



WEATHERIZATION UPDATE

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This Weatherization Update is for recipients of the Low-Income Weatherization Assistance Program funding and is intended to provide information on the latest issues associated with the Weatherization Program Standards.

If you have any questions or need assistance, please contact:

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The Difference between Lead Safe Weatherization (LSW) and the Lead; Renovation, Repair, and Painting Program (LRRPP) Requirements

Section 5.14 LEAD PAINT HAZARD in the WEATHERIZATION PROGRAM NOTICE 11-1 (EFFECTIVE DATE: December, 28, 2010) states:

In April 2008, EPA published the "Lead; Renovation, Repair and Painting Program" (LRRPP) Final Rule. This Rule specifically cites Weatherization activities (in context of "renovation") in several places and has direct impact on how the Weatherization Program proceeds in implementing Lead Safe Weatherization.

Grantees are reminded, the EPA Final Rule with an effective date of April 10, 2010, requires Certified Renovators to be onboard with subgrantee crews or contractors, and performing all the EPA required functions on all pre-1978 housing that has not been determined as exempt by grantee-approved protocols.

Grantees should be advised, Certified Renovator courses are generally created for renovation/remodeling contractors and do not include all aspects of Lead Safe Weatherization (LSW) – the methods and techniques that reduce the spread of dust specific to typical weatherization activities. Because Certified Renovator courses do not cover all LSW practices, DOE requires **ALL** Certified Renovators be trained in LSW prior to working on pre-1978 housing. Further, since DOE requires LSW in all pre-1978 housing, all crew workers must also be trained in LSW before working in pre-1978 housing.

DOE further requires all Grantee Monitors/Inspectors be Certified Renovators in order to effectively monitor EPA requirements AND trained in LSW in order to effectively monitor LSW minimum requirements.

There has been a lot of discussion among Nebraska Weatherization Program staff regarding the perception the LRRPP requirements have effectively "replaced" LSW requirements. The Weatherization Program Notice clearly states that DOE has not "replaced" LSW requirements with LRRPP requirements. So what are the "differences" in application or compliance requirement?

Circumstance	LSW	LRRPP
The house or the components being renovated have been determined to be free of lead-based paint by a Certified Renovator with an EPA-Recognized Test Kit	LSW does not apply.	LRRPP does not apply.
The work consists of minor repairs and maintenance that disturbs 6 square feet of painted surfaces per room for interior activities or less than 20 square feet of painted surface for exterior activities. (Note: this does not include window replacement, demolition, and projects involving prohibited practices.)	LSW Level 1 Containment applies.	LRRPP does not apply.
The housing is a zero-bedroom dwelling	LSW does not apply.	LRRPP does not apply.
The housing is for the elderly or disabled and no children under six reside or are expected to reside there.	LSW does not apply.	LRRPP does not apply.
The work consists of repairs and maintenance that disturbs more than 6 square feet of painted surfaces per room for interior activities or 20 square feet of painted surface for exterior activities.	LSW Level 2 Containment applies.	LRRPP applies.
The work includes window and door replacements, demolition, and projects involving prohibited practices.	LSW Level 2 Containment applies.	LRRPP applies.

State Program Monitors have observed circumstances where LSW and/or LRRPP practices have not been followed. This way of thinking is not only incorrect, it can be very costly! Remember, in the case of LRRPP implementation, the EPA can issue fines of up to \$32,500 to non-compliant entities who knowingly or willingly violate the law. Weatherization funds cannot be used to pay for fines. Please provide this information to all of your agency staff members to help to ensure that there is no confusion regarding the requirements regarding the proper implementation of Lead Safe Weatherization practices. If there are any questions about whether or not LSW practices apply to a particular situation contact a Nebraska Energy Office Program Monitor or contact Lynn Chamberlin at lynn.chamberlin@nebraska.gov or 402-471-3358.