- The Energy Division operates several programs that have a direct impact on the low-income population.

  The Low-Income Heating Energy Assistance Program (LIHEAP) assists income eligible households in paying their heating bills. This program affects low-income households, seniors and disabled by making a one-time payment towards their heating bills. In addition, the LIHEAP Emergency Furnace Program assists income eligible persons with the repair/replacement of furnaces. The Energy Division also offers the Weatherization Program, which assists households in making their homes more energy efficient in an effort to reduce heating costs.

LEAD-BASED PAINT

Those at highest risk of effects of lead paint poisoning are children, pregnant women and people working with lead in their jobs. The types of housing units more likely to have lead-based paint hazards include older units (lead-based paint used prior to 1950 is likely to contain higher concentrations), units in poor condition, units renovated or maintained not using safe work practices and units with exterior lead-contaminated soil.

In Rockford, there are several means for finding out about housing that presents lead-based paint hazards. Those include:

- Children are screened for high lead-blood levels as a part of school enrollment. If a high level of lead is shown, both a State of Illinois Public Health official and a nurse do an inspection of the premise. A common scenario is that younger siblings of a school-aged child have higher lead-blood levels than the school-age child. After an inspection of the premises, action is taken to insure compliance with health code regulations. The owner if the property is then responsible for either abatement or mitigation practices to eliminate or reduce the possibility of future lead poisoning from that unit.

- The City of Rockford, in its administration of its rehabilitation and homeownership programs, ensures that occupants, homeowners, and homebuyers are notified of the hazards of lead-based paint and defective paint is identified and treated in their homes. If a child with an elevated blood level (EBL) is identified, additional steps are taken to inspect for lead-based hazards and stabilize, control, or abate.

- Federal law requires sellers and landlords to make a disclosure of possible lead-based paint hazards in units. Anytime a contractor does repair that creates an opening more than two feet in diameter; the contractor is obligated to inform the residents of possible lead-based paint hazard.

What is Title X?

On September 15, 1999, The U. S. Department of Housing and Urban Development published a final regulation, "Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance." The purpose of the regulation is to protect young children from lead-based paint hazards in housing that is either receiving assistance from the Federal government or is being sold by the government. The regulation established procedures for evaluating whether a hazards may be present, controlling or eliminating the hazard, and notifying occupants of what was found and what was done in such housing. The regulation took effect on September 15, 2000 but local governments were allowed to apply for transition periods. The City of Rockford's housing rehabilitation programs became compliant on December 15, 2000. All other programs became compliant as of September 15, 2001.

Title X strengthens the requirements for the evaluation and reduction of Lead-Based Paint Hazards for all projects/activities receiving federal funds in an amount of more than $5,000. 24 CFR 35 also lowers the acceptable lead levels in both structures and the levels acceptable in children. The following exemptions apply to the Rockford program: exclusive elderly housing; absence of lead based paint; housing to be demolished; nonresidential property; rehabilitation disturbing little or no painted surfaces; emergency repairs and natural disasters; emergency rental and foreclosure prevention assistance. The new rule also provides levels of acceptable testing and abatement based on project costs.

There are four approaches HUD has used in structuring the requirements in the regulation. In some situations, HUD requires that work is conducted in a manner that prevents more lead-based paint hazards from being created. In other situations, HUD wants environments created that are free of lead-based paint hazards. The four approaches are Do No Harm, Identify and Stabilize Deteriorated Paint, Identify and Control Lead-Based Paint Hazards, and Identify and Abate Lead-Based Paint Hazards.

The Do No Harm approach is intended to allow low cost repairs and other work to proceed without costly lead-based paint requirements, yet, at the same time, to prevent lead-based paint hazards from being created while that work is being done. It does not determine if a whole dwelling unit or property is "lead-safe" because clearance is conducted only for the work site.

The approach to Identify and Stabilize Deteriorated Paint provides assurance that lead-based paint has been stabilized and the unit is "lead safe" because clearance is conducted for the whole unit. However, it does not prevent the reappearance of lead-based paint hazards.

Approach three is to Identify and Control Lead-Based Paint Hazards. This approach provides assurance that lead-based paint hazards have been eliminated. Clearance is conducted for the whole unit.

The final approach is to Identify and Abate Lead-Based Paint Hazards. This approach is used when Federal funds are used to make a substantial investment in the property. Long-term hazard control measures are implemented to help ensure that the unit remains lead-safe. This approach will primarily be used by the City of Rockford when substantial rehabilitation is necessary i.e. homesteads primarily.

Requirements under the new regulation differ depending on the nature of the activity, amount of Federal funding and the duration our relationship with the program participant. The level of assistance is determined by taking the lower of the per unit rehab hard costs or per unit federal assistance. The formula for calculating per unit rehab cost in mixed projects is:

> Rehab Hard Costs/Number of federally-assisted units + Rehabilitation hard costs for common areas and exterior surfaces/Total Number of Units in the Project

Strategies to Address Lead-Based Paint Hazards

The following are strategies we will use to address lead-based paint hazards in this community:

- ✓ CDBG funds will continue to be used to provide a 10% match to the Get The Lead Out Grant received by the Department of Human Services. It is anticipated that these matching funds will mitigate lead in twenty-five (25) units each year over the next four years due to a recent award to Human Services.
- ✓ One major problem we have with administering the lead program is a lack of contractors to do the work. In an effort to correct this issue, we plan to work with Human Services and the Health Department to provide training.
- ✓ Education focuses on awareness about practices that reduce the risk of lead poisoning. We hope that through education we will not only inform people that could be harmed by lead, but also inform property owners of their responsibilities and attract a greater base of contractors to work on lead projects. The City will network with the Winnebago County Childhood Lead Poisoning Prevention Committee to identify means to inform the public.
  Education about the lead-based paint hazard is also the most cost-effective approach. Proper building maintenance and cleaning habits greatly reduce the risks of lead-based paint hazard. Compared to abatement strategies, education reaches more people and requires fewer resources in order to address the hazard. Often a behavioral change is sufficient in order to minimize any hazard of exposure to lead-based paint. Therefore, all applicants for the City of Rockford's programs will be given information on lead-based paint including the appropriate disclosures. The Rockford Area Affordable Housing Coalition has also added this discussion to their pre-purchase counseling class.

- ✓ The legal documents and program policies and procedures will continue to be refined taking into account lessons learned and training so that property owners, tenants, and homebuyers will continue to be assisted without undue burden.
- ✓ The City will provide lead technical assistance to all Continuum of Care sponsors.
- ✓ Upon consultation with Human Services, it was determined that cultural differences tend to play a part in elevated levels of lead in some populations. Persons, who have emigrated from Mexico, tend to have children at greater risk to elevated lead levels. This phenomenon is linked to two (2) possible causes: eating utensils from homemade pottery and the practice of giving small amounts of lead for medicinal purposes. Consequently, Human Services will be providing additional educational materials in Spanish as well as the Community Development Department.
- ✓ The Illinois Department of Public Health operates the certification programs for lead-based paint contractors, risk assessors and clearance inspectors. Therefore, additional contractors, assessors or compliance monitors can be readily certified once trained. Unfortunately, this along with the City's attempt to orchestrate a HUD Safe Work Practices course to be conducted locally was not successful and we currently have only two contractors locally to do lead work. Most contractors were not willing to attend the training due to perceived or real costs associated with becoming a licensed contractor and the liability. The City of Rockford will continually inform contractors of the training opportunities and encourage contractors to participate.
- ✓ The City's Department of Human Services currently operates the lead-based paint program through the State of Illinois – Get the Lead Out! Therefore, Human Service employees are already certified to perform risk assessments, compliance testing and have an ongoing relationship with a contractor that performs mitigation services. That staff has provided us with technical assistance. Also, three Community Development staff persons have attended HUD's "Addressing Lead-Based Paint in Local Housing Programs" workshop conducted by ICF, have attended training conducted by the National Center for Lead-Safe Housing, and attended the Supervisor Certified Training Course. Two staff persons also have their license as a lead Supervisors and to complete the final assessments.
- ✓ The effect of the lead-paint regulations on currently programs has been great. The costs associated with abatements have had a greater impact than anticipated with the end results being a change in the programs offered. Program costs were escalating due to the lead rules and our rehab programs were in jeopardy. As a result, changes were made in 2004 to move towards the presumption of lead and to limit rehab subsidies to $25,000. This policy will continue in 2005.

The following chart is a summary of how we have incorporated the law into the City's housing rehabilitation programs.

SUMMARY OF LEAD-BASED PAINT REQUIREMENTS BY ACTIVITY

	Rehabilitation (Subpart J) – All housing rehab programs including those completed by CHDOs			**Tenant Based Rental Assistance (S + C)**	**Acquisition, Leasing, Services, Operating, Homebuyer and Special Needs (CAP, ESG, GAP)**
	≤$5,000	**$5,000 - $25,000**	**>$25,000**		
Approach to Lead Hazard Evaluation and Reduction	Do No Harm	Assess and control lead hazards	Assess and abate lead hazards	Identify and stabilize deteriorated paint	Identify and stabilize deteriorated paint
Notification	Yes	Yes	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment	Visual Assessment	Visual Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (Interim Controls on exterior surfaces not disturbed by rehabilitation)	Paint Stabilization	Paint Stabilization
	Safe work practices and clearance of work site	Safe work practices and clearance of unit	Safe work practices and clearance of unit	Safe work practices and clearance of unit	Safe work practices and clearance of unit
Ongoing Maintenance	For HOME rental only	For HOME rental only	For HOME rental only	Yes	Yes
EIBLL Requirements	No	No	No	Yes	No
Options	Presume lead-based paint and use safe work practices on all surfaces	Presume lead-based paint and/or hazards and use standard treatments	Presume lead-based paint and/or hazards and abate all applicable surfaces	Test deteriorated paint and use safe work practices only on lead-based paint surfaces.	Test deteriorated paint and use safe work practices only on lead-based paint surfaces.
*Special Needs Housing may be subject to the requirements of Subpart, J, M, or K depending on the nature of the activity undertaken. However, since most special needs housing involves acquisition, leasing, support services, and operation, for the purposes of this table, it has been placed in this column. SAFE WORK PRACTICES **if** tested and confirmed lead, must be performed by lead licensed contractor per State rules.					

GLOSSARY OF LEAD TERMS

Clearance Examination. Clearance is performed after hazard reduction, rehabilitation, or maintenance activities to determine if a unit is safe for occupancy. It involves a visual assessment, analysis of dust and soil samples, and preparation of report. A certified risk assessor, paint inspector, or clearance technician (independent from the one doing the work) conducts the clearance.

Lead-Based Paint. Paint that contains at least l milligram per centimeter square (mg/cm2) of lead.

Lead-Based Paint Hazards. Housing conditions that cause human exposure to unsafe levels of lead from paint such as deteriorated lead-based paint; friction, impact or chewable painted surfaces; lead-contaminated dust; lead-contaminated soil.

Lead Hazard Reduction Methods.

1. Paint Stabilization – An interim control method that stabilized painted surfaces and addressed the underlying cause of deterioration. Steps include repairing defective surfaces, removing loose paint and applying new paint. See below.
2. Interim controls – Set of measures to temporarily control lead-based paint hazards. Qualified workers using safe work practices must complete interim control methods.
3. Abatement – Measures to permanently control (20 years or more) lead-based paint or lead-based paint hazards. Abatement of lead-based paint or hazards must be done by a certified abatement worker, and the work must be supervised by a certified lead-based paint abatement supervisor.

Lead-Based-Paint Standards

Paint that contains at least:

- 1 milligram per centimeters sq. (mg/cm2) of lead
- 0.5 percent lead

Dust – Thresholds for Lead Contamination

• Floors	40 mg/ft2
• Interior window sills	250 mg/ft2
• Window troughs (clearance only)	800 mg/ft2

Soil – Thresholds for Soil Contamination

Play areas used by children under age 6	600 mg/gram
Other areas	2,000 mg/gram
Abatement required	5,000 mg/gram

Paint Stabilization. Paint stabilization is the treatment of paint surfaces that are cracking, scaling, chipping, peeling, or loose. It must include the following activities:

Repair Deteriorated Surface. Any physical defect on a painted surface must be repaired before treating the surface.

Remove oose Paint. All loose paint or other loose material should be removed from the surface to be treated.

Apply New Paint. The application of a new protective coating or paint. The surface must be dry and protected from future moisture damage before applying new protective coating or paint.

Paint Testing. Testing of specific surfaces, by XRF or lab analysis, to determine the lead content of these surfaces, performed by a certified lead-based paint inspector or certified risk assessor.

Risk Assessment. A comprehensive evaluation for lead-based paint hazards that includes paint testing, dust and soil sampling, and a visual evaluation. The risk assessment report identifies lead hazards and appropriate lead hazard reduction methods. A certified risk assessor must conduct the assessment.

Safe Work Practices. Safe work practices must be used during paint stabilization and cleanup. Exemptions apply when treated areas are tested and found to be lead free or the area being treated is smaller than a total of 2 sq. ft. per room or 10% of the total surface area of interior objects, such as window sills. There are four requirements that must be met.

1. **Occupant Protection**. Work should be performed in a vacant unit if possible. If residents must remain inside the unit during work, a barrier to the room where stabilization is taking place should be erected, and residents should not be allowed to re-enter the work area until clearance has been completed.

2. **Work site Preparation**. The work site should be contained using plastic sheeting extending five feet beyond the perimeter of the treated area in all directions on the floor. Ventilation systems should be turned off until work is completed.

3. **Cleanup**. After paint stabilization is complete, the work site must be cleaned to remove all lead-based paint dust. Cleanup must be accomplished by wet washing surfaces with a lead-specific detergent. Vacuum cleaners with HEPA filters must be used during cleanup. Waste and debris must be disposed in sealed containers in accordance with Federal and state waste disposal requirements.

4. **Use of Safe Treatment Methods**. Examples include wet scraping, wet sanding, chemical stripping, replacing painted components, scraping with an infrared or coil-type heat gun under acceptable temperatures, HEPA vacuum sanding, HDPA vacuum needle gun, and abrasive sanding with HEPA vacuum.

PROGRAM-SPECIFIC REQUIREMENTS

1. CDBG and HOME RESOURCES

a) Annual entitlement and program income expected to be received during the 2007 program year:

Funding Sources	
Entitlement Grant (includes reallocated funds)	
CDBG	$2,171,329
ESGP	92,800
HOME	$ 861,194
HOPWA	$0
Total	**$3,125,323**
Prior Year's Program Income NOT previously programmed or reported	
CDBG	$15,870
ESG	$0
HOME	$41,920
HOPWA	$0
Total	**$57,790**
Reprogrammed Prior Year's Funds	
CDBG	$885,009
ESG	$0
HOME	$399,559
HOPWA	$0
Total	**$1,284,568**
Total Estimated Program Income	
CDBG	$140,000
HOME	$15,000
Total	**$238,000**
Section 108 Loan Guarantee Fund	$0
TOTAL FUNDING SOURCES	**$4,705,681**
Other Funds	
LOCAL - TAX INCREMENT FINANCING	$3,708,505