



# **WEATHERIZATION**

## **BIL State Plan**

**7/1/2022-6/30/2027**

**Master File**



## **V. MASTER FILE**

### **V.1 Eligibility**

#### **V.1.1 Approach to Determining Client Eligibility**

##### **Definition of Income Used to Determine Eligibility:**

The West Virginia Department of Economic Development (WVDED) will use the Definition of Income provided in DOE WPN 22--3 Poverty Income Guidelines and Definition of Income (and updated Poverty Income Guidelines in future DOE WPNs), dated February 14, 2022, regarding cash receipts, exclusions, proving eligibility, and consideration of child support. Additional data fields included in the state data management system require the collection and reporting of household demographic and residence specific information including whether the applicant rents or owns his/her home, among other information. All applicants are required to sign their application and certify to the validity of the information provided. Falsification of an application is subject to ineligibility.

##### **Income Verification Procedures:**

The eligibility documentation is maintained in the database management system and may be supplemented with a physical client file. All eligibility documentation is to be reviewed for compliance by the subrecipient prior to weatherization services being provided, and then entered into the database management system for eligibility calculation. If one (1) year or more has lapsed between the date of application and the date weatherization services are scheduled to begin on a particular job, the income of that client must be re-verified as per WV WAP and DOE requirements. WVDED provides a secondary review of eligibility documentation and process by selecting a sample of weatherization dwellings during the monitoring process. WVDED also provides to the WV WAP Network the Poverty Income Guidelines and Definition of Income document as revised by DOE each program year to supplement the Income Eligibility Policy.

##### **Household Eligibility**

As defined in 10 CFR 440.3, low income means that income in relation to family size which:

1. Is at or below 200 percent (200%) of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget (OMB), except that the Secretary may establish a higher level if the Secretary, after consulting with the Secretary of the United States Department of Agriculture (USDA) and the Secretary of Health and Human Services, determines that such a higher level is

2. necessary to carry out the purposes of this part and is consistent with the eligibility criteria established for the Weatherization Program under Section 222(a)(12) of the Economic Opportunity Act of 1964;
3. Is the basis on which cash assistance payments have been paid during the preceding twelve-month period under Titles IV and XVI of the Social Security Act or applicable State or local law; or
4. If a Grantee elects, it is the basis for eligibility for assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent (200%) of the poverty level determined in accordance with criteria established by the Director of the OMB. WVDED will utilize this option for PY 2022.

WVDED requires all subrecipients ensure client eligibility during which services are delivered. All prospective applicants will be required to identify and provide documentation of the amount and source of all income for the household and client ownership.

- Availability of Supporting Documentation: Each Client File must contain an application from the client that contains the required demographics and income for the entire family living in the residence. The Client File must also contain evidence provided by the subrecipient that the client is eligible to receive Weatherization Assistance Program (WAP) services. This evidence may include, but is not limited to, a memorandum from a third -party certification office stipulating the income levels of the family or source documentation for each income source listed on the application.
- Self-Certification: After all other avenues of documenting income eligibility are exhausted, self certification is allowable. However, evidence of the various attempts at proving eligibility must be contained in the Client File, including a notarized Zero Income Affidavit signed by the potential applicant indicating that the applicant has no other proof of income.

The WV WAP data management system calculates a twelve (12) month income period needed to create an annualized income equivalent for comparison to the poverty guidelines. Annualized income may be calculated using less than twelve (12) months of income information. At least one (1) month of recent income is necessary for the database management system to calculate the annualized income for eligibility determination. In addition, family units that have received cash assistance payments under Title IV or XVI of the Social Security Act, or applicable State or local law paid during the twelve -month period preceding application, will be eligible for weatherization pursuant to 10 CFR Part 440.22.

**Qualified aliens eligibility for weatherization benefits:**

The steps in the application/intake process detailed in the previous Eligibility Procedures Section ensure DOE weatherization services shall only be provided to eligible populations.

These same procedures and parameters including income eligibility are utilized for West Virginia's Low-Income Home Energy Assistance Program (LIHEAP) Weatherization services.

### **V.1.2 Approach to Determining Building Eligibility**

#### **Procedures to determine that units weatherized have eligibility documentation:**

The WV WAP will determine eligibility of a dwelling unit based on the amount of household income and the conformity of that income to criteria established by the Low-Income Home Energy Assistance Act of 1981, 42 U.S.C. 8621. All subrecipients in the WV WAP will use 200% of the poverty guidelines and definition of poverty as stated in DOE WPN 22--3 Poverty Income Guidelines and Definition of Income.

The WV WAP data management system calculates a twelve (12) month income period needed to create an annualized income equivalent for comparison to the poverty guidelines. Annualized income may be calculated using less than twelve (12) months of income information. At least one (1) month of recent income is necessary for the database management system to calculate the annualized income for eligibility determination. In addition, family units that have received cash assistance payments under Title IV or XVI of the Social Security Act, or applicable State or local law paid during the twelve- month period preceding application, will be eligible for weatherization pursuant to 10 CFR Part 440.22.

Dwellings in all fifty five (55) counties of West Virginia are eligible for weatherization services and are intended to be served by the WV WAP. Any West Virginia resident who meets client eligibility requirements and whose dwelling meets building eligibility requirements would be eligible to receive weatherization services.

#### **Home Ownership**

Additional information is required to prove home ownership. Examples to meet this requirement include, but are not limited to, deeds/titles, property tax records with street address, municipal websites, mortgage documents, insurance documents. These documents must be stored in the Client File in the data management system.

#### **Income Documentation for Renters:**

The intake and certification procedures for tenants adds two steps to the procedures required for homeowners. The WAP regulations Section 440.22(b)(1) 1. Require the subrecipient to obtain written permission from the property owner or agent before any work is done on a building containing rental units; and (2) (10 CFR 440.22(b)(3)) requires the Grantee to establish procedures for rental units to ensure:

- The benefits of WAP improvements will accrue primarily to the low income tenants.
  - For a period of two (2) years from the date of signature on the "Weatherization Rental Release and Agreement" form, the rent shall not be raised because of the increased value of dwelling unit(s) due solely to weatherization assistance provided under this program;

- No undue or excessive enhancement shall occur to the value of the building.

**Re-weatherization:**

On January 8, 2021, DOE released WAP Memorandum 075, Weatherization Assistance Program Reauthorization Impacts for State Plan Submission. Memo 075 addressed the P.L. 116-260 omnibus legislative package that included several significant changes for the WAP. The legislative package included the bill Energy Act of 2020. Section 101 1(h) of the Energy Act of 2020 amended 42 U.S. Code § 6865(c) (2) and removed the re-weatherization date, September 30, 1994, and created a rolling option.

*“Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as ‘previous weatherization’), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.”*

The inclusion of “other Federal programs” includes all Federal funds including Low-Income Home Energy Assistance Program (LIHEAP, Housing and Urban Development (HUD), and United States Department of Agriculture (USDA) “weatherization” activities. The WV WAP has procedures in place to comply with DOE regulations regarding “Re-weatherization.” Prior to any weatherization activity, a unit must be evaluated to determine whether previous weatherization services were provided 15 years from the date of new application. If services have been provided within 15 years of this date with DOE funds, the unit is not eligible for additional weatherization services with DOE funds.

The following actions must be taken on each unit prior to weatherization services to ensure the homes that have received weatherization services during the 15-year period are not reweatherized:

- Each client’s address must be entered into the data management system to identify whether the client’s home has been weatherized during or after 2007 (length of WV WAP historical records with searchable addresses).
- Each client’s name must be entered into the data management system’s “Old Weatherization Data” module to check if the client has previously been reported as a completion during 1996 to 2007 (length of WV WAP historical records with client names only). If the client’s name is found in the data management system as having had weatherization services, the subrecipient will verify with the client if they are living at the same address as when they received weatherization services in the past. If the client

verifies that this is the same address, then the dwelling is ineligible for weatherization services.

- A secondary verification occurs as each client must be asked whether their home has been weatherized in the past 15 years from the date of application.
- If a dwelling passes the first two (2) verification steps, a third verification step is performed as a visual inspection of each home must be completed by an auditor to identify whether previous weatherization measures have been performed. If the home was completed after September 15, 2011, subrecipients are required to place standardized tags on specified areas of dwellings after completing the weatherization process.
- If there is no documented, verbal, visual, or physical evidence of previous weatherization services, the subrecipient may proceed with weatherization services on the dwelling.
- Subrecipients may provide services to a dwelling unit previously weatherized prior to the 15-year rolling date/date of application.
- The DOE-issued Weatherization Program Notice 12-7 Disaster Planning and Relief allows for additional work to be done on homes due to natural disasters. In the event of a declared Federal or State disaster, allowable expenditures under WAP include:
  - The cost of incidental repairs to an eligible dwelling unit if such repairs are necessary to make the installation of weatherization materials effective.
  - The cost of eliminating health and safety hazards, elimination of which is necessary before the installation of weatherization materials (10 CFR 440.18(d)(9); 10 CFR 440.18(d)(15).
  - To the extent that the services are in support of eligible weatherization (or permissible “Re-weatherization”) work, such expenditure would be allowable.

In the event of a declared Federal or State disaster, weatherization crews may return to a unit reported as a completion to DOE that has been “damaged by fire, or act of God to be re-weatherized, without regard to date of weatherization” as per 10 CFR 440.18(f)(2)(ii). Local authorities must deem the dwelling unit(s) salvageable as well as habitable and if the damage to the materials is not covered by insurance or other form of compensation.

- Debris removal from a dwelling unit that is not to be weatherized would not be an allowable cost.
- Weatherization personnel can be paid from DOE funds to perform functions related to protecting the DOE investment. Such activities include: securing weatherization materials, tools, equipment, and weatherization vehicles, or protection of local subrecipient weatherization files, records and the like during the initial phase of the disaster response.

- Using DOE funds to pay for weatherization personnel to perform relief work in the community as a result of a disaster is not allowable.
- Local agencies may use weatherization vehicles and/or equipment to help assist in disaster relief provided the WAP is reimbursed according to the DOE Financial Assistance Regulations, 10 CFR Part 600 and 2 CFR 200.

WAP rules require that priority be given to identifying and providing weatherization assistance to elderly persons, persons with disabilities, families with children, high residential energy users, and households with high energy burdens as per 10 CFR 440.16(b). However, it would be permissible to consider households located in the disaster area as a priority as long as the households are eligible and meet one (1) of the priorities established in regulation and are free and clear of any insurance claim or other form of compensation resulting from damage incurred from the disaster.

In the event of a Federal or State implemented work stoppage which suspends on site work, the WVDED will follow all guidance provided by DOE or the Governor's Office and effectively relay this information to all subrecipients. On-Site WAP work will resume only when any work stoppage or stay at home mandates are lifted, and the subrecipient can follow safe return to work practices and procedures.

As referenced in #4 above, WVDED developed and implemented a Weatherized Unit Tagging Procedure policy to identify dwellings as "Weatherization Completions" and maintain compliance with DOE's Re-weatherization Policy. WV WAP's Weatherized Unit Tagging Procedure requires the placement of a permanent and standardized tag on each completed dwelling unit including the following information:

- Subrecipient Name
- West Virginia Weatherization Assistance Program
- Sequential Number
- "DO NOT REMOVE" indication
- Initials of subrecipient Quality Control Inspector and date of Quality Control Inspection

There are specific locations in the dwelling outlined in the policy where the subrecipients are to attach the tags in an effort to make them as permanent as possible. The subrecipient is to attach two (2) tags in different locations in each dwelling in case one (1) would become detached. The subrecipient must also maintain a picture of the tag and its location in the dwelling unit as a Portable Document Format (PDF) in the data management system. Failure to adhere to the policy could result in the dwelling unit not being deemed as a "Completion" and in turn all associated costs could be disallowed. The procedure implemented also maintains sufficient accountability of the subrecipient (and specific Quality Control Inspector) providing the weatherization services on a particular dwelling.

### **Eligible Structures:**

Subrecipients shall ensure that weatherization services are being provided to low income persons that live in standard types of housing, i.e., single family, rentals, manufactured housing, and multifamily buildings. Subrecipients will exercise caution when approaching non-traditional type dwelling units including, but not limited to, shelters and apartments over businesses WVDED will seek guidance from the WV DOE Project Officers as necessary if the WV WAP approaches a non-traditional dwelling. Weatherization of non-stationary campers and trailers that do not have a mailing address associated with the eligible applicant will not be allowed, even if utilizing a post office box. For procedures regarding structures that require deferral of services due to the structure being deemed at least temporarily ineligible, refer to the Deferral Process in the following segment of this section.

WVDED will disallow partial weatherization of a dwelling if turned in as a completion. A dwelling will only be deemed a completion if all measures called for from the audit have been completed, the unit has been reviewed and signed off on by a certified Quality Control Inspector, and all required documents are uploaded into the database management system. The Quality Control Inspector signature date will constitute the date of completion with no further work allowed on the dwelling. All required documents must be uploaded into the database management system on or prior to the Quality Control Inspection form date.

If in very rare and extreme circumstances, a client does not allow a subrecipient to complete the Quality Control Inspection in order to deem the dwelling as a completion, or the crew must halt weatherization for unforeseen circumstances with the client/dwelling (crew safety concern, death of a client, dwelling is vacated and/or sold, etc.), the subrecipient must notify WVDED. In cases where weatherization work was started but cannot be completed, signed and dated documentation must be entered into the client file as to why the weatherization work was stopped. Allowable expenses can be submitted, but the dwelling will not be counted as a completion. This option will be extremely rare in occurrence and only approved if all reasonable options to complete weatherization work including the final Quality Control Inspection have been attempted. WVDED will also pursue all other possible remedies including non-DOE funding sources for work performed, if allowable.

### **Tiny Homes/Auxiliary Dwelling Units:**

The WV WAP may provide weatherization to Tiny Homes and Auxiliary Dwelling Units (ADUs). ***If the dwelling/unit is under 550 square feet (51.1 m2) it must be submitted to WVDO for approval to the Weatherization Manager or designated reviewer.*** The dwelling must have a living space of no less than 220 square feet (20.4 m2) of conditioned floor area. An additional 100 square feet (9.3 m2) of conditioned floor area for each occupant of such dwelling in excess of two (2) must be added. The dwelling's minimum square footage calculations shall be determined as per ANSI Standard Z765-2003.

In addition to ANSI Z765-2003:

1. Living space (finished areas/rooms) must have a conditioned floor area minimum of 70 square feet (6.5 m2). Exception: Kitchens



2. The dwelling must have a separate bathroom containing a fully functioning sink, lavatory, and a bathtub or shower.
3. If the unit/dwelling's floor, frame, or foundation is prefabricated, a Manufactured Home Energy Audit (MHEA) must be used.
4. If the unit/dwelling is on slab, block, or is free of any typical manufactured housing supports a National Energy Audit Tool (NEAT) must be used.
5. If the unit/dwelling has affixed wheels, axels, or is made to be towable, the unit is considered a Recreational Vehicle (RV) and cannot be weatherized.

### **Historic Preservation**

On May 14, 2020, DOE, WVDED, and the WV Department of Arts, Culture, and History (WVSHPO) entered into a Programmatic Agreement (PA) to fulfill requirements of Section 106 of the National Historic Preservation Act for certain DOE undertakings in WV. As noted in DOE Weatherization Program Notice 10-12, DOE in coordination with the Advisory Council on Historic Preservation (ACHP) and the National Conference of State Historic Preservation Officers (NCSHPO), developed a Prototype Programmatic Agreement (PA) to address historic preservation requirements for the WAP.

The WV WAP is evaluating all National Historic Preservation Act (NHPA) Section 106 reviews utilizing guidelines set forth in the current PA, which was amended on November 20, 2020 to extend the PA to December 31, 2030. All measures that fall outside the WAP, exempt from NHPA Section 106 review, are being approved by WVSHPO. WVDED has three (3) staff members trained to perform Historic Preservation reviews, approvals, and to provide guidance to WV WAP subrecipients.

### **Disaster Relief Planning**

WPN 12-7 Disaster Planning Relief and 10 CFR 440.18(d)(9); 10 CFR 440.18(d)(15) allows for additional work to be done to homes damaged by fire, flood, or Act of God, during a declared Federal or State disaster, and repair of the damage to weatherization materials is not paid for by insurance or other forms of compensation resulting from damage incurred from the disaster. Subrecipients must refer to and comply with WVWPN 13-4 - Re-Weatherization Verification, WxBulletin 11-46 – Amended Weatherized Unit Tagging Procedure Policy, and Section V.1.2 Approach to Determining Building Eligibility – Re-weatherization of the DOE 2022-2023 WV WAP State Plan.

### **Rental Units:**

The WV WAP may provide weatherization to rental units, including multiple dwelling units (MDUs). The WV WAP has procedures that address the protection of renters' rights as per 10 CFR 440.22(b)(3) and 440.22(c)-(e). No rented dwelling unit can be weatherized without first obtaining the written permission of the owner (or his/her agent) of the dwelling unit. Completion of the "Weatherization Rental Release and Agreement" form is mandatory for multifamily rental units only.

The "Weatherization Rental Release and Agreement" form is designed to assure the following:

1. That the benefits of weatherization assistance shall reside primarily with the low-income tenants;
2. For a period of two (2) years from the date of signature on the “Weatherization Rental Release and Agreement” form, the rent shall not be raised because of the increased value of dwelling unit(s) due solely to weatherization assistance provided under this program;
  - a. Should a rental increase occur and the tenant perceive it to be due solely to the weatherization services provided, the tenant would notify the applicable subrecipient who would then contact WVDED, or the tenant.
  - b. WVDED will instruct the tenant to file a written complaint with WVDED detailing the situation and the perceived reason for the rent increase.
  - c. WVDED will work with the subrecipient and make contact with the landlord and notify that a complaint has been filed and provide the landlord with a copy of the complaint. The landlord will have the opportunity then to appeal the complaint.
  - d. WVDED will obtain all pertinent information applicable to the dwelling and the weatherization services received and will review all of the information provided, seeking guidance from DOE and/or legal counsel as needed.
  - e. WVDED will work to resolve the situation in a way agreeable to all parties. WVDED encourages the use of alternative dispute resolution procedures including arbitration.
3. That no undue or excessive enhancement shall occur to the value of the dwelling unit;
4. That no landlord contributions are allowed for single-family housing;
5. That if an owner of the dwelling unit qualifies for WV WAP, no landlord contribution is expected; and
6. For multifamily buildings, that a landlord outside the poverty guidelines of the WV WAP understands the requirements set forth by the “Weatherization Landlord Owner Investment” form which mandates a landlord contribution of twenty five percent (25%) of the total cost of the various weatherization measures to the subrecipient performing the work.

In the event that all possible negotiations with the landlord have been attempted yet the landlord refuses contribution, the dwelling may still be weatherized with proper documentation and approval from WVDED.

All multifamily units will follow the established client prioritization protocols as established in single family weatherization, unless otherwise determined by WVDED. Multiple dwelling units are defined as buildings containing five (5) units or more and can be weatherized if sixty six percent (66 %), (fifty percent (50%) for duplexes and quadruplexes) of the occupants qualify for weatherization assistance pursuant to Federal Regulation 10 CFR 440.22. Weatherization services provided to multifamily dwelling units will adhere to DOE WPN 16-5 Multifamily Weatherization and WPN 16-6 Weatherization of Rental Units. The “West Virginia Multifamily Owner Agreement” which is similar to the owner agreement described above, but is adapted for multifamily units, which adheres to DOE WPN 16-5.

## Deferral Process

The WV WAP has a well defined Deferral Policy to assist in the decision to defer weatherization assistance on an eligible dwelling in an attempt to standardize the procedure throughout West Virginia. As per the policy, a deferral does not mean that weatherization assistance will never be available, but that work must be postponed until the problems at the home can be resolved. Subrecipient crews and contractors are expected to pursue all reasonable options on behalf of the client, within program guidelines. After an on-site visit has been conducted, if conditions warrant and the subrecipient determines that the home meets one (1) or more of the following deferral conditions, a letter must be sent to the client outlining the conditions present at the dwelling and the justification for deferral. The reason for deferral must be selected and documented in the database management system and the database management system automatically generates the deferral letter with the proper justification to be submitted to the client.

Possible deferral conditions include but may not be limited to the following:

- Structurally unsound dwelling that is not suitable and adaptable to weatherization services, and the WAP does not have the resources to do necessary repairs;
- Electrical or plumbing hazards that cannot be resolved prior to or as part of weatherization services;
- The presence of raw sewage around or in any part of the dwelling;
- The presence of a dead animal, or animal feces, in an area where program staff must install weatherization measures;
- Excessive debris and clutter in and around the dwelling that limits access to the dwelling and areas within the dwelling:
  - Clutter Image Rating: Living Room – Dwelling deferred with rating of = 4
  - Clutter Image Rating: Bedroom – Dwelling deferred with rating of = 4
  - Clutter Image Rating: Kitchen – Dwelling deferred with rating of = 4
- Pets unchained or running loose that would be distracting or unsafe to program staff;
- The client is uncooperative, abusive, or threatening to the crew, or there is an apparent threat of violence or abuse to any program worker, or any household member during the weatherization process;
- The presence or use of any controlled substance in the dwelling during the weatherization process;
- Environmental hazards, such as serious moisture problem, known excessive radon, friable asbestos, excessive lead paint, or other environmental hazards that cannot be resolved prior to or as part of the weatherization services;
- Evidence of substantial infestation of rodents, insects, bats, or other harmful/objectionable animals that are difficult to control;
- Major remodeling is in progress, limiting the proper installation of weatherization measures;
- Substantial standing water in or around the crawl space or basement area limiting the proper completion of weatherization measures;

- Dwelling resident has a medical condition that prohibits the installation of insulation and/or other weatherization measures;
- No cost-effective or appropriate health and safety measures can be done to the house resulting in minimal energy savings;
- Customer in arrears with utility vendor, gas service has been shut off, or electric service has been shut off;
- Client refusal of primary energy conservation measure (SIR = 1);
- Client refusal of health and safety measure(s) necessary for client safety;
- Income verification needed;
- Updated utility information needed; and
- Other conditions not listed above that prohibit complete weatherization.

There are several steps detailed in the WV WAP Deferral Policy outlining the subrecipient and/or client's responsibilities after the aforementioned deferral letter is generated in order to possibly complete weatherization for a client that was originally deferred. These steps involve allowing the client to correct the identified issues or barriers to weatherization and providing the subrecipient with documentation that issues have been addressed. There is also a procedure in place in the event that issues are not addressed, or no response is received from the client. Once reasons for deferral are resolved, the application is re-activated within the data management system. Depending on the timing of the correction of deferral issues, eligibility criteria including income verification and prioritization status may need to be refreshed. The WV WAP Deferral Policy outlines the timing parameters in more detail. All applicable steps must be followed and all required documentation retained. For PY 2022 WVDED will utilize Weatherization Readiness Funds (WRFs) to address many of the deferral conditions listed above.

DOE WPN 22--6, with an effective date of April 24, 2022, allows WRFs to address necessary repairs (e.g., Health & Safety issues, structural) in dwellings that have been deferred. The WRFs are to be used to specifically target the reduction of frequency of deferred homes that require other services outside the scope of weatherization before weatherization services can be provided. The WVDED WRF Plan is detailed in the Annual File – Miscellaneous. WVDED and subrecipients will utilize the DOE developed Deferrals-Classification-Guide Tracker in PY 2022 to track deferrals, spending, measures, etc.

The WVDED continues to provide information on the U.S. Department of Agriculture (USDA) 504 Loan and Grant Programs to client inquiries at WV WAP where details provided by the client fall outside the scope of DOE weatherization. WVDED also has a list of work camps and mission groups, which are provided to those individuals not interested in the 504 program. These include WV Ministry of Advocacy and Work Camps, Inc., Appalachian Services Projects, Appalachian Reach Out, and On the Go Mission.

### **V.1.3 Definition of Children**

Definition of children (below age): 18

#### **V.1.4 Approach to Tribal Organizations**

In accordance with Federal rule, the State of West Virginia recommends that tribal organizations not be treated as local applicants eligible to submit an application to operate a Weatherization Assistance Program. In accordance with 10 CFR 440.16(f), low income Native Americans will receive benefits equivalent to assistance provided to other low income persons within the State as eligible individual applicants under program guidelines.

#### **V.2 Selection of Areas to Be Served**

The method used to select each area to be served by a weatherization project will be as follows:

1. All fifty-five (55) counties in West Virginia will be served by the WV WAP.
2. Selection of weatherization subrecipients or qualified entities is made pursuant to 10 CFR 440.15.
3. Subrecipients in the State operate the WAP in service areas designated by specific counties, barring any unforeseen circumstances necessitating service area alteration. Subrecipients may contract with one another in efforts to more efficiently and effectively provide weatherization services to all counties within a subrecipient's service area.
4. In the event that WVDED determines that a subrecipient fails to meet WV WAP Grant Agreement requirements, options include (but are not limited to) allocating the funds to other eligible subrecipients or qualified entities in the State.

#### **Redistribution Provision:**

As necessary through the administration and management of this award, WVDED may move funds between cost categories, functions, and activities to fully expand the monies during the budget period, which could include moving funds between subrecipients. All budget alterations or revisions will be in accordance with 2 CFR 200.308(e) and all other applicable Federal rules and regulations. Parameters and criteria outlining situations in which a subrecipient would have an allocation reduced, receive an additional allocation, or need to move funds within their own budget are laid out in the subrecipient WV WAP Grant Agreements, following all applicable Federal rules and regulations.

#### **V.3 Priorities**

The WV WAP will give highest priority to identifying and providing weatherization assistance to high energy burden clients, high energy usage clients; then elderly persons (those 60 years of age or older), persons with disabilities, and households with children (18 years of age or younger). Clients can be considered a high energy burden if:

- Twenty percent (20%) or more of the household income is utilized to pay for energy usage; and/or
- Clients are eligible for the Energy Crisis Intervention Program (ECIP), an emergency heat services component of the LIHEAP funding the WV WAP receives from the West Virginia Department of Health and Human Resources (DHHR).

Priority can also be given to clients considered high energy users. Clients will be considered high energy users if \$2,100 or more is expended by the client on residential energy annually. High energy burden users are users who spend 20% or more of their annual income on residential energy annually.

These priorities are not weighted the same with regards to the points they receive except for ECIP eligibility allowing for comprehensive weatherization services to be provided within a reasonable amount of time from when the client received emergency heat services, increasing the efficiency and cohesiveness between the programs.

The WV WAP has also incorporated priority features to enhance the DOE required priority eligible population categories and allow for reasonable, efficient, and effective implementation of the WAP. Such prioritization features allow for consideration of timing of services provided by other funding sources.

There are utility funds that supplement the WV WAP, and Federal and non-Federal resources are blended in order to serve more low- income clients as well as in some cases provide services in addition to those the traditional WAP is able to provide. There are situations in which clients eligible for certain utility program funding may receive additional priority in order for the utility funds to be expended effectively and within the proper time periods. This allows the WV WAP to continue to obtain these funds for future program years.

Finally, there could be instances in which clients are given priority as part of a multifamily project completion. Clients in an identified eligible multifamily dwelling may not all be at the top of the prioritization list, and therefore additional priority could be given to the clients in order for the project to be completed. However, WVDED requires advance planning from subrecipients for the completion of multifamily dwellings and ensures that multifamily projects do not supplant services provided to single family dwellings, which are the large majority of completions for the WV WAP.

WVDED has developed a point system to rank clients in the data management system that tracks all clients, dwellings, and weatherization work:

- 10 points for high energy users
- 10 points for high energy burden clients
- 5 points for elderly clients (60 years or older)
- 5 points for clients with disabilities
- 5 points for households with children under 18 years old

For applications with the same amount of points, priority will be given to applicants who have been on the waitlist the longest.

The WV WAP subrecipients must adhere to this prioritization list and point system within the data management system unless otherwise directed or approved by WVDED. WVDED may modify the prioritization system throughout the Program Year within the parameters of the program in instances including, but not limited to, adjusted rules and regulations or additional funding sources identified. The intent of the prioritization system will always remain consistent on serving low income clients as efficiently and effectively as possible, working to reduce energy costs, as well as to expending all funding sources within the proper timeframes and in compliance to all applicable rules and regulations. Subrecipients do not have the ability to manipulate or alter the prioritization system or criteria without written approval from WVDED.

The data management system only allows those clients highest on the priority list (based on the previously described point system) to be selected for service by a particular subrecipient, unless otherwise approved by WVDED. The system allows for a reasonable “pool” of high priority clients a subrecipient must select from so that there is flexibility built into the system, while also ensuring all clients served are high priority clients. Due to the number of high priority clients that will be available for a subrecipient to select from, WVDED does not anticipate any issue with all counties in West Virginia being provided weatherization services in an efficient and effective manner throughout the year. However, this process will be monitored throughout the year by WVDED and adjusted if necessary.

Subrecipients shall ensure that weatherization services are being provided to low income persons that live in standard types of housing, i.e., single family, rentals, manufactured housing, and multifamily buildings. Housing type is not a recognized priority and is not factored into the WV WAP prioritization process. WVDED will monitor the system through completion and deferral review to ensure eligible clients are not discriminated against due to housing type.

#### **V.4 Climatic Conditions**

West Virginia is the 41st largest of the 50 United States with a total area of 24,230 square miles. Within its boundaries, elevations reach as high as 4,863 feet above sea level (Spruce Knob in Pendleton County) and as low as 240 feet above sea level (Potomac River on the Virginia border).

The International Energy Conservation Code (IECC) has defined two (2) distinct climate zones that cover West Virginia. These climate zones help approximate the performance of a building within each zone due to the effects of heating- cooling demand, precipitation, and relative humidity.

Due to the variations in climate throughout the state, each energy audit shall be adjusted to most accurately model the climate conditions of the individual location. Likewise, each energy audit shall indicate the model climate used represented as locations included in the DOE approved auditing software (the Weatherization Assistant software as described in V.5.2

Auditing Procedures). At the present time, Zone 1 is identified as Charleston, WV, and Zone 2 is identified as Elkins, WV, in the DOE approved auditing software. These two (2) zones are utilized by all WV WAP subrecipients, with one (1) exception; the subrecipient that covers the four (4) counties in the northern panhandle of West Virginia (Brooke, Hancock, Ohio, Marshall) uses Zone 3 identified as Pittsburgh, PA, as that location more closely fits the subrecipient's local climate profile.

A rough map of the IECC climate zones and the additional zone is included as an attachment with this application.

Cooling Degree Days (CDD) and Heating Degree Days (HDD) data is submitted as an attachment to the application. A summary of the data for all three (3) zones is as follows:

Zone 1 – Charleston, WV:

CDD – 1011  
HDD - 4718

Zone 2 – Elkins, WV:

CDD – 307  
HDD – 6438

Zone 3 – Pittsburgh, PA:

CDD – 740  
HDD – 5637

Based on the cooling degree days and dual climate zones, the WV WAP has included specific cooling measures under certain circumstances as detailed under Section V.7 Health and Safety.

The HDD and CDD data used for analysis was obtained from the link below.

- National Climatic Data Center (using information from the NOAA)  
<http://ggweather.com/normals/>

## **V.5 Type of Weatherization Work to Be Done**

### **V.5.1 Technical Guides and Materials**

All measures and incidental repairs performed on client homes will meet the specifications, objectives and desired outcomes outlined in the Standard Work Specifications (SWS) for Home Energy Upgrades. To adhere to DOE WAP Memorandum 070, Standard Work Specification 2020 Update, Field Guide Renewal Dates and Changes, and Variance Requests, for PY 2022 – 2023, WVDED hired the Community Housing Partners Energy Solutions Training Center (CHP) to update the WV Single Family and Manufactured Field Guide Instruction Manuals.



Until final approval from DOE, WVDED and WV WAP subrecipients will continue to work under the current WV WAP SWS for Single Family Site Built and Manufactured Housing.

A link to both documents is provided:

<https://www.dropbox.com/s/0ehankm1lbdjvm0/Copy%20of%202017%20Master%20Key.xlsx?dl=0>

WVDED develops and distributes West Virginia Weatherization Program Notices (WV WPN) and West Virginia Weatherization Bulletins (WV WxBulletin) to provide additional guidance on specific requirements and major program updates and/or changes. These notices are in supplement to DOE Weatherization Program Notices and are the basis of the WVDED Field and Administration Guide (F&A Guide) which continues to be updated when new WV WAP Policies are distributed and/or new DOE guidelines mandate programmatic or field/technical changes. weatherization policy, field/technical, monitoring, and training topics that are relevant and important to the day-to-day operations at the subrecipient level.

The specifications for work to be inspected are referenced in the subrecipient DOE WAP Grant Agreement. Contractors hired by the subrecipient must have agreements that include the same technical requirements referenced above. The work of the contractor must be consistent with all WV WAP standards and requirements.

Additional training as necessary on WV WAP SWS is provided to subrecipients as detailed in Section V.8.4 Training and Technical Assistance to ensure consistent compliance throughout the network.

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

<b><u>Table 2 - Special Materials/Audit Procedures Approvals</u></b>	
<b>Items</b>	<b>Comments</b>
Light Emitting Diode (LED) Lighting	Approved by DOE 6/13/21
Refrigerators	Approved by DOE 6/13/21
Destomic Water Heaters (DWH)	Approved by DOE 6/13/21

### **Subcontracts**

The subrecipient shall ensure all subcontracts are in compliance with **2 CFR 200**, as well as any applicable rules and regulations of **2 CFR 910**, and **45 CFR 75**. As per **2 CFR 200.326**, the subrecipient contracts must contain the applicable provisions described in Appendix II to **Part 200 - “Contract Provisions for non-Federal Entity Contracts Under Federal Awards”** as

well as applicable provisions as per **2 CFR 200.101**. Subrecipient subcontracts will be reviewed as part of the WAP monitoring process or upon request of the Pass-through entity.

All such subcontracts shall contain provisions specifying:

- That the work performed by the subcontractor must be in accordance with the terms of the Program Year 2022 DOE State Plan and the 2022 Grant Agreement between the WVDED and the subrecipient;
- That nothing contained in such subcontract agreement shall impair the rights of the WVDED;
- That nothing contained herein, or under the Grant Agreement will create any contractual relation between the subcontractor and the WVDED;
- That the subcontractor specifically agrees to be bound by the confidentiality provision found in Section XI.B (4) Personally Identifiable Information set forth in the PY 2022 Grant Agreement;
- That the subrecipient will be responsible for ensuring all subcontracted work is performed per Federal and State regulations and policies, including all field guides and technical materials in order to be eligible for reimbursement of the approved work. This includes a signoff on the Subcontract Agreement form agreeing to such;
- That the subrecipient will ensure that all Federal flow down provisions are included in the subcontract agreement per Federal guidelines; and
- The subrecipient, by signing the PY 2022 WVDED/Subrecipient Grant Agreement, agrees to follow all provisions of the State Plan, including but not limited to, production, facilitation, operations, health and safety, and administrative requirements/regulations. Grant Agreements are submitted electronically for signature and are returned electronically. A handwritten or electronic signature is allowable. WVDED conducts an Annual State Plan meeting held in July of the new Program Year to review the new State Plan and Grant Agreements. Attendees of this meeting include Executive Directors/Chief Executive Officers, Weatherization Coordinators, and Financial staff.

#### **Other Renewable Energy Systems:**

Assistance under the WAP may be provided for renewable energy systems. Any renewable energy system measures implemented by a subrecipient must have WVDED written approval prior to work being performed. A site specific Weatherization Assistant energy audit must be included as part of the client file which will be reviewed by WVDED as part of the approval process. Because the total average cost per unit exceeds the renewable measures allowance, the major effects of the regulation are to provide criteria and a procedure for integrating renewables into the WAP, and to establish a process for evaluating petitions to use new or innovative renewable energy systems in the WAP.

10 CFR 440.21(c)(1)(i-iv) specifies performance and quality standards criteria for renewable energy systems. Paragraph (c)(2) establishes a procedure for submission and action on petitions by manufacturers requesting the Secretary of Energy to certify a new technology or system as an eligible renewable energy system. Approved renewable energy systems will be listed in Appendix A of Part 440, Standards for Weatherization Materials.

WVDED has an executed Historic Preservation Agreement (PA), and will follow the guidance and allowable activities in NEPA determination GFO-WAP- ALRD-2022A. For activities/projects not listed on GFO-WAP-ALRD-2022A, including ground disturbing activities and tree removal, are not included under the ALRD categorical inclusion and are subject to additional NEPA review approved by DOE.

Field guide types approval dates:

- Single-Family: 1/9/2019
- Manufactured Housing: 1/9/2019
- Multi-Family:

**V.5.2 Energy Audit Procedures**

<u>Unit Types</u>	<u>Audit Procedures and Dates Most Recently Approved by DOE</u>
Single-Family	National Energy Audit Tool (NEAT) approved by DOE November 15, 2016.
Multifamily	- 1-5 Units, individually heated/cooled, garden style apartments - NEAT audit with 3 or less stories - Small MDU less than 25 units, individually heated/cooled - NEAT audit Sampling* - MDU greater than 25 units – DOE Project Officer Approval
Mobile Home	Manufactured Home Energy Audit Tool (MHEA) approved by DOE November 15, 2016

*\*Audit Sampling:* To ensure a true representation of the building, an audit(s) must be completed on apartments with different configurations and heat loss characteristics (ex: 1 bed. bottom floor, 1 bed. middle floor, 1 bed. top floor, 2 bed. bottom floor). An audit of at least twenty five percent (25%) of the total number of units in each building must be conducted. Each audit must include photo documentation of existing conditions (ex: insulation levels, venting, etc.).

WV WAP uses the Weatherization Assistant (WA) software as its energy audit tool. The Weatherization Assistant energy audit software was developed by Oak Ridge National Laboratory specifically for the use for the Weatherization Assistance Program. There are two (2) components to the Weatherization Assistant software: The National Energy Audit Tool (NEAT) for single family houses and the Manufactured Home Energy Audit (MHEA) for mobile homes. WV WAP currently uses WA version 8.9 of the Weatherization Assistant Software.

WV WAP continues to work with EIS (formally DBA Technologies) in developing an auditing tool (WAPLINK) that will assist in the collection of data for energy audits. This tool will utilize WA version 10 as its auditing software.

For multifamily units, until MulTEA is implemented and subrecipient auditors can acquire accredited training, WVDED has a procedure in place, Multiple Dwelling Unit Policy and

Guidance. As mentioned in Section V1.2., WVDO's Multiple Dwelling Unit Policy and Guidance has been revised as guided by DOE WPN 16-5 Multifamily Weatherization and WPN 16-6 Weatherization of Rental Units. WVDED will continue to seek input and guidance from the DOE Project Officer on the Multiple Dwelling Unit Policy and Guidance on an "as needed" basis.

Multifamily units are defined as buildings containing five (5) units or more and can be weatherized if sixty six percent (66%), (fifty percent (50%) for duplexes and quadruplexes) of the occupants qualify for weatherization assistance pursuant to Federal Regulation 10 CFR 440.22.

The majority of eligible units in West Virginia are considered to be primarily garden style apartments, with less than twenty five (25) units per structure, three (3) stories or less where the units are individually heated and/or cooled and have exterior access. Hence, these dwellings will be the focus of the WV WAP's multifamily weatherization efforts. Each multifamily unit (including those that have less than five (5) units) must meet the previously mentioned audit procedures and all other procedure and documentation requirements set forth in the WV WAP Multiple Dwelling Unit Policy and Guidance. Prior to commencing weatherization of the building, WVDED must review and approve of the project. A minimum twenty five percent (25%) audit sampling must be completed on apartments with different configurations and heat loss characteristics for each building to be weatherized.

Due to increased and more complicated requirements and procedures, any multifamily project greater than twenty five (25) units would have to be submitted for review and approval to the DOE Project Officer prior to commencing weatherization.

### **V.5.3 Final Inspection**

Quality Control Inspectors (QCIs) working for, or contracted by the WV WAP must possess the knowledge, skills, and abilities in the National Renewable Energy Laboratory (NREL) Job Task Analysis (JTA) for Quality Control Inspectors. This applies to all individuals who perform an evaluation and sign off on work performed in homes, including subrecipient final inspectors and WVDO monitoring staff.

Certified subrecipient QCI's are required to perform a final inspection of each dwelling unit before it can be reported as a completion. The final inspection must be performed by the certified QCI using the WV WAP mandated "QCI form" (attachment to application) and certify that the work has been completed in a professional manner and is in accordance with the priority determined by the audit procedures required by 10 CFR 440.21. To be in compliance with DOE WPN 22-4, during PY 2022 – 2023, only those who possess the Home Energy Professional (HEP) QCI certification may perform inspections and sign off on work performed in homes. All subrecipients have demonstrated QCI competency by receiving certification as a HEP QCI.

The credentials of each subrecipient QCI are maintained in the database management system. WVDED will review the system periodically to ensure QCI credentials remain up-to-date as well as during the annual monitoring process. WVDED has set up or reviewed/approved all training and certifications of QCI staff (as described in Section V.8.4 Training and Technical Assistance Activities) thereby ensuring the validity of all credentials. WVDED will continue to either set up any additional certifications for the Weatherization Network, or review and approve that the proper certification is sought and obtained and all procedures followed prior to reimbursement for any training/certification expenses.

WVDED revised the standardized QCI form in 2022, which was based on DOE's review of the submitted WV State Plan application.

The form and the associated policy provide uniform guidelines and practices for final inspections of units at the subrecipient level to ensure such are performed correctly and thoroughly prior to being submitted as a completed unit. Signatures are required on the form certifying the unit had a final inspection and met all required standards. The inspection includes an assessment of the Weatherization Assistant audit performed and confirms that measures called for on the Work Order were appropriate signifying the proper SIR.

In regards to DOE WPN 22--4 compliance, WVDED ensures through the monitoring process described in Section V.8.3 Monitoring Activities that work performed by the subrecipient meets the criteria outlined in the WV WAP SWS.

If during the monitoring process it is discovered a subrecipient QCI is not inspecting units using the standards adopted by the State and consistent with the WV WAP SWS, WVDED will initiate a Quality Improvement Plan (QIP) process with the subrecipient, also described in Section V.8.3 Monitoring Activities. WVDED will work with the subrecipient to identify the best course of action to address whatever findings may exist in the Quality Control Inspection process including both internal steps a subrecipient can take, as well as external training and technical assistance WVDED can provide or obtain. Depending on the nature and severity of the issues found, WVDED may take disciplinary or punitive actions including but not limited to the monitoring of any job a subrecipient is attempting to turn in as a completion, disallowing of costs/completions, and repayment of funds.

Due to staffing limitations of certain subrecipients, the WV WAP instituted a combination of the two (2) DOE Prescribed QCI Policies of Independent QCI and Independent Auditor/QCI. At this time, not all subrecipients have the staff to have a separate Auditor and QCI. For such subrecipients, WVDED will increase the monitoring efforts of completed dwelling units as per DOE WPN 22-4. For subrecipients that have an independent QCI, WVDED will monitor at least five percent (5%) of completed dwelling units. For subrecipients that have an Auditor that also performs the functions of QCI, WVDED will monitor at least ten percent (10%) of completed dwelling units. This percentage will increase based on issues identified and/or capacity of WVDED staff.

WVDED will work with the subrecipients and make all reasonable efforts with the funding available to train and certify enough staff to separate the Auditor and QCI duties at the subrecipient level where it is possible to do so. As stated in Section V.8.4 Training and Technical Assistance Activities, WVDED will continue to offer additional QCI training and certifications as funding allows throughout the PY. Except for extremely extenuating circumstances, the QCI will not have performed any other work on the completed dwelling unit. WVDED will utilize the monitoring process to ensure the integrity, impartiality, and quality of the inspection process.

## **V.6 Weatherization Analysis of Effectiveness**

WVDED performs a variety of analysis of the WV WAP (statewide, subrecipient specific, objective/measure/process specific, etc.) at different times throughout a program year. Some data collection and analysis is performed on a routine basis for general oversight purposes; however, WVDED also investigates specific issues as they arise using different tools and database reports. Program production, goal attainment, and expenditure rates are tracked on a monthly basis for each subrecipient at the State level on a statistical analysis tool. These statistics are analyzed periodically, and the appropriate feedback and technical assistance is provided to those subrecipients not meeting goals, benchmarks, or compliance expectations. The subrecipients use the same statistical analysis tool for tracking their own production and expenditures to further ensure routine evaluation of local programs and reevaluation of goals when necessary.

A monthly “Dashboard” outlining the status of the weatherization program statewide was developed by WVDED and is submitted to the Weatherization Network after all reports have been submitted, data reviewed, and funding requests approved. This spreadsheet displays a wide range of summary information including expenditure numbers, health and safety percentages, completion data, and average job cost. WVDED developed supplemental spreadsheets (DOE/DHHR Monthly Snapshots) to the “Dashboard” which breaks down information in a more detailed manner. It provides a detailed line item breakdown of expenditures per funding source, including percentages of funds expended, Health & Safety tracking, Production Status, and average job cost. It also displays Job Goals and Completions.

WVDED works to establish production and expenditure benchmarks and includes as necessary and feasible in the subrecipient WAP Grant Agreements to increase accountability and ensure proper program management.

The WV WAP utilizes the database management system to track all weatherization work performed on any dwelling. The database management system coupled with the aforementioned statistical analysis tool and other statistical spreadsheets facilitate a review/analysis process essential for program management and oversight. The review process in various forms including desk-top review, serve as routine procedures to ensure compliance, as well as an initial monitoring process to confirm that measures are performed and tracked

according to program standards, and that diagnostic and health and safety tests are performed and documented correctly. This process allows for the identification of trends that may convey a training or technical assistance need, or specific jobs that may need to be monitored due to documentation of measures.

The process entails utilizing data from the “Weatherization Assistant Recommended Measures Output Report.” The WV WAP has the capability to compare productivity and associated energy savings data from the individual subrecipients and has the capability to analyze by measure. In PY 2022 – 2023, the WV WAP will continue to collect program year data and WVDED will pursue any additional development needed of the database management tool reporting capabilities to be able to utilize the data effectively in the future. WVDED performs a review of the Weatherization Audit Tool usage by each subrecipient during monitoring visits to ensure material and fuel costs are up to date in the “Setup Libraries” ensuring the system is performing accurate cost effectiveness evaluation.

As stated in section V.8.3 Monitoring Activities, WVDED also tracks the most significant deficiencies of subrecipients in a “Root Cause Analysis” spreadsheet that displays trends of the subrecipients’ performance over a period of several years. This analysis is another contributing factor to the identification of training and technical assistance activities and priorities. The collection and analysis of the data, and the improvement of tools and processes each year keeps WVDED on a path of continuous improvement with regards to support, guidance, and oversight which in turn will keep the subrecipients on the same path regarding the weatherization services provided and management of the program.

During the monitoring process, WVDED confirms the subrecipient has internal evaluative processes in place to facilitate improvement as needed (ex: Quality Control Inspector) to identify issues internally at the subrecipient level. This subrecipient process can assist WVDED in identification of training and technical assistance needs. Also, as discussed in V.8.3 Monitoring Activities, WVDED also ensures through the monitoring process that identified deficiencies are corrected through a Quality Improvement Plan (QIP) and WVDED follows up and verifies the correction through desk-top monitoring or on-site follow-up visits as necessary.

For PY 2022 WVDED will begin tracking other demographics than have been tracked in previous years. That database management system allows for various ad hoc reports to be run, which can include race, age, income level, disability status, and homes with children under age six (6). WVDED already provides a similar monthly report to WV DHHR for the LIHEAP WAP. In early 2022, WVDED joined a WV committee created by the Building Performance Association (BPA) dedicated to improving and increasing workforce opportunities including expanding diversity and equity in the WAP workforces. Others joining include Coalfield Development in Huntington, WV, the WV State Energy Office, several local community and technical colleges, Appalachian Power Company, and WorkForce WV. WVDED staff will continue to be an active participant with this committee, and provide information, contacts, and possible training opportunities to the WV WAP Network.

## **V.7 Health and Safety**

The WV WAP Health and Safety Plan is included as an attachment. A “Material Identification Chart” is also included as an attachment as part of the WV WAP Health and Safety Plan which assists in identification of health and safety, incidental repair, and ancillary materials/measures.

## **V.8 Program Management**

### **V.8.1 Overview and Organization**

The division of WVDED in which the WV WAP – in addition to the other programs listed in the paragraph below operates is the West Virginia Community Advancement and Development (WVCAD). WVDED is an agency under the West Virginia Department of Commerce.

The WV WAP is overseen by the WVCAD Director. The WVCAD division’s programs and functions are subdivided among four (4) units/groups – Sustainability, Infrastructure, Compliance, and Resiliency. The Compliance Unit provides the monitoring functions of several programs contained in the other three (3) units, including the monitoring functions of the WV WAP. An organizational chart of WVCAD is provided as an attachment.

The WV WAP is not responsible for the State Energy Program, which is administered by the West Virginia Division of Energy (WVDEDE). WVDEDE is also a division under the West Virginia Department of Commerce.

### **V.8.2 Administrative Expenditure Limits**

Sec. 1011(g) of the Energy Act of 2020 (Division Z of P.L. 116-260) includes language that will amend 42 U.S. Code § 6865(a)(1) language on administrative funds. Previously, the administrative cost category was limited to 10 percent (10%) of the grant and will now be increased to 15 percent (15%).

Not more than an amount equal to 15 percent (15%) of any grant made by the Secretary under this part may be used for administrative purposes in carrying out duties under this part, except that not more than one half of such amount may be used by any State for such purposes, and a State may provide in the plan adopted pursuant to subsection (b) for recipients of grants of less than \$350,000 to use up to an additional 5 percent (5%) of such grant for administration if the State has determined that such recipient requires such additional amount to implement effectively the administrative requirements established by the Secretary pursuant to this part.



WVDED will budget no more than 7.5 percent (7.5%) for Administration. Subrecipients will receive no less than 7.5 percent (7.5%) percent for Administration. Any administrative funds not used by the WVDED will be moved to the subrecipients.

The State Plan includes a redistribution provision to enable the Grantee to actively manage the grant and move funds as necessary to fully expend the monies during the budget period which could include moving funds between subrecipients. All budget alterations or revisions will be in accordance with all other applicable Federal rules and regulations.

A separate budget category is permitted by DOE for financial audits. The cost of these audits was previously charged to the already overburdened administrative cost category and sometimes resulted in financial audits of less than adequate quality. WVDED is providing relief to the subrecipients by allowing these charges to be covered by a separate category, if the subrecipients meet the threshold contained in 2 CFR 200. These costs will be actual costs of the weatherization portion of the audit.

### **V.8.3 Monitoring Activities**

#### **Introduction**

Monitoring is a systematic process of gathering and evaluating information, as well the physical visitation of sites, in order to support and assess the subrecipients and their programs in terms of performance, capacity, and compliance. WVDED monitors in accordance with applicable law, including regulations contained in 10 CFR part 440 specifically 10 CFR 440.23(a); 2 CFR 200 specifically 2 CFR 200.331, 2 CFR 910 and 45 CFR Part 75; DOE WPNs including DOE WPN 22-4, and WPN 20-4, and other policies and procedures that DOE may issue. The WV WAP Monitoring Plan will include the following areas:

#### **Approach**

WVDED will conduct a monitoring of each subrecipient at least once a year, provide a written report to the subrecipient, and maintain both electronic and physical files related to monitoring which are accessible to DOE during its monitoring visits. Monitoring of all dwellings which received services provided by Weatherization Readiness Funds (WRFs) will be included in PY 2022. The monitoring tools utilized by WVDED are based off tools and templates provided by DOE through WPN 20-4. WVDED has revised monitoring tools and forms to reflect the updated guidance as well as WV WAP SWS references. WVDED has also developed a monitoring module of the database management system to be used for formation of monitoring reports, QIPs, and other monitoring process aspects.

WVDED will also conduct periodic off--site, desktop monitoring utilizing the data management system used to track all weatherization work, at times coupled with the statistical management tool and related analytical spreadsheets used to track production, expenditures, and other

performance indicators. This process will serve as a pre monitoring activity as well as routine review and oversight as needed.

The monitoring performed by WVDED will be broken down into three (3) components which may be performed at different times if necessary and may have differing frequency depending on quality of subrecipient performance in each focus area. The monitoring will include the following focus areas and details:

### **Programmatic and Management Monitoring**

- Subrecipient Production Analysis and Review (ensuring benchmark and yearly goal completion)
- Financial/Administrative Components
- Inventory (Equipment and Materials)
- Warehouse
- Rolling Stock
- Eligibility processes and compliance
- “Re-weatherization” compliance
- Compliance with all WVDED mandated forms, processes, and policies
- Database management system usage and reporting
- Reporting and funding requests
- Client Files and related documentation
- Health & Safety Components (Safety meetings/Lead Safe Work [LSW] Practices, documentation/Warehouse & Vehicle Safety/Health and Safety percentage)
- Energy Education
- Training & Technical Assistance
- Procurement Practices
- Client Prioritization methods
- Utility (leveraged) fund usage, documentation, and reporting
- Insurance coverage
- Subrecipient personnel qualifications/certifications and associated work performed
- Subrecipient internal corrective action procedures (for reduction of findings)

### **Field/Technical Monitoring**

- Program Overview (Client File Review, Work Orders, Documentation of measures, etc.)
- Compliance with all WVDED mandated field/technical forms, processes, and policies (ex: Quality Control Inspection form and process)
- Rental unit/Multifamily documentation and process compliance
- Energy Audits (Process and Documentation - Weatherization Assistant Audit Program Libraries, inputs/usage, adherence to guidance, etc.)
- Weatherization of Units (all work performed on dwellings – HVAC, shell measures including insulation and air sealing, baseload measures, etc.)
- Zonal and Pressure Diagnostics on all dwelling types

- Health & Safety (HVAC, LSW compliance, ASHRAE 62.2 2016 ventilation requirements, mold/moisture, electrical, etc.)
- Final Inspections/Quality Control process and documentation
- Client interaction and client education process

Field monitors will utilize DBA FACS Pro as the monitoring tool. DBA FACS Pro is programmed to randomly pull clients to increase transparency for monitoring visits through the Monitoring/Training Module.

### **Fiscal Monitoring**

- Financial Policies and Procedures
- Cash Management
- Procurement policies and practices
- Financial management of Material Inventory
- Financial management of Property and Equipment
- Contracts/Sub-awards
- Payables/Receivables/Expenses Management
- Invoicing and Reporting accuracy
- Review of Funding Requests and specific line items/expenses for accuracy and proper documentation
- Bank records and reconciliation
- Financial Statements
- Internal Controls
- Financial Management of utility (leveraged) funds
- Single Audits (See A-133 Financial Audits (2 CFR 200 Subpart F))

### **Financial Audits (2 CFR 200 Subpart F)**

WVDED will verify when the audit was submitted to the Federal Clearinghouse (FAC), and note this on the “Annual Audit Chart,” maintained by the WVDED Fiscal Compliance Monitor. If the subrecipient did not submit the audit to the FAC by the deadline as per Federal regulations, WVDED mails a reminder letter to the subrecipient.

The WVDED Fiscal Compliance Monitor will review all audits using the “WVDED Pass-through entity Audit Review Checklist.” An “Audit Review Summary” is completed for the audit, and maintained on WVDED’s shared drive. Depending on the results of the review, WVDED forwards to the subrecipient either (1) a letter indicating no findings, or (2) a letter requesting a Corrective Action Plan (CAP). The subrecipient has six (6) weeks to submit a CAP if applicable.

If a subrecipient has not submitted the CAP within the deadline, the CAP “Reminder email” will be forwarded to the Executive Director. Upon receipt of the CAP, WVDED will review and forward to the subrecipient either the (1) “CAP Acceptance E-mail” or (2) another correspondence requesting modification to the CAP. As per 2 CFR 200, as a Pass-through

entity, WVDED is required to follow up/issue a management decision for Federal award findings related to the programs WVDED administers.

Currently, all WAP subrecipients expend more than \$750,000 in Federal funds in a fiscal year and thus are required to have a Single Audit.

During the 2022 program year, WVDED Fiscal staff will review the Fiscal Audit Review procedures for necessary changes, updated language, and/or consolidation for the Single Audit review per DOE recommendation.

### **Desk-Top Review Schedule**

Desk-top review will be performed on a quarterly basis. Desk-top monitoring will be conducted through the DBA FACS Pro Monitoring/Training Module. Field Monitors will choose a single item to review. Examples of desk-top review items include: Deferrals, QCI Form completion, Income verification, etc. Jobs will be chosen at random by the DBA FACS Pro Monitoring Module and the reviewing monitor(s) will be on a rotating quarterly basis.

Subrecipients will receive e-mail notification once the desktop review has been completed. The notification will have instructions on how to respond to the monitoring. The individual issues will be addressed per subrecipient with required actions for compliance if applicable.

### **Monitoring Staff**

Monitoring will be performed by several WVDED staff members with credentials and areas of expertise to effectively monitor all the various components of the WV WAP as outlined above. Monitoring staff members may monitor more than one (1) component. The monitoring process and the different components are managed and overseen by a Compliance Manager. The WV WAP Manager reviews and approves each report. The current WVDED monitors are as follows:

#### *Programmatic and Management Monitors (Administrative Monitors):*

- Weatherization Assistance Program Manager
- Weatherization Assistant Administrator

#### **Qualifications:**

The qualifications of the Programmatic and Management Monitors (Administrative Monitors) include extensive experience with the weatherization program (both at the Pass-through entity level and subrecipient level) as well as certifications and education that benefit the monitoring team as they oversee and evaluate the subrecipient management of the weatherization program. The staff members have experience in management and finance/accounting.

#### *Field Monitors (Technical Monitors):*

- Weatherization Specialists (Field/Technical)
- Weatherization Specialist (Field/Technical – In Training)

**Qualifications:**

The qualifications of the Field Monitors (Technical Monitors) include extensive experience with the weatherization program as well as extensive building science knowledge. The Field/Technical monitors have several BPI certifications (including HEP QCI), Weatherization Assistant Training Certificate, as well as multiple WV WAP specific certifications that are now superseded by HEP or other state/national certifications, but still provide a strong foundation of knowledge; (Energy Auditor, Quality Control Inspector, multiple HVAC certifications) as well as attendance to regional and national energy conferences. The Field Monitor in training is currently attending trainings at Community Housing Partners (CHP) in Christiansburg, VA, to prepare for Energy Auditor and Quality Control Inspector Certification testing. This individual is currently attending subrecipient Field/Technical monitorings as an observer.

**Fiscal/Financial Monitors:**

- Weatherization Assistance Program Assistant Manager
- Compliance Unit Manager

**Qualifications:**

The qualifications of the Fiscal/Financial Monitors include education (bachelor's and master's level) and experience in the accounting, finance, and management fields, as well as knowledge of Federal financial requirements. Some of the monitoring staff experience is specifically with the Weatherization Assistance Program both on the Pass-through entity and subrecipient levels. The Fiscal/Financial monitors will also utilize WVDED's Chief Financial Officer (CFO) and experienced accounting staff as additional resources during the monitoring activities as needed.

WVDED staff have received multiple 2 CFR 200 Uniform Guidance training over the past several years. In Program Year 2022 the Weatherization Program Manager, Weatherization Bipartisan Infrastructure Law (BIL) Manager, and Weatherization Assistant Administrator will attend refresher 2 CFR 200 OMB Uniform Guidance training. WVDED will continue to seek additional training on the new regulations if/when necessary. WVDED will pursue additional certifications as identified and/or needed as the Program Year progresses.

**Monitoring Expenditures**

Monitoring staff members will be paid out of the Training and Technical Assistance (T&TA) budget category with the exception of the Fiscal Monitor and WAP Manager who will be paid out of the Administrative budget category given the nature of their work in relation to the organization and other programs they work within. A percentage of the Fiscal Monitor will be paid out of the T&TA budget category.

WVDED has budgeted \$26,000 out of DOE funds for travel expenses related to monitoring activities. These funds will be supplemented by LIHEAP funds.

**Monitoring Schedule**

The monitoring schedule will follow a basic plan of one (1) or two (2) Programmatic, Field, and Fiscal monitoring visits performed per month for the eleven (11) subrecipients. This varies throughout the year due to when WVDED starts the monitoring process for the Program Year. In

coordinating the monitoring schedule WVDED also considering holidays, subrecipient leave time, etc.; therefore, some months have one (1) visit, and some have two (2).

WVDED will strive to set the monitoring schedule for the Program Year within the first quarter (July--September) of the DOE grant cycle. WVDED will disseminate a preliminary schedule to the Weatherization Network and ask subrecipients to confirm the proposed monitoring dates for their organization or ask for different dates if conflicts exist.

If conflicts arise after the final monitoring schedule is set for the Program Year, WVDED asks that subrecipients inform WVDED as soon as possible. At a minimum, subrecipients must notify WVDED within 48 hours of the receipt of the official monitoring notification.

WVDED avoids scheduling visits during back to back weeks when possible so that WVDED monitoring staff can work to finalize reports and adequately prepare for the next visit. This plan is only tentative as visits to a subrecipient could increase if there are serious deficiencies identified. The scheduling of the subrecipients will depend in part on when their last visit occurred as well as reasonably taking into consideration geographic location and time of the year. Also, any subrecipients that had major or repeated findings identified from the PY 2021 – 2022 monitoring process and have not had a follow-up visit (due to findings being identified toward the end of PY 2021 – 2022) will be first priority in PY 2022 – 2023, with additional reviews scheduled as necessary until deficiencies are corrected.

### **Pre-Monitoring Procedures**

WVDED will provide timely notification of monitoring to subrecipients and complete some parts of the monitoring prior to arriving onsite for monitoring. Those activities include:

- Distribution of official notifications of monitoring at least thirty (30) days prior to on-site monitoring by e-mail to Executive Director/CEO, CFO/Finance Director, and WAP Coordinator. Official notifications will direct the subrecipient how to prepare for the review and WVDED's expectations. The subrecipient should confirm receipt of the notification and respond within 48 hours if the dates for monitoring need to be changed for any reason.
- During the week before the scheduled on-site visit, the WVDED monitoring team will confirm arrival times and arrange any necessary logistics.
- An assigned field/technical monitor will contact the subrecipient with a job monitoring pool to schedule jobs to be monitored at least one (1) week prior to on-site monitoring.
- Monitors will conduct desktop reviews of relevant information to increase efficiency on-site.

### **Visit**

A typical visit can be expected to require three (3) to five (5) days on site. The on-site visit process will include the following:

- An entrance interview during which any concerns or questions about the review can be discussed between WVDED and subrecipient staff.
- Requests of documentation for review including, but not limited to, subrecipient policies and procedures, program documents, client files, and financial records.
- Conducting interviews with program staff regarding program operations and job functions.
- Conducting interviews with administrative and fiscal staff.
- Inspecting completed weatherized dwelling units.
- Inspecting Weatherization assets including but not limited to warehouse(s), material inventory, tools, equipment, and vehicles.
- Offering a daily update to the subrecipient regarding the progress of the review and issues that have already been found.

The staffing and credential make up of a subrecipient will determine the number of completed dwelling units needing to be visited by WVDED as per DOE WPN 22-4. For subrecipients that have an independent QCI, WVDED will monitor at least five percent (5%) of completed dwelling units. For subrecipients that have an Auditor that also performs the functions of QCI, WVDED will monitor at least ten percent (10%) of completed dwelling units. This percentage will increase based on issues identified and/or capacity of WVDED staff.

WVDED will also review units “in progress” beyond the five (5) or ten (10) percent completed units respectively, in order to assess: quality and compliance; appropriate and allowable materials; appropriateness and accuracy of energy audits; final inspections; safe work practices, such as lead safe weatherization protocols; and other factors that are relevant to on-site work.

Upon the completion of each monitoring visit of any of the three (3) components, an Exit Conference is held between the members of the subrecipient (as selected by the subrecipient management) and the monitoring staff to discuss strengths, weaknesses, findings, call-backs, and monitor recommendations. As per DOE WPN 20-4, within thirty (30) days after each visit, WVDED will prepare a written report for the subrecipient that describes the current monitoring assessment (identification any findings, recommendations, commendations, and best practices) and any corrective actions as part of a QIP, if applicable. The Subrecipient Monitoring Log is used to track all due dates, dates sent and received, QIP dates, etc., to ensure all time required documents stay on schedule. A subrecipient typically has thirty (30) days to respond with a QIP unless the nature and severity of findings deem a more expedient response. If the subrecipient does not respond within the required time limit, the subrecipient is notified and disciplinary or punitive actions may be taken if the subrecipient does not comply with the requirement to submit a QIP.

#### Process of Corrective Action, Discipline and/or Removal of a Subrecipient from the WAP

WVDED has a system in place to review each QIP provided by the subrecipients either approving of the plans made or requiring additional information or actions. Regardless of monitoring focus, WVDED follows up with each subrecipient to ensure that the corrective actions outlined in the plan have been implemented either through a subsequent monitoring visit

and/or desk top review, or requiring the submission of documentation confirming the corrections. WVDED will offer and provide training and technical assistance if requested and appropriate response to a QIP. If a subrecipient's response is to contest an identified deficiency, WVDED will either sustain or revise its initial finding and provide additional guidance or instructions.

WVDED increases visits (both the number of units reviewed and the frequency of monitoring visits) to the subrecipient until it can be assured findings are resolved. If necessary, WVDED has implemented a system of monitoring every potential job prior to submission as a completion for a subrecipient if sustained compliance cannot be demonstrated. If significant findings are discovered, such as health and safety violations, poor quality installation of materials, major measures missed, then the subrecipient must take appropriate corrective action (s) to resolve the outstanding issues in a timely manner. If health and safety issues are found that present an immediate danger to people in the home, the subrecipient must immediately resolve the issues.

If subrecipient noncompliance or repeated unresolved findings (based on a minimum of two (2) monitoring visits at a subrecipient) will be reported to the DOE Project Officer. Sensitive or significant noncompliance findings, such as waste, fraud, or abuse must be reported to DOE immediately by WVDED.

Once the findings are corrected and procedures are put in place to prevent reoccurrence, WVDED will resume the original percentage sampling of that particular subrecipient's work in subsequent monitoring visits.

If repeated monitoring and technical assistance do not correct identified noncompliance issues or if a subrecipient continuously fails to respond to an identified finding, WVDED will begin the process of disciplinary action which will include the imposition of additional requirements. Subrecipients will be informed of the nature of additional requirements, the reason why additional requirements are being imposed, the actions needed to remove the additional requirement, and the time allowed for completing the actions, if applicable.

Depending on the type of noncompliance issues, actions and additional requirements may include but are not necessarily limited to:

- Withholding disbursement of grant funds until noncompliance issues are corrected
- Disallowing completions that do not meet program standards
- Placing the subrecipient on an "At Risk" status
- Suspending part or all of the program for the subrecipient
- Asking the subrecipient to voluntarily relinquish the program
- Removing part or all of the program from the subrecipient
- Requiring payments as reimbursement rather than advance payments



- Requiring all weatherized dwelling units to be inspected by a third party before being turned in for completions
- Requiring additional, more detailed reporting
- Establishing additional prior approvals

Once the noncompliance issue that caused WVDED to take disciplinary action and impose additional requirements is resolved, WVDED will promptly remove the additional requirements. The subrecipient will be notified of the removal in writing.

If a subrecipient wishes for WVDED to reconsider the imposition of additional requirements, the subrecipient must provide in writing within two (2) weeks of being informed of additional requirements the following:

- Detailed reason why WVDED should reconsider imposing additional requirements
- Evidence that the issue of noncompliance has been satisfactorily resolved
- A plan to prevent similar issues of noncompliance going forward

Within thirty (30) days of receiving the above information from a subrecipient, WVDED will either sustain or remove the additional conditions and disciplinary actions imposed.

#### **WAP Grant Award Termination**

If WVDED determines that all remedies for noncompliance and training and technical assistance opportunities have been exhausted in an effort to correct an issue of noncompliance, or definitive waste, fraud, or abuse were uncovered during the course of monitoring, the subrecipient's WAP grant awards will be terminated. WVDED will provide the subrecipient with written notification of termination and cause of termination.

If a subrecipient wishes to contest a termination action, they must provide WVDED with information and documentation showing that the cause of termination had been remedied or conditions as understood by WVDED that caused the termination were not accurate within one (1) week of being informed of the termination action. WVDED will respond in thirty (30) days either sustaining or reversing the termination action.

#### **Tracking & Analysis**

The subrecipient monitoring process from notification to final approval and confirmation of corrective actions is tracked by WVDED to final resolution in a "Monitoring Log." WVDED also tracks the most significant deficiencies in a "Root Cause Analysis" spreadsheet to evaluate and analyze trends of the subrecipients' performance. This process allows for the identification of training and technical assistance needs and is an evaluative tool used to keep both WVDED and the subrecipients on a path of continuous improvement.

### **V.8.4 Training and Technical Assistance Approach and Activities**

Training & Technical Assistance (T&TA) funding is used to pay salary, travel, and operational costs for WVDED staff to provide monitoring/T&TA to subrecipients. Subrecipient expenses for participation in T&TA activities (including special conference attendance) will be funded from DOE T&TA and/or other funds including LIHEAP. T&TA activities are intended to maintain or increase the efficiency, quality, and effectiveness of the WAP at all levels and are designed to maximize energy savings, minimize production costs, improve program management and field “quality of work,” and/or reduce the potential for waste, fraud, abuse, and mismanagement.

WVDED assesses training needs regularly as part of a constant process as the PY progresses. This process and the related training plan are flexible and WVDED incorporates information from the process into the training plan as needed. WVDED assesses T&TA needs of its subrecipients through these avenues:

- WVDED monitoring efforts
- Internal trend analysis
- Training Needs Assessment Surveys
- Prompts in subrecipient grant applications
- Communication with national experts regarding new technologies and/or standards/practices
- Communications with DOE Project Officer
- Guidance as provided by the Department of Energy (DOE) including industry wide initiatives and future program requirements (certifications, health and safety implementation, etc.)
- Monitoring visits from the DOE Project Officer, DOE contracted representatives, or the Office of Inspector General

### **Overview**

The WV WAP supports subrecipients seeking appropriate trainings pursuant to achieving required certifications and to enhancing their credentials and skill in work practices associated with weatherization work. Trainings and certifications have and will continue to be provided by Interstate Renewable Energy Council (IREC) accredited and certified Weatherization Training Centers (WTCs) within close proximity to West Virginia. The WV WAP is prohibited from encouraging subrecipients to choose one (1) vendor among equivalent potential vendors. Therefore, the emphasis in helping subrecipients to plan trainings will be in providing timely notifications of training opportunities offered by a variety of relevant entities; asking subrecipients to choose the providers whom they deem will best meet their training needs; and then helping subrecipients to schedule trainings which meet them.

Training and certification will continue to be offered to the Weatherization Network in PY 2022 – 2023 for recertifications as well as for additional staff. WVDED is expecting to see significant hiring of WAP workers in PY 2022 - 2023, so new hire training will be a major focus. Also, the WV WAP is paying attention to subrecipient needs for HEP Energy Auditor (EA) and Quality Control Inspector (QCI) certification and recertifications, and CEUs as the program enters PY 2022 – 2023.

### **Other major areas of focus this Program Year:**

In addition to the effort at training, certifying and recertifying EAs and QCIs, and providing new hire training for front line workers, there are several other planned areas of focus for training and credentialing subrecipient staff. Four

(4) other areas of first priority include: (1) Ensuring subrecipient Electrical Licenses remain current; (2) Providing continued guidance on the ASHRAE 62.2-2016; (3) Subrecipient staff training on WAPLINK and LITT; and (4) Keeping up Lead Renovator Certifications and Lead Renovator Refresher Certifications.

### **Descriptions:**

#### HEP QCI/HEP EA

As of May 1, 2022, all program personnel (Pass-through entity and subrecipient) performing inspections on completed dwelling units were HEP QCI Certified. All eleven (11) subrecipient weatherization providers have at least one (1) HEP QCI Certified staff, and several had more than one (1).

WVDED continues to assist in the coordination and funding of the HEP EA certification given the and recertification provided in DOE WAP Memorandum 036 released May 16, 2018. WVDED will also fund opportunities during PY 2022 – 2023 for Pass-through entity and subrecipient staff to retain their current HEP certifications by obtaining Continuing Education Units (CEUs) by attending National WAP specific conferences including Energy OutWest and NASCSP.

#### ASHRAE 62.2-2016

The WV WAP will seek appropriate resources for providing this training to subrecipients, as well as review monitoring reports to determine which subrecipients may need additional targeted assistance in implementing ASHRAE 62.2-2016 standards.

DOE continues with ASHRAE 62.2-2016 as its ongoing standard, however, if during the program year DOE mandates the newer standard be implemented, training will be provided to WVDED and subrecipient staff. Lead Renovator and Lead Renovator Refresher Certifications

In order to become a certified lead renovator, subrecipient staff must complete training from an EPA-accredited training provider. These trainings were developed to educate professionals in home and other fields about the lead safe work standards contained in U.S.C. 2681 et seq., and 40 CFR 745.80 et. seq., and the EPA 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (amended in 2010 and 2011).

Recertification is required every three (3) years online and every five (5) years in person. Currently, the WV WAP requires that each subrecipient have at least one EPA Lead Renovator

certified staff person. All eleven (11) subrecipients have certified lead renovators on staff. Several subrecipients have identified these trainings as priorities for PY 2022 – 2023.

### Electrician License

WVDED will approve the purchase of relevant study materials and online training courses for state mandated electrical licenses. Apprentice, Journeyman, Master and specialty licenses are required to perform certain weatherization tasks. The requirements for each of these levels vary and can be reviewed at:

<https://firemarshal.wv.gov/Divisions/Fire%20Services/Pages/Electrical-Licensing.aspx>

### HVAC Technician Certification Class 1:

As of January 1, 2016, all individuals working on heating systems were required to have a HVAC Technician License from the West Virginia Commissioner of Labor. Individuals in West Virginia who engage in the business of installing, erecting, testing, repairing, servicing or altering heating, ventilating and air conditioning equipment or systems to heat, cool or ventilate residential structures, are required to have an HVAC Technician License when the project exceeds \$1,000.

Those individuals who do not have the required hours can register as an HVAC Technician in Training. Subrecipients must have a 1:1 ratio of Certified HVAC Technicians to Technicians in Training Class 2. Once a Technician in Training has the required hours, unless she/he is still within the opting out phase, the individual must pass the HVAC exam.

HVAC certifications are renewed every year through the West Virginia Commissioner of Labor. Since September 30, 2016, it is mandated that HVAC work cannot be performed by subrecipient staff who do not have the proper West Virginia HVAC Technician or Technician in Training certification.

Certification will continue throughout the PY 2022 – 2023 as new HVAC Technicians in Training Class 2 are hired, and current ones become eligible to apply for HVAC Technician Class 1.

### Client Education

Each subrecipient has identified at least one (1) Energy Educator, several whose certifications have expired, however; various subrecipients have identified Client Education as a priority in PY 2022 – 2023. WVDED continues to work to recertify all Energy Educators through online training provided by an IREC-accredited WTC. This course is designed to assist the student in acquiring adult education skills to establish an effective means of communication between the Energy Educator and the client. The online Client Education course prepares students to develop a strategy for effective client education from pre approval to quality assurance. Videos and documents are presented to use with clients to ensure that they get the information they need during the client education process. After each topic is presented, a short self quiz follows each section and feedback is given. A final test consisting of a single multiple choice, true/false exam is given at the end of the course. For certification, the student must pass this final exam. After

passing the certification test, the Energy Educator will work with clients to effect change in poor energy conservation habits.

### **Approach**

In PY 2022 – 2023, WVDED continues the “as needed, per person” approach as subrecipients anticipate hiring new staff throughout the year; as current certifications and licenses expire at different times throughout the year; and as subrecipients demonstrate and express different specific deficiencies and needs for improvement. It is of the utmost importance that newly hired staff or those staff that have not acquired credential requirements do not work unsupervised. WVDED monitors review Daily In/Out sheets during pre monitoring activities, and specifically focus on worker logs to ensure a trained Crew Leader is on each worksite. To ensure all workers have training opportunities when required, WVDED will make available trainings to the Weatherization Network during the entire year.

Training time frames are determined by the licensing/certifying agency, e.g., BPI, West Virginia Fire Marshall, etc. For Comprehensive trainings including Energy Auditor (EA) and Quality Control Inspector, WVDED requires recertification every three (3) years. Continuing Education Units (CEUs) are required and WVDED reviews and approves submitted Training Requests for EAs and QCIs to maintain their credentials. For other weatherization staff, including Crew Leaders and Retrofit Installers, WVDED requires a five (5) year cycle for retaking required courses. WVDED does allow for refresher courses to be taken, If the subrecipient determines additional training is needed to address work/installation processes, work quality, or other issues that develop during the Program Year.

WVDED also tracks all required licenses needed by subrecipients to properly perform work within the WV WAP (West Virginia HVAC Electrician License, West Virginia Single Family Dwelling Electrician License, EPA Section 608 Refrigerant Transition Technician Certification, HVAC Contractor License, etc.) and WVDED will ensure that all subrecipients remain current with all WV WAP required licenses. Tracking for licenses, credentials, certifications, etc., is completed through desk top monitorings and during the annual onsite subrecipient staff. WVDED provides each subrecipient with a detailed Programmatic report, which includes a section (Qualifications and Training) that has the specific license/certification listed with the Expiration Date, e.g., Energy Auditor, Electrical License – Single Family, Electrical License – HVAC, West Virginia HVAC Technician License, EPA Section 608 Refrigerant, Quality Control Inspector, and Client Educator. The Environmental Protection Agency certification to complete Lead Safe Work is also reviewed and the Certification number is noted in the Report. Certified Lead renovators are listed by name, expiration date, and certification number.

Attendance for all trainings is mandatory for the appropriate program personnel unless extenuating circumstances exist, and approval is received from WVDED.

WVDED provides T&TA funds to each subrecipient in a separate DOE Subgrant Award and reimburses training expenses on a monthly basis if training occurred. The Award amount is

determined by subrecipient training need(s) provided in the DOE Grant Application, and past training performance, i.e., some subrecipients only use the minimum amount to maintain certifications and credentials, while others typically attend DOE approved National Training Conferences.

Throughout the Grant Year, WVDED has direct discussions between the WV WAP staff and subrecipient Weatherization Coordinators to assess training needs. Spending is tracked by monthly submitted Invoices and Monthly Expenditure Reports (MERs).

As mentioned, subrecipients are required to submit a list designated by quarters of any anticipated WAP-related T&TA needed to meet standards as part of the PY 2022 – 2023 Grant Application process. This list will ensure at the beginning of the Program Year that an estimated needs list is captured for the subrecipient for proper planning throughout the year.

### **Training Timeline for PY 2022 – 2023**

As has been the practice for several program years, WVDED will continue to pursue an “as needed, per person” approach as subrecipients anticipate hiring new staff throughout the year, and as current certifications and licenses expire at different times during the year.

WVDED will make available trainings to the weatherization network during the entire year, utilizing WTCs and other sources. These trainings/certification and renewals are:

- HEP BPI Quality Control Inspector
- HEP BPI Energy Auditor
- HEP BPI Retrofit Installer/Technician
- HEP BPI Crew Leader
- Initial Lead Renovator Certification
- EPA section 608 Training
- ASHRAE 62.2-2016
- NREL/BPI and WV WAP SWS
- HEP CEUs
- Healthy Homes Specialist CEUs/Recertification
- DBA FACS Pro App - WAPLINK & LITT

Training is available throughout the PY, but there is still a need for benchmarks, assessment, and adjustments, to ensure that subrecipients are receiving the necessary training/certifications to operate a weatherization program. Records of training, certifications, and licenses are kept in the data management system and supplemented with the information from the Training Event Status Tracking Log. The WV WAP staff intend to make a concerted effort to engage in direct conversations with subrecipients to determine and adjust training needs throughout the Program Year.

During the First Quarter of the Program Year, a combination of funding will be utilized for T&TA. DOE funding will be used; however, LIHEAP funding will also be used for training costs, as approved by West Virginia DHHR, West Virginia’s LIHEAP Grantee. The combination funding will support the trainings listed above and these additional trainings:

### **First Quarter – July 1 through September 30, 2022**

- HEP BPI Quality Control Inspector Recertification
- HEP BPI Energy Auditor Certification/ Recertification
- HEP BPI QCI CEUs
- HEP EA CEUs
- Energy Out West National Conference
- DBA FACS Pro App/WAPLINK & LITT
- Lead Renovator Certification
- WV WAP State Plan PY 2022 – 2023 Meeting

### **Second Quarter & Third Quarter – October 1 through December 31, 2022 & January 1 through March 31, 2023\***

- Energy Educator
- Continued training on DBA FACS Pro App/WAPLINK & LITT
- HEP BPI Energy Auditor Certification/ Recertification
- New Hire Requirements
- Retrofit Installer/Technician
- West Virginia HVAC Electrician License
- West Virginia Single Family Dwelling Electrician License
- West Virginia Journeyman's Electrician License
- West Virginia Apprentice Electrician License
- Heating Unit Inspection
- Respirator Fit testing
- Crew Leader

\*An assessment of the success of Quarter 1 training, regarding scheduling and implementation efforts will determine the objectives for Quarters 2 & 3.

### **Fourth Quarter – April 1 through June 30, 2023**

The Final Quarter activities will continue with trainings and certifications on an as needed, per person/subrecipient basis.

### **Credentials/Certifications/Licenses**

WVDED Weatherization Specialists must maintain proficiency on new methods and techniques pertinent to the WAP. WVDED Weatherization Specialist staff must maintain levels of knowledge aligned with the Weatherization industry as well as State and National Standards and are also furnished with all State and Federal regulations as they are updated and released. At this time, one (1) WVDED Weatherization Field Specialist is currently certified as HEP QCI and BPI Certified with Building Analyst and Envelope Professional certification as well. Two (2) WVDED Weatherization Field Specialist on staff are expected to have the necessary credentials to take the EA and QCI certification examinations during the 2022 – 2023 Program Year.

The following are the current defined WV WAP certifications:

- HEP EA Certification
- HEP QCI Certification
- Energy (Client) Educator Certification
- Environmental Protection Agency (EPA) Accredited Lead Renovator Certification (and Recertification as applicable)
- HVAC Technician Certification

The following certifications are under consideration as requirements in the future for the respective weatherization staff positions in addition to the certifications listed above:

- HEP Retrofit Installer Technician Certification
- HEP Crew Leader Certification

In addition to the HEP-level certifications and other required certifications, the WV WAP will periodically coordinate licensing testing through the West Virginia Fire Marshal's Office, the West Virginia Contractors Licensing Board, as well as EPA certification testing venues for the following:

- West Virginia HVAC Electrician License
- West Virginia Single Family Dwelling Electrician License
- West Virginia Journeyman's Electrician License
- West Virginia Apprentice Electrician License
- EPA Section 608 Refrigerant Transition Technician Certification
- HVAC Technician License
- HVAC Technician in Training License

All weatherization programs must also have a West Virginia Residential Contractors License at the subrecipient level, obtained through the West Virginia Contractors Licensing Board. Special projects are constantly being undertaken to ensure that the WV WAP keeps up with state-of-the-art energy conservation and management techniques. The following are additional trainings that will be offered throughout the year as needed, several having already been discussed earlier as priorities for PY 2022 – 2023, especially with regards to the implementation of the *WV WAP Health and Safety Plan*:

- ASHRAE 62.2 -2016
- Combustion Appliance Zone (CAZ) Training
- Lead Safe Work Practices Training
- OSHA Confined Spaces in Construction Standard Course
- Healthy Homes
- Weatherization Assistant Training
- Duct Blaster
- Infrared Camera Training
- Database Management Training
- UtilityProgram Training
- Administrative/Programmatic/Financial Training



- WV WAP Policy and Procedure Training

Non-compliance with regards to any mandatory training(s) without the written approval from WVDED due to extenuating circumstances could result in a subrecipient not able to perform certain functions with their staff until the requirements are met.

### **Technical Assistance**

The WV WAP will continue to utilize the traditional approaches of on site program, administrative, fiscal, and in-field technical assistance based on monitoring findings and/or needs of particular subrecipients. T&TA activities are intended to maintain or increase the efficiency, quality and effectiveness of the WAP at all levels. Activities will be designed to maximize energy savings, minimize production costs, improve program management and crew/contractor “quality of work,” and/or reduce the potential for waste, fraud, abuse and mismanagement.

### **Pass-through entity Assessment:**

Training needs have been identified and are continuously evaluated. Field Monitors will attend trainings and conferences at regional and national levels commensurate to the job duties. Current WV WAP staff have likewise received ongoing relevant training. WVDED non- technical program staff will attend trainings provided by Wipfli for Uniform Guidance, Grant Management - OASIS training, NASCSP Conferences focusing on all sessions involving regulations, fiscal sessions, and DOE facilitated sessions. WVDED staff will also receive extensive training on the new LITT application.

In addition to training new hires, another top priority is to attend trainings to keep in compliance with any new DOE regulations or guidance and to assist subrecipients to do the same. After that is met, then trainings are scheduled by the greatest need, i.e., the number of subrecipients that need a particular training. At the same time, WVDED will evaluate how many HEP certifications have been obtained to be in compliance, and how many more could be obtained with available funding. WVDED assesses periodically both the needs of the subrecipients as well as funds that are available to meet those needs and will plan accordingly. WVDED also makes assessments at the end of a grant cycle (DOE or LIHEAP), evaluating the amounts budgeted for training during the previous grant cycle relative to what was provided, and comparing to anticipated training needs and funding available for the new grant cycle.

Percent of overall trainings:

- Comprehensive Trainings: 70%
- Specific Trainings: 30%

Breakdown of T&TA training budget:

- Percent of budget allocated to Auditor/QCI trainings: 34%
- Percent of budget allocated to Crew/Installer trainings: 54%
- Percent of budget allocated to Management/Financial trainings: 12%

## **V.9 Energy Crisis and Disaster Plan**

### **Energy Crisis**

The WV WAP utilizes LIHEAP WAP funds to operate the Energy Crisis Intervention Program (ECIP). The intent of ECIP is to provide emergency heat during the winter heating season. The program addresses inoperable or severely malfunctioning and unsafe heating systems. Any household that is eligible for WAP is eligible for ECIP services. Any household that receives the emergency heating system repairs or replacements from ECIP must apply for regular WAP services. ECIP provides emergency assistance within 48 hours to ensure the household will have heat. Weatherization services will be provided by the end of the program year, unless conditions exist that deems the dwelling ineligible for weatherization services at that time. During the LIHEAP Weatherization Application and Award process, the subrecipients are provided updated ECIP guidance.

### **Disaster Response Plan**

The WV WAP Disaster Response Plan is addressed in Section V.1.2 Approach to Determining Building Eligibility (#7) and is in accordance with DOE WPN 12-7 Disaster Planning and Relief and all applicable Federal regulations.