.
- When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence.

Training

- ☐ How to determine what code compliance may be required. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall and will be working on putting this training on during that conference. See the T&TA section of the Master Plan for more information on the conference.

-

7.8 – Combustion Gases

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☒ State ☐ Utility ☐ Other ☐

- Proper venting to the outside for combustion appliances, including gas dryers and refrigerators, furnaces, vented space heaters and water heaters is required.
- Correct venting when testing indicates a problem.
- If unsafe conditions whose remediation is necessary to perform weatherization cannot be remedied by repair or tuning, replacement is an allowable H&S measure unless prevented by other guidance herein.
- Maintain documentation justifying the replacement with a cost comparison between replacement and repair in the client file.
- Replacement units must meet safety guidelines as determined in the Grantee Plan or technical Field Guide.
- See Air-Conditioning and Heating Systems section and Attachment A for more information.

Testing Protocols

- Combustion safety testing is required when combustion appliances are present.
- Test naturally drafting appliances for spillage and CO during CAZ depressurization testing pre- and post-weatherization and before leaving the home on any day when work has been done that could affect draft (e.g., tightening the home, adding exhaust).
- Inspect venting of combustion appliances and confirm adequate clearances.
- Check DOE-approved audit to determine if the appliance can be justified as an ECM prior to replacement as an H&S measure.

How are crews instructed to handle problems discovered during testing, and what are the specific protocols for addressing hazards that require an immediate response? Crews and auditors have had extensive training in diagnostic testing protocols and have been instructed to follow the SWS for addressing hazards requiring an immediate response.

Client Education

- Provide client with combustion safety and hazards information.

Training

- How to perform appropriate testing, determine when a building is excessively depressurized, and the difference between air free and as-measured CO.
- CO action levels.

7.9 – Electrical

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☐ Alternative Guidance ☒ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

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

- When the H&S of the occupant/worker(s) is at risk, minor repairs, as defined by the Grantee, are allowed when necessary for weatherization measures.
- Evaluate and if necessary provide sufficient over-current protection and damming (if required) prior to insulating building components containing knob and tube wiring, as required by the AHJ.
- Replacement of knob and tube wiring is allowable if savings of the measure warrant the replacement or if deferral would be caused, the overall savings of weatherizing the house may be considered.
- Visual inspection for presence and condition of knob-and-tube wiring.
- Check for alterations that may create an electrical hazard.
- Voltage drop and voltage detection testing are allowed.

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

- Minor electrical repairs must be tied to a measure being done during the weatherization or to protect the health and safety of the occupants or crews. The cost must not go above the \$1,049 H&S average per home without state approval. Grantees will look at the savings that would be lost by deferring the home compared to the cost of the repair.

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

- All homes have a site-specific audit.

Client Education

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

Training

- How to identify electrical hazards.
- Local (or AHJ) code compliance.

In the past we have used trainers from the State Electrical board for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.

7.10 – Formaldehyde, Volatile Organic Compounds (VOCs), Flammable Liquids, and other Air Pollutants

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

What guidance do you provide Subgrantees for dealing with formaldehyde, VOCs, flammable liquids, and other air pollutants identified in homes slated for weatherization?

<ul style="list-style-type: none"> Removal of pollutants is allowed and is required if they pose a risk to workers. If pollutants pose a risk to workers and removal cannot be performed or is not allowed by the client, the unit must be deferred. Refer to <i>Hazardous Materials Disposal</i> section for more information.
Testing Protocols
<ul style="list-style-type: none"> Sensory inspection.
Client Education
<ul style="list-style-type: none"> Inform client in writing of observed hazardous condition and associated risks. Provide client written materials on safety issues and proper disposal of household pollutants. When deferral is necessary, provide information in writing describing conditions that must be met for weatherization to commence.
Training
<ul style="list-style-type: none"> How to recognize potential hazards and when removal is necessary.

7.11 – Fuel Leaks <i>(please indicate specific fuel type if policy differs by type)</i>				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>		
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
Remediation Protocols				
<ul style="list-style-type: none"> When a minor gas leak is found on the utility side of service, the utility service must be contacted before work may proceed. Fuel leaks that are the responsibility of the client (vs. the utility) must be repaired before weatherizing a unit. These would typically be funded through the LIHEAP Emergency Furnace grant in a LIHEAP client. DOE H&S funds would be used in the case of a client that does not qualify for LIHEAP but does qualify for DOE Weatherization. Notify utilities and temporarily halt work when leaks are discovered that are the responsibility of the utility to address. Test exposed gas lines for fuel leaks from utility coupling into, and throughout, the home. Conduct sensory inspection on bulk fuels to determine if leaks exist. 				
How do you define allowable fuel leak repairs, and at what point are repairs considered beyond the scope of weatherization?				
<ul style="list-style-type: none"> The cost of the repair must not go above the \$1,049 H&S average per home without state approval. If above the \$1,049, the state would consider the savings to the home that would be lost by deferral. 				

Client Education
<ul style="list-style-type: none"> Inform clients in writing if fuel leaks are detected.
Training
<p>Fuel leak testing. We will be contacting training centers to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.</p>

7.12 – Gas Ovens / Stovetops / Ranges
Concurrence, Alternative, or Deferral
Concurrence with Guidance <input type="checkbox"/> Alternative Guidance <input checked="" type="checkbox"/> Results in Deferral <input type="checkbox"/>
Funding
DOE <input checked="" type="checkbox"/> LIHEAP <input type="checkbox"/> State <input type="checkbox"/> Utility <input type="checkbox"/> Other <input type="checkbox"/>
What guidance do you provide Subgrantees for addressing unsafe gas ovens/stoves/ranges in homes slated for weatherization?
<ul style="list-style-type: none"> When testing indicates a problem, entities may perform standard maintenance on or repair gas cooktops and ovens. If repairs are not done, the client must be informed in writing about the problem. Replacement is not allowed.
Testing Protocols
<ul style="list-style-type: none"> Test gas ovens for CO. Inspect cooking burners and ovens for operability and flame quality.
Client Education
<ul style="list-style-type: none"> Inform clients of the importance of using exhaust ventilation when cooking and the importance of keeping burners clean to limit the production of CO.
Training
<ul style="list-style-type: none"> Testing techniques CO action levels <p>We will be contacting training centers to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.</p>

7.13 – Hazardous Materials Disposal [Lead, Refrigerant, Asbestos, Mercury (including CFLs/fluorescents), etc.] (please indicate material where policy differs by material)				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
Client Education				
<ul style="list-style-type: none"> Inform client in writing of hazards associated with hazardous waste materials being generated/handled in the home. 				
Training				
<ul style="list-style-type: none"> Appropriate Personal Protective Equipment (PPE) for working with hazardous waste materials. Disposal requirements and locations. Health and environmental risks related to hazardous materials. 				
Disposal Procedures and Documentation Requirements				
<ul style="list-style-type: none"> Hazardous Waste Materials generated during weatherization work shall be disposed of according to all local laws, regulations and/or Federal guidelines, as applicable. Document proper disposal requirements in contract language with responsible party. Refer to <i>Lead</i> and <i>Asbestos</i> sections for more information on those topics. <p>We will be contacting the State Health Dept. to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.</p>				

7.14 – Injury Prevention of Occupants and Weatherization Workers (Measures such as repairing stairs and replacing handrails)				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
What guidance do you provide Subgrantees regarding allowable injury-related repairs (e.g., stairs, handrails, porch deck board)?				

<ul style="list-style-type: none"> When necessary to effectively weatherize the home, workers may make minor repairs and installations, as defined by the Grantee in the ECM-GHW-H&S-IRM lists 2018 attachment to the 2018 State Plan. Inspect for dangers that would prevent weatherization.
How do you define “minor” or allowable injury prevention measures, and at what point are repairs considered beyond the scope of weatherization? Quantify “minor” or allowable injury prevention measures.
<ul style="list-style-type: none"> The cost of the repair must not go above the \$1,049 H&S average per home without state approval. If above the \$1,049, the state would consider the savings to the home that would be lost by not doing a measure or by deferral. If conditions will not be repaired, inform client in writing of observed hazards and associated risks.
Training
<ul style="list-style-type: none"> Hazard identification.

7.15 – Lead Based Paint				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input checked="" type="checkbox"/>	Alternative Guidance <input type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
Safe Work Protocols				
<ul style="list-style-type: none"> Crews must follow EPA's Lead; Renovation, Repair and Painting Program (RRP) when working in pre-1978 housing unless testing confirms the work area to be lead free. Deferral is required when the extent and condition of lead-based paint in the house would potentially create further H&S hazards. Only those costs directly associated with the testing and lead safe practices for surfaces directly disturbed during weatherization activities are allowable. 				
Testing Protocols				
<ul style="list-style-type: none"> Testing to determine the presence of lead in paint that will be disturbed by WAP measure installation is allowed with EPA-approved testing methods. Testing methods must be economically feasible and justified. Job site set up and cleaning verification by a Certified Renovator is required. Grantees must verify that crews are using lead safe work practices during monitoring. 				
Client Education				

- Follow pre-renovation education provisions for RRP.
- When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence.

Training and Certification Requirements

- All employees and contractors working on pre-1978 homes must receive training to install measures in a lead-safe manner in accordance with the SWS and EPA protocols, and installation must be overseen by an EPA Certified Renovator.
- Grantee Monitors and Inspectors must be Certified Renovators.
- All Certified Renovators and those seeking to become certified may go to the training center at Montana State or the Environmental Technical Institute at the University of North Dakota. When there is enough need we bring the trainers from Montana into the state to deliver the training.

Documentation Requirements

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

7.16 – Mold and Moisture

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

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

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

- Limited water damage repairs that can be addressed by weatherization workers are allowed when necessary in order to weatherize the home and to ensure the long-term stability and durability of the measures.
- Source control (i.e. correction of moisture and mold creating conditions) is allowed when necessary in order to weatherize the home and to ensure the long-term stability and durability of the measures. Source control is independent of latent damage and related repairs.
- Where severe Mold and Moisture issues cannot be addressed, deferral is required.
- Mold testing or cleanup is not an allowable H&S cost.
- Surface preparation where weatherization measures are being installed (e.g., cleaning mold off window trim in order to apply caulk) must be charged as part of the ECM, not to the H&S budget category.
- Approved H&S measures are defined by the Grantee in the ECM-GHW-H&S-IRM lists 2018 attachment to the 2018 State Plan.

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

- The cost of the minor or allowable moisture-related measures must not go above the \$1,049 H&S average per home without state approval. If above the \$1,049, the state would consider the savings to the home that would be lost by deferral.

Client Education

- Provide client written notification and disclaimer on mold and moisture awareness.
- Provide information on importance of cleaning and maintaining drainage systems.
- Provide information on proper landscape design and how this impacts site drainage and moisture control.
- When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence.

Training

- National curriculum on mold and moisture or equivalent.
- How to recognize drainage issues.

We will be contacting training centers and the State Health Dept. to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.

7.17 – Pests

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

What guidance do you provide Subgrantees for dealing with pests and pest intrusion prevention in homes slated for weatherization?
<ul style="list-style-type: none"> • Pest removal is allowed only where infestation would prevent weatherization. • Infestation of pests may be cause for deferral where it cannot be reasonably removed or poses H&S concern for workers. • Screening of windows and points of access, and incorporating pest exclusion into air sealing practices to prevent intrusion is allowed.
Define Pest Infestation Thresholds, Beyond Which Weatherization Is Deferred
<ul style="list-style-type: none"> • If the infestation prevents weatherization and the cost of removal is above the \$900 H&S average per home, state approval is required. If above the \$900, the state would consider the savings to the home that would be lost by deferral.
Testing Protocols
<ul style="list-style-type: none"> • Assessment of presence and degree of infestation and risk to worker.
Client Education
<ul style="list-style-type: none"> • Inform client in writing of observed condition and associated risks. • When deferral is necessary, provide information in writing describing conditions that must be met in order for weatherization to commence.
Training
<ul style="list-style-type: none"> • How to assess presence and degree of infestation, associated risks, and deferral policy. <p>We will be contacting training centers and the State Health Dept. to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.</p>

7.18 – Radon		
Concurrence, Alternative, or Deferral		
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>	Results in Deferral <input type="checkbox"/>
Funding		
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/> Utility <input type="checkbox"/> Other <input type="checkbox"/>
What guidance do you provide Subgrantees around radon?		

- Radon mitigation is not an allowable H&S cost.
- Clients must sign an informed consent form prior to receiving weatherization services. This form must be kept in the client file.
- In homes where radon may be present, work scope should include precautionary measures based on [EPA Healthy Indoor Environment Protocols](#) for Home Energy Upgrades, to reduce the possibility of making radon issues worse.
- Whenever site conditions permit, cover exposed dirt floors within the pressure/thermal boundary with 6 mil (or greater) polyethylene sheeting as described in the ND Single Family SWS and Field Guide.
- Other precautions may include, but are not limited to, sealing any observed floor and/or foundation penetrations, including open sump pits, isolating the basement from the conditioned space, and ensuring crawl space venting is installed.

Testing Protocols

- Testing is not allowed but Sub-grantees may direct clients to the State Health Department which has testing available.

Client Education

- Provide all clients EPA's [A Citizen's Guide to Radon](#) and inform them of radon related risks.
- Informed consent form must include:
 - Information from the results of the IAQ Study that there is a small risk of increasing radon levels when building tightness is improved
 - A list of precautionary measures WAP will install based on EPA Healthy Indoor Environment Protocols
 - Some of the benefits of Weatherization including energy savings, energy cost savings, improved home comfort, and increased safety

Training and Certification Requirements

- Auditors, assessors and inspectors must have knowledge of radon, what it is and how it occurs, including what factors may make radon worse, and precautionary measures that may be helpful.
- Workers must be trained in proper vapor retarder installation.
- A zonal map can be located at <https://www.epa.gov/sites/production/files/2015-07/documents/zonemapcolor.pdf>. Information may also be found at <https://www.epa.gov/radon/find-information-about-local-radon-zones-and-state-contact-information#stateradon>.

Documentation Requirements

- Written confirmation that EPA's [A Citizen's Guide to Radon](#) was received and radon related risks discussed with the client. Page 2 of the attached Health and Safety Inspection and Release Form is the Radon Informed Consent form and contains the required language and sign off for the client.

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

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☐ Alternative Guidance ☒ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

What is your policy for installation or replacement of the following:
Smoke Alarms: Smoke alarms must be installed where alarms are not present or are inoperable.
Carbon Monoxide Alarms: CO alarms must be installed where alarms are not present or are inoperable.
Fire Extinguishers: Where solid fuel burning equipment is present, fire extinguishers may be provided as an allowable H&S measure.
Testing Protocols
<ul style="list-style-type: none"> • Check existing alarms for operation. • Verify operation of installed alarms.
Client Education
<ul style="list-style-type: none"> • Provide client with verbal and written information on use of devices installed.
Training
<ul style="list-style-type: none"> • Where to install alarms. • Local code compliance. <p>We will be contacting training centers and the State Fire Marshall's office to look for this type of training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.</p>

7.20 – Occupant Health and Safety Concerns and Conditions
Concurrence, Alternative, or Deferral
Concurrence with Guidance <input checked="" type="checkbox"/> Alternative Guidance <input type="checkbox"/> Results in Deferral <input type="checkbox"/>
Funding
DOE <input checked="" type="checkbox"/> LIHEAP <input type="checkbox"/> State <input type="checkbox"/> Utility <input type="checkbox"/> Other <input type="checkbox"/>
What guidance do you provide Subgrantees for soliciting the occupants' health and safety concerns related to components of their homes?
<ul style="list-style-type: none"> • When a person's health may be at risk and/or WAP work activities could constitute an H&S hazard, the occupant will be required to take appropriate action based on severity of risk. • Failure or the inability to take appropriate actions must result in deferral.
What guidance do you provide Subgrantees for determining whether occupants suffer from health conditions that may be negatively affected by the act of weatherizing their home?
<ul style="list-style-type: none"> • Screen occupants to reveal known or suspected health concerns either as part of initial application for weatherization, during the audit, or both.

What guidance do you provide Subgrantees for dealing with potential health concerns when they are identified?		
<ul style="list-style-type: none"> Follow required safety protocols when performing WAP work activities. Temporary relocation of at-risk occupants is allowed. 		
Client Education		
<ul style="list-style-type: none"> Inform client in writing of any known risks. Provide client with Subgrantee point of contact information in writing so client can inform of any issues. When deferral is necessary, provide information in writing describing conditions that must be met for weatherization to commence. 		
Documentation Form(s) have been developed and comply with guidance?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> The Health and Safety Inspection and Release Form is attached. 		

7.21 – Ventilation and Indoor Air Quality				
Concurrence, Alternative, or Deferral				
Concurrence with Guidance <input type="checkbox"/>	Alternative Guidance <input checked="" type="checkbox"/>		Results in Deferral <input type="checkbox"/>	
Funding				
DOE <input checked="" type="checkbox"/>	LIHEAP <input type="checkbox"/>	State <input type="checkbox"/>	Utility <input type="checkbox"/>	Other <input type="checkbox"/>
Identify the Most Recent Version of ASHRAE 62.2 Implemented (optional: identify Addenda used)				
<ul style="list-style-type: none"> ASHRAE 62.2 – 2016 We have been given a variance on section 6.5.2 to use our duct leakage standards. We also have been given an exception to section 6.4 to use our Worst Case Spillage Test in place of the requirements of this section. We will meet section 6.1 and 6.1.1 by using blower door guided air sealing and infrared cameras. We will notify DOE of any adoptions of addendums to the Standard. 				
Testing and Final Verification Protocols				
<ul style="list-style-type: none"> Install ventilation as required by ASHRAE 62.2 - 2016. If the ASHRAE normative Appendix A is employed and an existing fan is being replaced or upgraded to meet whole-house ventilation requirements, take actions to prevent zonal pressure differences greater than 3 pascals across the closed door, if one exists. Measure fan flow of existing fans and of installed equipment to verify performance. Use the blower door testing to use the Infiltration Credit. 				
Client Education				
<ul style="list-style-type: none"> Provide client with information on function, use, and maintenance (including location of service switch and cleaning instructions) of ventilation system and components. Provide client with equipment manuals for installed equipment. Include disclaimer that ASHRAE 62.2 does not account for high polluting sources or guarantee indoor air quality. 				
Training				

- ASHRAE 62.2 training, including proper sizing, evaluation of existing and new systems. Staff have had training at State Conferences, HPC, Energy OutWest, and webinars put on by the state. They will be trained on any addenda adopted.

We will be contacting training centers to look for ASHRAE training. We have begun preparations for a State Weatherization H&S Training conference to be held in late summer-early fall will be contacting them to do this at the training. See the T&TA section of the Master Plan for more information on the conference.

7.22 – Window and Door Replacement, Window Guards

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

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

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

Testing Protocols

- Not applicable

Client Education

- Provide written information on lead risks wherever issues are identified.

Training

- Awareness of guidance.

7.23 – Worker Safety (OSHA, etc.)

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☐ State ☐ Utility ☐ Other ☐

- Workers must follow OSHA standards where required and take precautions to ensure the H&S of themselves and other workers.
- All Subgrantees and contractors must maintain compliance with the current OSHA Hazard Communication Standard, including on-site organized Safety Data Sheets (SDS) (formerly called MSDS).

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

- Safe work practices are verified during in-progress monitoring, using photo documentation in the file, and client interviews when monitoring.
- Each crew will be visited in the field once per year with no advance notice.

Training and Certification Requirements

- Use and importance of PPE.
- OSHA 10 hour training is required for all crew members, crew foreman, auditors, and inspectors.
- Ongoing training as required in Hazard Communication Program.

7.24 – Infectious Disease Preparedness and Response

Concurrence, Alternative, or Deferral

Concurrence with Guidance ☒ Alternative Guidance ☐ Results in Deferral ☐

Funding

DOE ☒ LIHEAP ☒ State ☐ Utility ☐ Other ☐

Remediation Protocols

Please see the ND – COVID – Considerations-for- Fieldwork document attached

Testing Protocols

n/a

Client Education

Please see the ND Client Procedures – 6-15-20 document attached

Training

All staff are required to take the COVID-19: Workplace Safety online training from the Energy Smart Academy

OSHA and COVID-19

Recommendations begin with the development or updating of an infectious Disease Preparedness and Response Plan that will help guide protective actions for both workers and clients during epidemics like COVID-19. Recommendations for plan development can be found here. The following recommendations from OSHA and the U.S. Department of Labor should be considered when you begin the transition back to field work after the suspension is lifted.

Grantee Planning: We are updating our Health and Safety plan to include a COVID-19 and other infectious disease deferral condition with a reasonable timeframe (30-120 days) for clients that may be exhibiting symptoms, or exposed to others with an infectious disease, or clients that are concerned for their safety. Include the allowance of additional PPE and other protective measure costs for both crew and client safety. We are requiring online training on PPE proper use and cleaning prior to re-entry into the field.

See <https://www.energysmartacademy.com/online-courses.html>

Prepare to Implement Basic Infection Measures:

- Prohibit handshaking, maintain social distance, at least 6 feet, as often as possible.
- Mandate that sick employees stay home, promote telework options if possible.
- Include routine, daily disinfecting of equipment and tools being used in the field. When choosing cleaning chemicals, consult information in the EPA approved disinfectant labels with claims against viral pathogens. Follow the manufacturer's instructions for use of all cleaning and disinfection products (e.g., concentration, application method and contact time, PPE).
- Promote frequent handwashing with soap and water for at least 20 seconds. Avoid touching eyes, nose or mouth with unwashed hands.
- Field staff should have temperature taken each day before going out in the field.

Prepare to Implement Changes to Field Work during the transition:

- Training and equipping all field workers with PPE and how to properly use it, remove it and clean it to avoid contamination of self and others. Examples of PPE include gloves, goggles, face shields and masks, N95 filtering respirators.

- Provide sanitary wipes to crews that can be used to clean surfaces in client homes both before and after they are performing work. See the EPA list of disinfectants for use against SARS-CoV-2.
- Ensure all vehicles and crew members are equipped with hand sanitizer with at least 60% alcohol.
- Consider prioritizing the completion of all exterior work first, and then address the interior work in the client home. Remember to practice social distancing.
- Try to reduce the number of crew and clients in the home at the time of interior work, consider asking clients if they would leave the home during the interior work or try to isolate them to one room.
- Consider establishing a policy that crews conducting interior work will wear PPE, this may also help assure clients who are fearful of people entering their home.
- Consider offering face masks to clients to contain respiratory secretions.
- Consider installing a physical barrier, such as a clear sheet of plastic, to isolate a client while interior work is being conducted.
- One driver per vehicle per day, disinfect the drivers controls after use.
- If workers arrive at a site and determine a client is exhibiting respiratory illness, establish a policy that may allow them to defer the home for a period to ensure worker safety.

Create Inventory checklist for field crew

Is there adequate inventory for the following categories before going into the field?

Respirators N95 face masks

Gloves

Tyvek Suits

Booties

Paper towels

Hand soap

Cleaners

Client education materials

Client face masks

Add these Recommended Screening Questions:

1. Has anyone in the household tested positive for COVID-19? If so, how long ago?
2. Is anyone in your household experiencing fever, cough or shortness of breath in the last two weeks?
3. Has anyone in your household been in contact with someone who has had a fever, cough or shortness of breath in the last two weeks?
4. Consider using the COVID-19 self-screening tool to help determine if clients should be serviced or deferred for a period. Check your risk for COVID-19 - <https://c19check.com/start>

To All Who We Serve,

All of us here in the North Dakota Weatherization Assistance Program understand this is a challenging and unprecedented time and that everyone has concerns regarding their safety and well-being during this COVID-19 pandemic. Through a collaborative effort between the Department of Energy, the Low Income Home Heating Assistance Program, OSHA, and the CDC we are implementing the policies and practices outlined below to ensure your safety and the safety of our staff and community as we begin to re-open our program and start providing Weatherization services again.

What You Can Expect

- We will call you to schedule a time to come to your home and make sure you are comfortable with us coming. The person who calls will ask you several health-related questions as part of this process related to COVID-19. All this information is kept private and confidential.
- Once you have given us the go ahead to come to your home to provide Energy Efficiency Coaching, Energy Auditing, Weatherization or Quality Control Inspection services (depending on what phase in the weatherization process you are in), we will call you the day we are due to arrive to double check there have been no health related changes in your household that would keep us from coming to your home.
- All our staff are screened daily to make sure they have a normal temperature and have no COVID-19 related symptoms. No one will come to your home that has not been screened that day.
- Before our arrival, all equipment that will be used in your home will be disinfected. All materials to be installed will have been either disinfected and/or quarantined in our warehouse beforehand.
- Any staff entering your home will be wearing an approved mask, gloves and other personal protective equipment as needed.
- While any of our staff are at your home, you will be asked to wear a mask and maintain social distancing to both protect yourself and our staff as per state guidelines. If you are unable to wear a mask due to health reasons, please let us know and we will adjust for this. If you are able to wear a mask but are unwilling to, we will need to postpone our visit until you are either willing to wear one or the State of North Dakota deems they are no longer necessary. If you do not have a mask, we can provide you with one.
- Often there are papers which we will need you to sign during our visit. These will be provided to you in duplicate in a plastic zip lock bag. We will ask you to sign them (preferably with your own pen). One set of copies are for you to keep and the other will be placed back into the bag for return to our office.
- Any surfaces in your home which are touched by any of our staff without gloves will be disinfected before leaving.

1600 East Century Ave. Ste. 2 | P.O. Box 2057 | Bismarck, ND 58502



Because we are funded by the federal government and we care about everyone's safety, we are taking the guidelines issued to us for safe operation very seriously. If you have any questions or concerns about our COVID-19 safety procedures, please let us know and we will do our best to address them.

We look forward to serving you and making your home more energy efficient, healthier and comfortable.

Bruce Hagen

Weatherization Program Manager
ND Department of Commerce, Division of Community Services

HEALTH AND SAFETY INSPECTION AND RELEASE FORM

NORTH DAKOTA DEPARTMENT OF COMMERCE

DIVISION OF COMMUNITY SERVICES

SFN 59494 (05-2020)

A visual assessment of your home will include, but is not limited to, mold & moisture, asbestos, wiring problems, occupant health conditions, pests, and other health and safety concerns. The weatherization program may not be able to use funds to take care of these problems but needs to inform the occupants.

- ☐ There is no mold visibly present at the time of the assessment.
- ☐ There is mold visibly present at the time of the assessment in the following locations:

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

Moldy or Musty Odors	<input type="checkbox"/> Are Present	<input type="checkbox"/> Are not Present
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Occupant Health Interview

- ☐ No occupant health conditions were observed at time of assessment.
- ☐ After interviewing the occupants, the following health conditions were noted:

Other Hazards Identified

- ☐ No other hazards identified.
- ☐ The following other hazards have been identified (see checklist on Page 2):

Agency Auditor	Date
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I have received information concerning the possible hazards in my home and I will take steps to reduce and correct any hazards identified. I agree to hold the Weatherization Assistance Program harmless for any future hazards that are not associated with the weatherization work. I have also received a copy of "A Citizen's Guide to Radon."

Weatherization Client	Date
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Any of the following that are checked yes are to be discussed with client.	YES	NO	N/A
1. Suspected asbestos containing materials present?			
2. Any structurally compromised areas?			
3. Any code issues present?			
4. Are any fuel or gas leaks present?			
5. Are there any issues with gas ovens or stoves?			
6. Are gutters clean and maintained?			
7. Are downspouts and extensions present?			
8. Are there any landscaping issues?			
9. Are there any issues with solid fuel vents?			
10. Does ventilation need to be added?			
11. Does existing ventilation operate correctly?			
12. Are CO and smoke alarms needed?			
13. Are any pests present?			
14. Any electrical or plumbing problems present?			
15. Any issues with the heating system?			
16. Any issues with the water heater?			
17. Any biologicals or sanitation issues?			
18. Any VOC's or other air pollutants present?			
19. Are there any hazardous materials to be disposed of?			
20. Is lead-based paint present that will be disturbed?			
21. Are there any issues present that will cause deferral?			
Any other issues identified or other comments for documentation?			
COVID-19 Interview Questions – Questions should be asked daily.	YES	NO	
1. Has anyone in the household tested positive for COVID-19? When?			
2. Has anyone in your household experienced fever, cough or shortness of breath in the past 14 days?			
3. Has anyone in your household been in contact with someone who has had fever, cough or shortness of breath in the past 14 days?			
4. In the past 14 days have you been on a commercial flight or traveled outside the country?			
5. Is anyone in the household currently waiting for results of a COVID test?			

Radon Informed Consent Language

Weatherization achieves energy and cost savings and improved comfort, health and safety of homes through a variety of home retrofit measures, including some which improve the airtightness of the building. According to the Department of Energy (DOE) sponsored study, "[Weatherization and Indoor Air Quality: Measured Impacts in Single-family Homes under the Weatherization Assistance Program](#)," there is a small risk of increased radon levels in homes when the building air tightness levels are improved. These increases are smaller in manufactured housing everywhere, and all homes in low-radon potential counties, and higher in site built homes in high-radon-potential counties. There is some evidence that the installation of continuous mechanical ventilation reduces radon levels in homes, and counteracts any radon increases that are due to improved building air tightness levels.

Zones 1 and 2 Only:

Precautionary Measures: Since your house is in a county identified as having moderate-to-high potential radon levels¹, precautionary measures indicated below will be installed as part of weatherization:

- ☐ Exposed dirt floors covered and sealed where accessible
- ☐ Floor/foundation penetrations sealed
- ☐ Open sump pit capped
- ☐ Exhaust ventilation installed
- ☐ Other: _____

I am aware that weatherization may result in increased levels of radon, and that mechanical ventilation may counteract those increases. I have received the Environmental Protection Agency's (EPA's) "A Citizen's Guide to Radon," and radon- related risks were discussed. I have chosen to go forward with weatherization and accept all risks of injury or damages.

I have carefully read this informed consent form and have signed it of my own free will.

Printed Client Name	
Client Signature	Date

¹ Defined as counties with predicted indoor radon screening levels at or above 2 pico Curies per liter of air (pCi/L). Link to EPA interactive zonal radon map: <https://www.epa.gov/radon/find-information-about-local-radon-zones-and-state-contact-information#radonmap>

PRE-RENOVATION

NORTH DAKOTA DEPARTMENT OF COMMERCE

DIVISION OF COMMUNITY SERVICES

SFN 59554 (09-2018)

This form may be used by firms to document compliance with the requirements of the Federal Lead-Based Paint Renovation, Repair, and Painting Program after April 2010.

PAMPHLET RECEIPT

Occupant Confirmation

<input type="checkbox"/>	I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.		
Printed Name of Owner-Occupant			Date
Signature of Owner-Occupant			Date

Renovator's Self Certification Option (for tenant-occupied dwellings only)

Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.			
<input type="checkbox"/>	Declined – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.		
<input type="checkbox"/>	Unavailable for Signature – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant was unavailable to sign the confirmation of receipt.		
	I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how the pamphlet was left):		
Printed Name of Person Certifying Delivery			Attempted Delivery Date
Signature of Person Certifying Lead Pamphlet Delivery			Date
Unit Address	City	State	ZIP Code

Note Regarding Mailing Option – As an alternative to delivery in person, you may mail the lead hazard information pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation. Mailing must be documented by a certificate of mailing from the post office.

Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is reported to be extremely contagious. The state of medical knowledge is evolving, but the virus is believed to spread from person-to-person contact and/or by contact with contaminated surfaces and objects, and even possibly in the air. People reportedly can be infected and show no symptoms and therefore spread the disease. The exact methods of spread and contraction are being researched, and there is no known treatment, cure, or vaccine for COVID-19.

Evidence has shown that COVID-19 can cause serious and potentially life-threatening illness and even death. (Local agency) cannot prevent you or the members of the household from becoming exposed to, contracting, or spreading COVID-19 while utilizing (Local agency) services on your premises. It is not possible to entirely prevent against the presence of the disease. Therefore, if you choose to utilize (Local agency) services and/or allow RRVCA to enter onto your premises you may be exposing yourself to and/or increasing your risk of contracting or spreading COVID-19.

ASSUMPTION OF RISK: I have read and understood the above warning concerning COVID-19. I hereby choose to accept the risk of contracting COVID-19 for myself and my household in order to utilize RRVCA's services and allow (Local agency) to enter my premises. These services are of such value to me and my household that I accept the risk of being exposed to, contracting, and/or spreading COVID-19 in order to utilize (Local agency) services and allow it to enter my premises in person.

WAIVER OF LAWSUIT/LIABILITY: I hereby forever release and waive my right to bring suit against (Local agency) and its officers, directors, managers, officials, trustees, agents, employees, or other representatives in connection with exposure, infection, and/or spread of COVID-19 related to utilizing (Local agency) services on my premises. I understand that this waiver means I give up my right to bring any claims including for personal injuries, death, disease or property losses, or any other loss, including but not limited to claims of negligence, and give up any claim I may have to seek damages, whether known or unknown, foreseen or unforeseen.

CHOICE OF LAW: I understand and agree that the law of the State of North Dakota will apply to this contract.

I HAVE CAREFULLY READ AND FULLY UNDERSTAND ALL PROVISIONS OF THIS RELEASE, AND FREELY AND KNOWINGLY ASSUME THE RISK AND WAIVE MY RIGHTS CONCERNING LIABILITY AS DESCRIBED ABOVE:

Name (printed):

Signature

Date: