



NY Rising Housing Program

Environmental Remediation Guidance

July 27, 2017

NY Rising Housing Program (applies to all Programs)

This document provides guidance on the process for receiving funding to perform asbestos, lead, and radon remediation which may be necessary to satisfy environmental remediation requirements.

Remediation Award Payments

When an applicant's home fails a lead, asbestos or radon risk assessment/survey/clearance test, remediation may be required. This remediation work may be necessary to ensure that the construction activities are safe and performed in compliance with environmental laws. Applicants may notify the Program if they are interested in receiving the standard allowance for lead asbestos or radon remediation. An applicant will be eligible for a \$5,000 standard allowance for lead and a separate \$5,000 for asbestos and/or a \$3,000 allowance for radon remediation. Upon review of the extent of the actual remediation work, based on receipts or paid invoice from a certified/licensed remediation contractor, the Program will estimate the cost of work and adjust the remediation award accordingly.

The process for obtaining the remediation funds is as follows:

- Following notification by the Program of required remediation, the applicant must hire a properly licensed and/or certified contractor.
- The contractor must complete the Environmental Remediation Acknowledgement form. Both the contractor and the applicant must sign the form and it must be submitted to the Program.
- The applicant will then receive 50% of the standard remediation allowance as an initial payment.
- After review of the necessary documentation (described below) of the amount of materials abated by the applicant's contractor, the Program will determine a final estimated cost of the remediation performed. The final estimate may be more or less than the standard allowance. The second payment will be the difference between the standard allowance and the final estimate of the completed abatement work.

If the applicant has already performed abatement work without completing the Environmental Remediation Acknowledgement form, the applicant may still obtain reimbursement of the remediation costs, but must submit the documentation described below for each type of remediation.

Note regarding Asbestos remediation: Please note that the program will only pay for asbestos



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remediation of work captured in an AA or ECR. Acceptance of an Acknowledgement form by the program does not approve the quantities to be paid for by the program. Please see the following examples:

Program Allowable Scope of Work for Remediation of Exterior Asbestos Shingles

- ***Scope of work for remediation of damaged shingles:*** The Program allowance for the square footage for remediation of damaged exterior asbestos shingles is commensurate with the number of damaged shingles in square feet, not all shingles.
- ***Scope of work for remediation of shingles related to elevation of home:*** The Program allowance for asbestos shingles remediation for home elevation is commensurate with the program allowance for siding removal to facilitate the installation of wall strapping. (3' around the perimeter for elevation of the home.)

Documentation Necessary to Process Remediation Award Amount

Failure to submit this documentation may result in recapture of program funding.

In order for the Program to determine the final estimated remediation award amount and make any needed adjustments (up or down) from the initial allowance amounts described above, applicants must submit a detailed receipt or paid invoice from the remediation contractor that signed the Remediation Acknowledgment Form. This documentation must include the following information:

- The name and license number of the firm/contractor conducting the remediation work;
- Dates of work and a brief description of the services provided;
- For Radon, dates indicating when mitigation system was installed and made operational.

Documentation that Applicants and their Contractors Must Collect and Supply to Program

The following documentation is required by federal and state law, for each type of remediation. Applicants and their remediation contractors are required to collect and retain this documentation in case of audit; and to supply to the Program upon request.



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Asbestos Remediation

Applicants must provide the following documentation, as applicable, from a Qualified Environmental Professional (QEP) demonstrating compliance with the associated federal, state, and local asbestos regulations:

- The name and license number of the firm that conducted the abatement work (include copy of New York State license);
- The name(s) and certificate number(s) of the individual project Supervisor(s) and Asbestos Handler(s) who conducted the abatement work (include copy of New York State certificate);
- Copies of Project Notifications to New York State Department of Labor and United States Environmental Protection Agency, if applicable.
- The name and license number of the firm that conducted the independent air testing and contractor monitoring (include copy of New York State license), if applicable;
- The name(s) and certificate number(s) of the individual Project Monitor(s) and/or Air Sampling Technician(s) who conducted the independent air testing and contractor monitoring (include copy of New York State certificate), if applicable;
- The name of the laboratory that analyzed air samples and its New York State Department of Health Environmental Laboratory Approval Program (ELAP) number, if applicable;
- Copies of the waste manifest(s) that verifies that waste generated by the remediation work was properly transported and disposed of at a landfilled permitted to receive asbestos waste;
- Copies of waste transporter's licenses;
- Statement or report from the independent air/project monitoring firm indicating that the contractor's work was performed in accordance with all applicable rules/regulations and acceptable clearance air sampling results were obtained, as applicable. If an independent air/project monitoring firm was not required in connection with the project, this statement shall be provided by the asbestos abatement contractor.



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Lead Remediation

If the lead dust is above de minimis levels, as determined by the Program's inspection, applicants must provide the following documentation, as applicable, from a Qualified Environmental Professional (QEP) demonstrating compliance with the associated federal, state, and local lead regulations:

- The name and EPA certification number (include copy of certificate) of the Lead-Safe Certified Renovation Firm that performed the lead paint abatement or dust control activities.
- The name and EPA certification number (include copy of certificate) of the lead-based paint abatement supervisor.
- Signed letter from the certified lead-based paint abatement supervisor acknowledging that the on-site workers (by names) have received on-the-job training in lead-safe work practices.
- The name and certification number of the certified lead-based paint inspector or risk assessor, who is independent of the renovator, performing the lead clearance examination. If a clearance examination was not performed, a statement from the EPA Lead-Safe Certified Renovation Firm stating the procedures used to verify that lead-dust was successfully cleaned from the affected areas.

Radon Remediation

Applicants must provide the following documentation, as applicable, from a Radon Contractor demonstrating compliance with the associated federal, state, and local radon regulations:

- Post installation radon testing report. (Include written summary of testing protocol, sample chain-of-custody, laboratory report, laboratory certifications, and any other information the testing firm feels is pertinent to document the testing). If you elect to have the Program perform post mitigation testing, the testing and report will be provided to you at no cost.
- Photographs of the installed radon mitigation system (this may be included in the post installation radon testing report). If you elect to have the Program perform post mitigation testing, photographs of installed system will be included in post mitigation testing report.