

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF HOUSING AND COMMUNITY RESOURCES**

**WEATHERIZATION ASSISTANCE PROGRAM
HEALTH AND SAFETY POLICY**

The following Policy is an addendum to Chapter 9 in the NJ Field Guide for Energy Auditors and Inspectors of Single Family Housing

Health and Safety Policy:

Health and safety actions are those actions necessary to maintain the physical wellbeing of both the occupants and/or weatherization workers where:

- Costs are reasonable as determined by DOE in accordance with the Grantee's approved Grantee Plan; AND
- The actions must be taken to effectively perform weatherization work; OR
- The actions are necessary as a result of weatherization work.

Only those H&S corrections necessary to effectively perform weatherization, or those needed to avoid worsening H&S conditions as a result of weatherization are allowed to be performed and must fall within reasonable costs as identified in this Plan and approved by DOE. Not all observed H&S conditions need to be corrected in order to proceed with weatherization; however, the client should still be notified of any observed conditions and if the condition is not corrected it should be clearly explained in the client file how the condition is not related to the planned weatherization work. No costly testing (such as for lead, asbestos, or radon) or H&S corrections are allowed unless energy conservation measures (ECMs) are planned based on the energy audit. No WAP funded H&S activity outside of assessment and/or testing should occur unless WAP funded ECMs are being performed. Blower door results can be estimated but must be updated once testing or hazard correction is concluded. This may alter ventilation requirements and potentially impact other components of the work scope, which must be updated to accurately reflect the actual assessment data.

Deferral & Referral Policy

Agencies must postpone work when problems occur that cannot be remedied within the scope of allowable measures identified in this Plan or other available grantee and sub-grantee funds.

Building rehabilitation and hazard remediation work are beyond the scope of WAP.

Units must be deferred if necessary corrective work is beyond the scope of this Plan.

Clients must be notified in writing within 7 calendar days of the site visit wherein a determination was made to defer the project due to H&S issues and where partial weatherization (only as specifically allowed in the following Plan or approved by DCA on a case-by-case basis) is not an option. The notification form can be found at: <http://www.nj.gov/dca/divisions/dhcr/offices/wap.html> shall include reason(s) for deferral, any testing results, and appeal rights. Agencies are expected to make reasonable efforts on behalf of their clients to find alternative assistance when DOE funds are unable to address conditions that lead to deferral. When possible, the notice shall include a list of potential agencies with funding designed to address the specific H&S issue which precludes a client from participating.

Additional considerations that may lead to deferral shall include other good cause which includes any condition which may endanger the health and/or safety of the occupant, work crew, or subcontractor

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as determined by the NJ Department of Community Affairs at its sole discretion (i.e., illegal activity, pets, animal waste, and hoarding). Reasons for deferral must be tracked by grantees.

If unit is deferred, New Jersey will allow agencies to charge \$250 for each deferred unit to Program Support. In Heswap, agencies will choose deferred unit cost under program support when invoicing and in the comment field, agencies will identify the deferred units.

Health and Safety Expenditure Limits

In order to maintain the primary energy efficiency mission of the program, H&S budgets are limited to 14% of \$4650 (New Jersey's estimated per unit expenditure for the 2012 Program Year) or an estimated \$650 per unit adjusted based on actual Program Operation expenditures. Agencies must maintain this H&S expenditure limit of 14%, on average, across all units reported to DCA or face disallowed costs except that DCA may approve waivers on a case-by-case basis. Waivers must be submitted to DCA Monitors for approval when the total H&S cost is over \$650 up to \$1,300 for an individual unit. H&S estimates over \$1,300 for an individual unit must be approved by the DCA Program Supervisor. Agencies must receive DCA approval to perform work in a home with estimated H&S costs in excess of \$650 per unit. H&S practices must be performed within the guidance of this Plan but certain discretion is left to the auditor in estimating costs and making judgments for deferral. Those judgments must be within the limitations outlined herein and detailed justification provided in the client file.

Health and Safety Training Requirements (Recommended):

Trainings that are required include OSHA 30 (which is needed for crew Supervisors), ASHRAE 62.2, Lead Safe Weatherization, as well as any ongoing training to identify and address health and Safety issues.

Health and Safety Survey Process:

Agencies will use the health and safety survey to gather client data. This survey includes the following:

- I. Client Intake
 - a. Radon Waiver Form
- II. Client Notification Forms
 - a. Client Education and educational materials
 - b. Client Deferral Notice
- III. Auditor/ Inspectors forms
 - a. ASHRAE 62.2- 2010 residential Ventilation Standard
 - b. Lead, Mold, Radon, Asbestos Assessment Determination
 - c. Determination of Lead Safe Weatherization (LSW) on dwelling built before 1978
 - d. Checklist for performing

The documents are available on the DCA weatherization webpage:
<http://www.nj.gov/dca/divisions/dhcr/offices/wap.html>