



**Environmental Health and
Safety Department**
Lead Compliance Assurance Report
Field Oversight

December 16, 2023 – June 15, 2024

EH&S Lead Oversight Activity Summary

December 16, 2023 – June 15, 2024

Introduction

As required by the HUD Agreement, the Environmental Health and Safety Department’s (“EHS”) Lead Oversight Team (“LOT”) performs compliance assurance inspections of NYCHA personnel and vendors conducting Renovation, Repair, and Painting (“RRP”) jobs, Lead Abatement, and Dust Wipe Clearance activities to ensure they are in compliance with HUD’s Lead Safe Housing Rule, EPA’s RRP Rule, and NYCHA’s Lead Safe Housing Standard Procedure. LOT also assesses property management’s compliance with lead disclosure document requirements and inspects storerooms to monitor the management and inventory of RRP supplies.

When non-compliance is observed, the LOT follows the EHS *Corrective Action and Escalation Protocols*. Guidance is provided to workers when required, and the LOT ensures immediate corrective actions are implemented, i.e. stopping non-compliant activities, notifying supervisors, and making the necessary adjustments to bring the activity into compliance. Additionally, some deficiencies/violations are escalated to the Compliance Department for further action. During this reporting period EHS identified 16 observations requiring escalation to the Compliance Department. Twelve of these escalations related to missing lead-disclosure documents in the Property Management offices. The escalation reports are attached.

Executive Summary

For the period of December 16, 2023, through June 15, 2024, LOT observed over 1500 lead-based paint evaluation, hazard control, and abatement activities occurring throughout NYCHA’s portfolio (lead abatement, RRP, clearance examinations, and visual assessment). In total, the team visited 138 unique developments to perform oversight of these jobs. Additionally, LOT assessed lead disclosure document (“LDD”) compliance and RRP supply management at 156 unique developments. As a result of LOT’s oversight, two (2) abatement jobs were escalated to the Compliance Department for further review and action because of the observed non-compliance. Six (6) developments failed both their initial lead disclosure document inspections and reinspection, requiring escalation to the Chief Compliance Officer. All escalation reports are attached in the appendix of this report.

Consistent with the previous 6-month reporting period, dust wipe clearance had the highest compliance rate. Lead disclosure document compliance (development LDD binder and tenant folders) had the lowest rate. EHS is currently re-evaluating its lead disclosure oversight processes, and has begun initiating changes with the goal to help improve compliance in the long term. Following the 2023 REAC lead disclosure document inspections, HUD communicated to NYCHA’s leadership various observed deficiencies in the accuracy and quality of completed documents. As a result of these findings, LOT has modified and will finalize modifications to its checklists in Maximo. Process modifications

include expanding the scope of its assessment to add privately managed locations. Since initiating this, LOT visited 15 of the 60 privately managed developments to perform initial inspections and they were all unable to provide the requested LDD binders for review. LOT discussed this finding with the Compliance Department and will determine steps that need to be taken before performing reinspections. Additionally, during visits to the management offices of consolidations, LOT identified that individual LDD binders were not being maintained for all the developments within the consolidations. LDD binders were being maintained for the managing developments but binders were not always available for the smaller developments. For this reporting period, LOT visited 49 consolidated developments and observed a 59.18% compliance rate for these locations; only 29 of the 49 developments passed the lead disclosure document inspection. LOT met with Compliance to discuss these findings and recommends that each unique development with a pre-1978 construction date be required to have a separate LDD binder.

In addition to broadening the scope of locations assessed, as mentioned, LOT is also modifying its checklist for reviewing lead disclosure documents in tenant folders. Mirroring the REAC inspections, LOT now checks for the accuracy of dates, signatures, and lead disclosure information. Enhancements to the lead disclosure document and tenant folder review checklists are scheduled to be completed by December 2024, pending the IT Department's availability.

The RRP compliance rate (87.68%) improved compared to the previous reporting period (79.18%). There was higher accuracy in the completion of the RRP enforcement question- "*Are you performing RRP Work?*". EHS attributes this to LOT consistently educating staff at the job sites and the Compliance Department's training for Skilled Trades supervisors on the importance of accurate responses. While 32 RRP jobs had incorrect or no responses at the time of the LOT inspection, 30 of these jobs subsequently had related dust wipe work orders, confirmed by LOTS after inspections. There were 2 jobs with no related dust wipes work orders that were communicated to the Lead Hazard Control Department ("LHC") for further investigation and appropriate action.

LOT referred a significantly higher number of in-unit visual assessment jobs to LHC for re-assessment than they did during the previous 6-month reporting period. From June 16, 2023 to December 15, 2023, ten (10) of the 287 visual assessments observed were referred to LHC for review and reassessment. For this reporting period, LOT observed 138 Visual Assessments being performed by in-house LHC staff; during forty-one (41) of these jobs LOT observed unsatisfactory components that were not properly identified by the visual assessor. In total, LOT identified 127 components with unsatisfactory paint conditions (cracking, bubbling, and peeling) that were not assessed by LHC assessors. One LHC staff member was responsible for errors on 11 of the 41 visual assessments. These jobs were submitted to LHC with photographic evidence. LHC confirmed the errors and recommended further training for their staff for future visual assessment inspections.

In an effort to consistently monitor program performance, make improvements, and quickly identify the need for operational adjustments, the EHS Analysis and Engagement Unit developed a Performance and Productivity report that allows EHU leadership to identify the distribution of work among LOT Specialists, assess the number of tasks of each oversight process performed, and detail the distribution of work across NYCHA's portfolio. This report has allowed LOT to make strategic decisions when assigning and

distributing work. Additionally, LOT is now utilizing NYCHA’s “Virtual Logbook” in an effort to provide LOT with more opportunities to observe vendors performing RRP work. This has been a longstanding compliance risk. During this reporting period, no vendor jobs were identified for oversight using this logbook. However, as rollout of the logbook progresses, LOT will continue to leverage this tool to identify vendor jobs.

December 16, 2023 – June 15, 2024

Field Oversight Activity	# Observations	Total Compliance Rate	# of Jobs Escalated to Compliance
Storeroom Inspection	284	94.72%	0
Management Office Lead Disclosure Review	293	85.32%	6
Tenant Folder Review	282	82.98%	
RRP	284	87.68%	0
Lead Abatement	534	98.88%	2
Post-RRP Clearance	277	100%	0
Post-Lead Abatement Clearance	234	100%	0
Visual Assessment QA In-Unit	138	N/A	0
Visual Assessment QA Common Area	66	N/A	0

Storeroom & Lead Disclosure Compliance

Task/Area Assessed	December 16, 2023 – June 15, 2024		
	# Inspections Completed	#Failed Inspections	Compliance Rate (%)
Storeroom Inspections	284	15	94.72%
Property Management Lead Disclosure Files	293	43	85.32%
Tenant Folder Review	282	48	82.98%

Notes:

- A data quality review identified five (5) Storeroom/Lead Disclosure Oversight Inspection with data entry errors, resulting in discrepancies between this report and

Maximo/Data Warehouse. All data discrepancies were reconciled in this report and documented in a discrepancy log with detailed explanations. The discrepancy detail is available upon request.

A. Renovation, Repair and Painting (“RRP”) Compliance

Task/Area Assessed	December 16, 2023 – June 15, 2024		
	# Observations	Deficiencies	Compliance Rate (%)
RRP Work Verification by Personnel	284	32	88.73%
NYCHA Form 060.632, The Lead-safe Certified Guide to Renovate Right	284	3	98.94%
NYCHA Personnel Certifications	445	0	100%
Vendor Personnel Certifications	0	0	N/A
Signage	284	9	96.83%
Worksite Preparation	151	0	100%
Work Activities	172	0	100%
Cleanup Activities	78	0	100%
Cleanup Verification	106	0	100%

B. Lead Abatement Compliance

Task/Area Assessed	December 16, 2023 – June 15, 2024		
	# Observations	Deficiencies	Compliance Rate
Occupant Protection Plan	534	3	99.44%
Signage	534	0	100%
EPA Notice of Commencement	534	3	99.44%
Lead Abatement Workers	1090	0	100%
Lead Abatement Supervisor	534	2	99.63%
Work Area Preparation & Containment	215	0	100%
Work Activities	263	1	99.62%
Cleanup Activity	91	0	100%

Notes:

- A data quality review revealed two (2) lead abatement oversight inspections with data entry errors, resulting in discrepancies between this report and Maximo/Data

Warehouse. All data discrepancies were reconciled in this report and documented in a discrepancy log with detailed explanations. The discrepancy detail is available upon request.

D. Clearance Examinations Compliance

Tasks/Areas Assessed	December 16, 2023 – June 15, 2024		
	# Observations	Deficiencies	Compliance Rate
Timing between cleanup completion and clearance examination	511	0	100%
NYCHA Personnel Certifications	282	0	100%
Vendor Personnel Certifications	229	0	100%
Visual Inspection	511	0	100%
Sample Collections	479	0	100%

NYCHA Certified Personnel

Type of Certified Personnel	Post RRP	Post Abatement
Dust Wipe Technician	255	0
Certified Risk Assessor	0	3
Lead-Based Paint Inspector	9	15

Vendor Certified Personnel

Type of Certified Personnel	Post RRP	Post Abatement
Dust Wipe Technician	8	0
Certified Risk Assessor	0	109
Lead-Based Paint Inspector	5	107

Notes:

- A data quality review revealed five (5) lead abatement oversight inspections with data entry errors, resulting in discrepancies between this report and Maximo/Data Warehouse. All data discrepancies were reconciled in this report and documented in a discrepancy log with detailed explanations. The discrepancy detail is available upon request.

E. Visual Assessment Quality Assurance (QA)

Inspection	# Observations	# Requiring LHC Review/Re-assessment
Visual Assessment QA In-Unit	138	41
Visual Assessment QA Common Area	66	0

Exhibit A: Lead Abatement Escalation Report (December 16, 2023 – June 15, 2024)



Environmental Health & Safety Department

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? Vendor: Linear Environmental Corp.	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (If Vendor also indicate company name) Vendor Personnel: Angel V Yunganaula Guartamber (Supervisor)	3. TYPE OF JOB Lead Abatement	4. EHS INSPECTION WO# 118860932 5. CM WO# 117408133
6. ADMINISTERING DEPARTMENT Lead Hazard Control (LHC)	7. DEVELOPMENT: Webster	8. OBSERVATION ADDRESS 421 East 168 th Street, 10C	
9. INCIDENT DESCRIPTION: During the EHS Lead Oversight Team's (LOT) lead abatement oversight inspection at Webster on January 4, 2024, an unsealed bathroom vent was observed during lead abatement activities.			
10. CORRECTIVE ACTION TAKEN: (Describe what was done after you observed the deficiency, was this reported to the job supervisor, were the corrective actions implemented, did you remain onsite to see completion?) The issue was immediately reported to the onsite Supervisor and corrected onsite.			



Environmental Health & Safety Department

11. PHOTOS:		
		
Uncovered vent	Covered vent (issue fixed)	
12. EHS PERSONNEL/EHS VENDOR		
NAME: Max Chavez		DATE & TIME OF OBSERVATION: January 4, 2024 @ 11:11 hrs.
13. ADDITIONAL INFORMATION (provide any other information that may be of importance)		



Environmental Health & Safety Department

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? Vendor: Emilio Arias	2. VENDOR/NAME(S) OF NYCHA PERSONNEL <small>(if Vendor also indicate company name)</small> Vendor: Abatement Unlimited Inc	3. TYPE OF JOB Lead Abatement	4. EHS INSPECTION WO# 127509091 <hr/> 5. CM WO# 105678738
6. ADMINISTERING DEPARTMENT LEAD HAZARD CONTROL (LHC)	7. DEVELOPMENT: Bronx River Houses	8. OBSERVATION ADDRESS 1440 Bronx River Avenue, #8G Bronx, NY 10472	
9. INCIDENT DESCRIPTION: On 8/10/2024 during an oversight inspection of lead abatement work at Bronx River Houses, EH&S Lead Oversight Team Specialist (LOTS) Chibuzor Nwobodo observed the following violation at 16:45 hrs: Abatement workers from Abatement Unlimited Inc were performing abatement related clean-up activities and an abatement supervisor was not on-site. They were observed mopping the floor, cleaning windows and other surfaces within the work area. All the containment including windows, doors, and floor coverings had been taken down, bagged and removed from the apartment. Upon inquiry, the workers stated that the abatement supervisor went to another site. LOTS was able to speak to the abatement supervisor, Emilio Arias, on the phone and he stated that he went to dispose waste materials and that he will be back in 15 minutes. LOTS instructed the workers to stop further clean-up activity until a Supervisor is present on-site as per NYCHA standard procedure. The deficiency violates a section of NYCHA Lead Safe Standard Procedure as follows: SP050201-Lead Safe Standard Procedure Section VII.H.j.1(a) Lead Abatement H. Lead Abatement, page 67 j. Cleanup (1) Personnel (a) The certified abatement worker(s) who performed the abatement performs the cleanup. (b) The certified abatement supervisor must be on-site during all post-abatement cleanup of work areas, including any re-cleaning activities following a failed clearance examination. The supervisor must enter their actual start and end date in a log book or, if available, the employee's NYCHA handheld device whenever they are on-site during any post-abatement cleanup of work areas.			
10. CORRECTIVE ACTION TAKEN: <small>(Describe what was done after you observed the deficiency, was this reported to the job supervisor, were the corrective actions implemented, did you remain onsite to see completion?)</small> LOTS instructed the workers to stop further clean-up activity until a Lead Abatement Supervisor arrives on-site. The workers complied with the directive and LOTS waited on-site to ensure compliance. Abatement Supervisor, Emilio Arias arrived more than half an hour later. EHS recommends that LHC issues a letter of direction to Abatement Unlimited as this is the third instance that EHS has issued an escalation report about improper lead-based paint procedures. Those other instances were: <ul style="list-style-type: none"> • 2/27/2023 – At Taft Houses escalation was issued to Abatement Unlimited staff performing lead abatement work activities without proper lead certification. • 10/12/2023 – At Van Dyke escalation was issued to Abatement Unlimited for the Supervisor not being on-site during the phase of abatement preparation activities. 			



Environmental Health & Safety Department




11. PHOTOS		
		
12. EHS PERSONNEL/EHS VENDOR Chibuzor Nwobodo		
NAME: Chibu Nwobodo	06/10/2024 @ 16:45 hrs:	
13. ADDITIONAL INFORMATION (provide any other information that may be of importance)		
<p>LOTS contacted LIRO Inspector, Adem Muratovic, who is assigned to monitor the vendor at this location and informed him about the deficiency.</p> <p>LOTA, Samuel Awelewa was also notified.</p>		

Exhibit B: Lead Disclosure Documents (LDD) Escalation Memos (December 16, 2023 – June 15, 2024)



Environmental Health & Safety Department

To: Brad Greenburg, Chief Compliance Officer
From: Patrick O'Hagan, VP Environmental Health and Safety Officer
Date: April 1, 2024
Re: Lead Disclosure Document Re-Inspection Failures (December 2023)

The EH&S Lead Oversight Team (LOT) reviewed the Lead Disclosure Documents at various developments during the month of December 2023. If a development was missing some or all of the required documents, the development was re-inspected after approximately 10 business days.

During the review that covered the month of December 2023, LOT would confirm that hard copies of the following documents are present in a development's Lead Disclosure binder and placed in the following order:

- Development Disclosure Form
- Executive Summary Report
- Risk Assessment Re-Evaluation Report
- List of Units with Individual Unit Disclosure Forms
- These documents must be placed within a Blue 3-Ring Binder

The table below summarizes the lone development that failed the first inspection and also the re-inspection during the month of December 2023. Typically, when a development fails the first inspection, LOT's Logistics Coordinator is to email Property Management the Compliance Department's "Guidance for Lead Disclosure Rule Documentation," which provides them with instructions for retrieving lead disclosure documents to assist them with gathering the required documents. Unfortunately, due to an oversight by LOT, this did not occur.

Development	First Inspection Failure Date	Re-Inspection Failure Date
Fort Independence	11/14/23	12/28/23

On April 1st, 2024, LOT conducted an inspection of Fort Independence's LLD binder and observed all documents were present and in the correct order as per the Compliance Department's guidance document.

Please take whatever actions you deem appropriate.

Thank you in advance, and please let me know if you have any questions.



Environmental Health & Safety Department

To: Brad Greenburg, Chief Compliance Officer
From: Patrick O'Hagan, VP Environmental Health and Safety Officer
Date: June 26th, 2024
Re: Lead Disclosure Document Re-Inspection Failures (Quarter 2)

The EH&S Lead Oversight Team (LOT) reviewed the Lead Disclosure Documents at various developments during the month of May 2024. If a development was missing some or all the required documents, the development was re-inspected after approximately 10 business days.

During the review, LOT confirms that hardcopies of the following documents are present in a development's Lead Disclosure binder and placed in the following order:

- Development Disclosure Form
- Executive Summary Report
- Risk assessment Re-Evaluation Report
- List of Units with Individual Unit Disclosure Forms
- These documents must be placed within a Blue 3-Ring Binder

The table below summarizes those developments that failed both the initial inspection and the re-inspection during the month of May 2024. When developments fail the initial inspection the EHS emails property management the Compliance Department's "Guidance for Lead Disclosure Rule Documentation" which provides them with instructions for retrieving lead disclosure documents to assist them with gathering the required documents.

Development	First Inspection Date	Re-Inspection Date
Lexington	05/01/2024	05/16/2024
Washington	05/01/2024	05/16/2024
Jackson	05/01/2024	05/17/2024
Sedgwick	04/30/2024	05/17/2024

In response to these findings of non-compliance, I am requesting that your department initiate appropriate corrective actions against the leadership teams of these locations.

Thank you in advance and please let me know if you have any questions.



Environmental Health & Safety Department

To: Brad Greenburg, Chief Compliance Officer
From: Patrick O'Hagan, VP Environmental Health and Safety Officer
Date: July 3rd, 2024
Re: Lead Disclosure Document Re-Inspection Failures (Quarter 2)

The EH&S Lead Oversight Team (LOT) reviewed the Lead Disclosure Documents at various developments during the months of June 2024. If a development was missing some or all the required documents, the development was re-inspected after approximately 10 business days.

During the review, LOT confirms that hardcopies of the following documents are present in a development's Lead Disclosure binder and placed in the following order:

- Development Disclosure Form
- Executive Summary Report
- Risk assessment Re-Evaluation Report
- List of Units with Individual Unit Disclosure Forms
- These documents must be placed within a Blue 3-Ring Binder

The table below summarizes those developments that failed both the initial inspection and the re-inspection during the months of June 2024. When developments fail the initial inspection the EHS Planning and Logistics Coordinator emails property management the Compliance Department's "Guidance for Lead Disclosure Rule Documentation" which provides them with instructions for retrieving lead disclosure documents to assist them with gathering the required documents.

Development	First Inspection Date	Re-Inspection Date
Clason Point	5/21/2024	6/4/2024
Albany II	6/5/2024	6/20/2024
Middletown Plaza	6/7/2024	6/24/2024
Adams	5/29/2024	6/25/2024
Millbrook Extension	05/21/2024	06/26/2024
Millbrook	06/04/2024	06/26/2024
Adams	05/29/2024	06/25/2024

In response to these findings of non-compliance, I am requesting that your department initiate appropriate corrective actions against the leadership teams of these locations.

**Note: Only Clason Point's failure falls within this reporting period. The remaining will be added to the next reporting period.*