



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

**December 16, 2022 – June 15, 2023**  
**Updated 7/26/2023**

# **EH&S Lead Oversight Activity Summary**

**December 16, 2022 – June 15, 2023**

## **Executive Summary**

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, Visual Assessments, Risk Assessment, and Dust Wipe Clearance activities to ensure NYCHA and its vendors are protecting the health and safety of its residents by following HUD’s Lead Safe Housing Rule, EPA’s RRP Rule, and NYCHA’s Lead Safe Housing Standard Procedure.

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 15 observations requiring escalation to the Compliance Department – 12 for lead disclosure document violations, 2 for lead abatement violations, and 1 for RRP violations. The escalation reports are attached.

## **LOT Key Updates and Highlights**

### **Lead Oversight Process IT Enhancements**

During this reporting period LOT and IT implemented enhancements to LOT’s Risk Assessment, Lead Abatement, and Visual Assessment oversight processes and checklists in Maximo. The implemented enhancements are intended to improve the lead oversight process, ensure alignment with operational changes and any revisions to NYCHA’s Lead Safe Housing SP. While all the enhancements were implemented in April, the associated reports for each process were still under development by IT at the end of this reporting period.

### **Oversight of NYCHA Vendors RRP Jobs**

LOT performed three hundred (300) oversight inspections of RRP work, however only 11 vendor jobs were observed. Despite utilizing several strategies to target vendor jobs, including review of the Micro-Purchase Team’s mailbox for vendor work, LOT continues to find this issue challenging. Poor utilization of Maximo to document these jobs remains an ongoing issue.

### **Compliance Assurance Vendor**

In May, LOT extended the contract for the current compliance assurance vendor, UNYSE, for an additional year while LOT and Procurement work to establish a new contract by 2024.

## LOT Observations in CU6 Units

Young children, particularly those under 6, are vulnerable to lead-based paint exposure, therefore an important aspect of EHS' work is observing LBP activities and clearance in units with these vulnerable occupants. For this report and future reporting, LOT will track and document its efforts to observe work occurring in these units, rather than limit reporting to TEMPO, which may not include all CU6 units visited by LOT. During this reporting period, according to Maximo's CU6 data: 61% of the RRP jobs that LOT observed were occurring in CU6 units, while 37% and 32% of lead abatement and dust wipe jobs respectively were in CU6 units. LOT did not observe any deficiencies requiring escalations for these jobs.

### December 16, 2022 – June 15, 2023

Field Oversight Activity	# Observations	Total Compliance Rate	# of Jobs Escalated to Compliance
Storeroom Inspection	194	96.91%	0
Management Office Lead Disclosure Review	193	77.20%	12
Tenant Folder Review	192	97.40%	0
RRP	300	95.67%	1
Lead Abatement	294	95.58%	2
Post-RRP Clearance	210	98.57%	0
Post-Lead Abatement Clearance	238	100%	0
Visual Assessment QA	27	N/A	0
Risk Assessment QA In-Unit	5	N/A	0
Risk Assessment QA Common Area	1	N/A	0

## A. Storeroom & Lead Disclosure Compliance

Task/Area Assessed	December 16, 2022 – June 15, 2023		
	# Inspections Completed	#Failed Inspections	Compliance Rate (%)
Storeroom Inspections	194	6	96.91%
Property Management Lead Disclosure Files	193	44	77.20%
Tenant Folder Review	192	5	97.40%

### Notes:

- NYCHA currently has 132 storerooms where RRP supplies are maintained. During this reporting period LOT inspected 107 storerooms at least once. Some storerooms were re-inspected due to initial failures while others received multiple inspections based on overlapping inspection schedules during the reporting period, resulting in the completion of 194 storeroom inspections. The 6 storerooms that failed due to missing supplies were re-inspected during the reporting period and passed the subsequent re-inspection. The most frequently missing RRP supply was the Supply Kit (it is required that the materials, with the exception of the HEPA vacuum, be packaged as a set by including all the items listed on page 91 of the Lead Safe Housing procedure and assigned to certified renovators as needed.) This item was observed missing during 5 storeroom inspections.
- Of the 193 inspections conducted at Management Offices to assess compliance with NYCHA’s Lead Disclosure Document requirements, 44 Management Offices failed, resulting in a compliance rate of 77.20%. The Neighborhood Administrators and Property Management staff were notified and provided with guidance regarding NYCHA’s Lead Disclosure recordkeeping requirements. Of the 44 failed inspections, (12) were identified for escalation to the Compliance Department after failing a subsequent re-inspection.
- A data quality review identified one (1) 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.

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

Task/Area Assessed	December 16, 2022 – June 15, 2023		
	# Observations	Deficiencies	Compliance Rate (%)
NYCHA Form 060.632, The Lead-safe Certified Guide to Renovate Right	300	9	97.00%
NYCHA Personnel Certifications	450	0	100%
Vendor Personnel Certifications	23	5	78.26%
Signage	300	3	99.00%
Worksite Preparation	221	2	99.10%
Work Activities	249	1	99.60%
Cleanup Activities	25	0	100%
Cleanup Verification	28	0	100%

### Notes:

A data quality review revealed five (5) RRP 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.

- Cleanup and cleanup verification activities have been a challenge to observe due to the uncertainty of the job completion time for the work activities. NYCHA personnel and vendors often provide inaccurate times for work completion, which prohibits LOTS from observing cleanup activities/verification. New strategies are being implemented by LOTS to overcome this challenge.

### C. Lead Abatement Compliance

Task/Area Assessed	December 16, 2022 – June 15, 2023		
	# Observations	Deficiencies	Compliance Rate
Occupant Protection Plan	294	7	97.62%
Signage	294	4	98.64%
EPA Notice of Commencement	294	5	98.30%
Lead Abatement Workers	565	1	98.82%
Lead Abatement Supervisor	294	1	99.66%
Work Area Preparation & Containment	102	0	100%
Work Activities	161	0	100%
Cleanup Activity	87	0	100%

Notes:

- A data quality review revealed seven (7) 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, 2022 – June 15, 2023		
	# Observations	Deficiencies	Compliance Rate
Timing between cleanup completion and clearance examination	448	3	99.33%
NYCHA Personnel Certifications	158	0	100%
Vendor Personnel Certifications	290	0	100%
Visual Inspection	448	0	100%
Sample Collections	428	0	100%

### NYCHA Certified Personnel

Type of Certified Personnel	Post RRP	Post Abatement
Dust Wipe Technician	58	0
Certified Risk Assessor	0	17
Lead based Paint Inspector	2	81

### Vendor Certified Personnel

Type of Certified Personnel	Post RRP	Post Abatement
Dust Wipe Technician	9	0
Certified Risk Assessor	70	56
Lead based Paint Inspector	71	84

**Notes:**

A data quality review revealed nine (9) Clearance Examination 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 2023	27	5

**Note:**

Work order 105194615 was removed from the total count as there is an unresolved IT discrepancy between the Lead Hazard Control inspection and EHS' inspection.

### **F. Risk Assessment Oversight**

Inspection	# Observations	# Requiring LHC Review/Re-assessment
Risk Assessment QA In-Unit	5	0
Risk Assessment QA Common Area	1	0
Risk Assessment QA Exterior	0	0

**Note:**

LOT performed five (5) oversight inspections of Risk Assessment QA In-Unit, one (1) Common Area, and zero (0) Exterior work. No work activities require an escalation.

**Exhibit A: Escalation Memos – Lead Disclosure Documents (December 16, 2022 – June 15, 2023)**

*Note: The re-inspections for Castle Hill and Sumner, conducted on 11/07/22 and December 15, 2022, are not counted on the Summary Chart on page 2, because it is outside of this reporting period.*



**Environmental Health & Safety Department**

**To:** Brad Greenburg, Chief Compliance Officer  
**From:** Patrick O'Hagan, VP Environmental Health and Safety Officer  
**Date:** January 3rd, 2023  
**Re:** Lead Disclosure Document Re-Inspection Failures - **REVISED**

The EH&S Lead Oversight Team (LOT) reviewed the Lead Disclosure Documents at various developments during the months of November to December 2022. 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 property management office'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 Management Offices that failed the first inspection and the follow-up re-inspection during the months of November and December. When Management Offices fail the first inspection LOT's Logistics Coordinator emails property management staff 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.

Management Office	First Inspection Date	Re-Inspection Date
Castle Hill	09/27/22	11/07/22
Sumner	11/09/22	12/15/22
Farragut	11/16/22	12/30/22
Union	12/07/22	12/29/22

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:** April 19, 2023  
**Re:** Lead Disclosure Document Re-Inspection Failures (January 2023)

The EH&S Lead Oversight Team (LOT) reviewed the Lead Disclosure Documents at various developments during the month of January 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 January, LOT would confirm 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 the first inspection and also the re-inspection during the month of January. When developments fail the first inspection LOT's 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.

Of the 10 locations that are listed in the chart below as failing the 2<sup>nd</sup> LDD inspection, two of them previously failed a re-inspection and were reported to the Compliance Department:

- Mill Brook (Previous re-inspection failure 9/2/2022)
- Soundview (Previous re-inspection failure 7/14/2022)

Development	First Inspection Failure Date	Re-Inspection Failure Date
Mill Brook	12/13/22	01/05/23
Borinquen Plaza	12/15/22	01/06/23
Lafayette	12/21/22	01/06/23
Throggs Neck	11/04/22	01/06/23
Tompkins	12/15/22	01/06/23



## Environmental Health & Safety Department

---

Development	First Inspection Failure Date	Re-Inspection Failure Date
Gompers	12/14/22	01/09/23
Sotomayor	12/27/22	01/11/23
Soundview	12/27/22	01/11/23
Claremont Rehab	12/29/22	01/12/23
Morrisania Air Rights	12/07/22	01/12/23

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.

**Exhibit B: Lead Abatement Escalation Reports (December 16, 2022 – June 15, 2023)**



**Environmental Health & Safety Department**

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL?  Vendor: Abatement Unlimited	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (if Vendor also indicate company name)  Ivan Veletanga	3. TYPE OF JOB  Lead-Based Paint Abatement	4. EHS INSPECTION WO# 101652489 5. CM WO# 100206890
6. ADMINISTERING DEPARTMENT  LEAD HAZARD CONTROL (LHC)	7. DEVELOPMENT:  Taft Houses	8. OBSERVATION ADDRESS  1385 5TH AVENUE, 10E New York, NY 10026	
<p>9. INCIDENT DESCRIPTION:</p> <p>During an oversight inspection of lead-based paint abatement work at Taft Houses, EH&amp;S Lead Oversight Team Specialist (LOTS) Chibuzor Nwobodo observed the following on 02/27/2023 at about 3:11 PM: Ivan Veletanga, a vendor from Abatement Unlimited was performing abatement related work activity without proper certification. He was observed within the abatement contaminated work area taking down containment materials and goose-necking bags containing accumulated waste. He presented a certificate issued in the state of New Jersey that is only valid to perform work in commercial buildings and superstructures. He stated that he had no other certification and he believed that this certification will enable him to conduct lead abatement related work in the jurisdiction of New York.</p> <p>In order to perform LBP abatement an individual must be certified by having taken and passed an EPA-accredited course. <a href="https://www.epa.gov/lead/lead-based-paint-abatement-and-evaluation-program-individual-certification">https://www.epa.gov/lead/lead-based-paint-abatement-and-evaluation-program-individual-certification</a></p> <p>The certification presented did not meet this criteria. In addition:</p> <p>The deficiency violates a section of NYCHA Lead Safe Standard Procedure as follows: SP050201-Lead Safe Standard Procedure Section VII.H.i.1(a) Lead Abatement i. Performing an Abatement 1. Personnel a. Certified lead abatement workers performing abatement. ii. Workers and supervisors are instructed to keep their certification on hand at all times when performing work, which is verified by field inspectors.</p>			
<p>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?)</p> <p>LOTS contacted Lead Hazard Control Inspector Piran Pooladi, who was assigned to monitor the vendor at this location and informed him about the deficiency. LOTS also brought the issue to the attention of Abatement Supervisor David Rivera and LOTA Samuel Awelewa. LOTS instructed Mr. Rivera that the worker must leave the work site because his certification does not permit him to performed lead abatement related work in New York City residential buildings. He complied with the directive and asked the worker to leave the site.</p>			



## Environmental Health & Safety Department

### 11. PHOTOS:



### 12. EHS PERSONNEL/EHS VENDOR

#### NAME:

**Chibu Nwobodo**

Digitally signed by Chibu Nwobodo  
DN: cn=Chibu Nwobodo, o=EHS, ou=LOTS,  
email=chibuzor.nwobodo@nycha.nyc.gov, c=US  
Date: 2023.03.14 09:48:45 -0400

#### DATE & TIME OF OBSERVATION:

### 13. ADDITIONAL INFORMATION (provide any other information that may be of importance)

Abatement Supervisor David Rivera stated that Ivan Veletanga came late in the day and he was not allowed to perform abatement work; however it should be noted any activity within the work area, such as removing containment material and goose-necking bags containing accumulated waste is considered abatement activities.



## Environmental Health & Safety Department

<b>EHU OVERSIGHT ESCALATION REPORT</b>			
<b>1. VENDOR or NYCHA PERSONNEL?</b> Vendor: Joseph Environmental	<b>2. VENDOR/NAME(S) OF NYCHA PERSONNEL</b> <small>(if Vendor also indicate company name)</small> Osman L. Lara Erick G. Oxi Cutzal	<b>3. TYPE OF JOB</b> Lead Abatement	<b>4. EHS INSPECTION WO#</b> 104526617 <b>5. CM WO#</b> 104112919
<b>6. ADMINISTERING DEPARTMENT</b> Lead Hazard Control (LHC)	<b>7. DEVELOPMENT:</b> Ravenswood Houses	<b>8. OBSERVATION ADDRESS</b> 35-20 24th Street, 03H	
<b>9. INCIDENT DESCRIPTION:</b> <p>On 5/22/23 at about 13:57 hrs during an oversight inspection of lead abatement work at Ravenswood Houses being conducted by Joseph Environmental lead abatement workers Osman L. Lara and Erick G. Oxi Cutzal, EH&amp;S Lead Oversight Team Specialist (LOTS), Chibuzor Nwobodo observed ongoing abatement work without an abatement supervisor being available within a 2-hour time frame. The LOTS called the abatement supervisor, Rogelio Marroquin, and was told by him that he was not working on this day. However, the Work Order actuals for this job shows that Mr. Marroquin worked on 5/22/23 from 9:30 AM to 3:30 PM despite his statement that he was not working on that day.</p> <p>The deficiency violates NYCHA's Lead Safe Standard Procedure, SP050.201, as follows:</p> <p>Page 60</p> <p>i. Performing an Abatement</p> <p>(1) Personnel</p> <p>(b) A certified abatement supervisor:</p> <p>ii. Must be on-site or available on call and able to be present at the work area in no more than two hours at all other times when abatement activities are being performed. The certified abatement supervisor must post their telephone number at the abatement location to ensure they can be contacted.</p>			
<b>10. CORRECTIVE ACTION TAKEN:</b> <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> <p>The LOTS instructed the workers to stop work activity until an abatement supervisor is available to be on site as per the NYCHA standard procedure cited above. The LOTS contacted the LHC Inspector Vitalis Francois, who was assigned to monitor the vendor at this location, and informed him about the deficiency. Additionally, the LOTS informed the LOTA Samuel Awelewa. The workers complied with the directive. The LOTS did not remain to witness if a supervisor arrived on the job.</p>			



**Exhibit C: Renovation, Repair and Painting (RRP) Escalation Reports (December 16, 2022 – June 15, 2023)**



**Environmental Health & Safety Department**

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL?  VENDOR	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (if Vendor also indicate company name) RAZ INTERIORS LTD Emigdio Arteaga Luis Palaguachi Juan Barrera Byron Barcia Cristhan Delgado	3. TYPE OF JOB  RRP Paint	4. EHS INSPECTION WO# 100424488/100424518 5. CM WO# 99493534/99626983
6. ADMINISTERING DEPARTMENT  Department of Paint Administration	7. DEVELOPMENT:  Van Dyke I	8. OBSERVATION ADDRESS  366 Sutter Ave./373 Blake Ave. Stairwell A (Both Locations) Brooklyn, NY 11212	
9. INCIDENT DESCRIPTION:  During an oversight inspection of vendor RRP paint work at Van Dyke I Houses, EH&S Lead Oversight Team Specialist (LOTS), John Ospina observed the following on 01/17/2023 at about 2:45 - 3pm:  At 366 Sutter Ave vendor painters Emigdio Arteaga and Luis Palaguachi were performing RRP paint work activities with expired RRP certifications. It should be noted that a third employee, Luis Cardenas, did have a valid RRP certification.  At 373 Blake Ave vendor painters Juan Barrera, Byron Barcia, and Cristhian Delgado were performing RRP paint work without RRP certificates.  This was a violation of NYCHA's Lead Safe Standard Procedure 050.201 which states:  On page 68 Section 2.(a) - Personnel - Certified Renovator: To perform RRP work that might disturb lead-based paint, a NYCHA employee or vendor employee must have current RRP certification. This is provided by trainers approved the EPA after a worker successfully completes a certified renovator training program.			
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?)  LOTS John Ospina immediately asked the painters to cease the paint work activity. This issue was then brought to the attention of LOTA and Painter Supervisor Artem Andresyan from RAZ Interior. Artem Andresyan was not on-site and LOTS called him on the phone at (718) 290-6000 to inform him about the deficient observation. Mr. Andresyan instructed the uncertified painters to stay away from the work area and few minutes later all workers stopped working and ended their day. Mr. Andresyan was instructed by LOTS that painters must not be allowed to perform RRP work related at NYCHA developments until they are certified and must be able to provide proof upon request. The NYCHA DPA painters' supervisor, Brad Nimerofsky, was also informed of this incident.			



## Environmental Health & Safety Department

11. PHOTOS:	
Please see photos attached.	
12. EHS PERSONNEL/EHS VENDOR <b>John Ospina</b>	
NAME: <b>John Ospina</b>	DATE & TIME OF OBSERVATION: <b>01/17/2023</b>
13. ADDITIONAL INFORMATION (provide any other information that may be of importance)	
<p>Post RRP dust wipe clearances were taken on 1/17/2023 at both locations. Results were analyzed on 1/18/2023; both sets returned as passed.</p>	
	





