



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

January 01, 2021 – June 30, 2021

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, 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.

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, major deficiencies/violations are escalated to the Compliance Department for further action. During this reporting period EHS escalated to the Compliance department Six (6) jobs where non-compliance was observed. The submitted escalation reports are attached.

During this reporting period, EHS implemented various IT enhancements to improve data control, uniformity and functionality of the lead oversight process. Based on these enhancements, RRP Storeroom and Lead Disclosure inspection data will now be reported separately from the RRP data. These inspections are now completed on standalone inspection work orders with separate reports.

EH&S Lead Oversight Activity Summary

Field Oversight Activity	# of Jobs Observed	¹Avg. Compliance Rate	# of Jobs Escalated
RRP Storeroom Inspection	117	89.7%	0
Management Office Lead Disclosure Review	105	90.4%	2
RRP	309	99%	3
Lead Abatement	441	100%	0
Post-RRP Clearance	32	96.8%	1
Lead Abatement Clearance	290	100%	0

¹ Data entry errors made during inspections that resulted in a "false" failure were identified and accounted for to ensure an accurate compliance rate calculation.

A. RRP Storeroom & Lead Disclosure Inspections

Task/Area Assessed	January – June 2021		
	# Inspections Completed	#Failed Inspections	Compliance Rate
RRP Storeroom Inspections	117	12	89.7%
Property Management Lead Disclosure Files	105	10	90.4%

Note:

- The 12 storerooms that failed were re-inspected and passed, therefore escalation to the Compliance Department was not required.
- Of the 105 Lead Disclosure Inspections, 10 failed during the initial inspection, however the Neighborhood Administrators and Property Management staff were notified and provided with guidance regarding NYCHA's Lead Disclosure recordkeeping requirements. These management offices were later re-visited and nine (9) passed re-inspections. The EHU escalated to the Compliance Department the two (2) developments that failed the follow-up inspections, Ingersoll and Jackson/Morrisania. The escalation reports are attached under Exhibit A and B.

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

Task/Area Assessed	January - June 2021		
	# Observed	Deficiencies Observed	Compliance Rate
NYCHA Form 060.632, The Lead-safe Certified Guide to Renovate Right	222	0	100%
Signage	309	0	100%
Worksite Preparation	283	1	99.6%
Work Activities	285	1	99.6%
Cleanup Activities	79	1	98.7%
Cleanup Verification	97	0	100%

Note:

- Due to data duplication errors identified on the Data Warehouse RRP report, data on Certifications and Personnel is not included in this reporting period. However, one plaster job observed at Riis Houses was escalated to the Compliance Department due to the plasterer helper's inability to provide proof that he received the required RRP training and was a certified renovator. EH&S was also unable to obtain confirmation from NYCHA's Learning & Development Department. The escalation report is attached under Exhibit E.
- Of the 309 RRP jobs 2 failed due to observed work practice violations. EHU escalated these jobs to the Compliance Department. The escalation report is attached under Exhibits C and D.
- EH&S continues to experience difficulties in identifying RRP vendor jobs. It appears that these jobs are not being properly scheduled and documented in Maximo.

C. Lead Abatement Compliance Assurance

Task/Area Assessed	January – June 2021		
	# Observed	Deficiencies	Compliance Rate
Occupant Protection Plan	441	0	100%
Signage	441	0	100%
EPA Notice of Commencement	441	0	100%
Lead Abatement Supervisor	441	0	100%
Work Area Preparation & Containment	303	0	100%
Work Activities	217	0	100%
Cleanup Activity	198	0	100%

Note:

- Due to data duplication errors identified on the Data Warehouse Lead Abatement Report, data on certifications and personnel is not included in this reporting period. However, LOT did not report any failures related to lead abatement personnel certifications.
- Of the 441 Abatement Jobs observed, there were no violations or deficiencies.

D. Dust Wipe Clearance Compliance Assurance

Tasks/Areas Assessed	January - June 2021		
	# Observed	Deficiencies	Compliance Rate
Timing between cleanup completion and clearance examination	322	0	100%
Personnel Certifications	50 (NYCHA)	0	100%
	272 (Vendor)	0	100%
Visual Inspection	322	0	100%
Sample Collection	322	1	99.7%

Notes:

- Of the 322 dust wipe sample collection jobs observed, 32 were for RRP clearance and 290 were for lead abatement clearance.
- EH&S has found it challenging to observe RRP clearance examinations since NYCHA Dust Wipe Technicians do not adhere to a strict schedule.
- Deficiencies/violations were observed on one RRP clearance exam and was escalated to the Compliance Department for further action. The escalation report is attached under Exhibit F.

Exhibit A: LOT Escalation Report (January – June 2021)



Environmental Health & Safety Department

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (If Vendor also Indicate company name) Linda Best - Property Manager	3. TYPE OF JOB Property Management (Lead Disclosure Folder Inspection)	4. EHS INSPECTION WO# 80655616 5. CM WO# NA
6. ADMINISTERING DEPARTMENT Bronx Property Management	7. DEVELOPMENT: Jackson/Morrisania Houses	8. OBSERVATION ADDRESS 3145 Park Avenue Bronx, NY 10451	
9. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR			
<p>10. INCIDENT DESCRIPTION:</p> <p>On 04/08/2021 at about 03:00 pm, I conducted Property Management Office Inspection for Lead Disclosure Folder at Jackson/Morrisania Houses. Property Manager (PM) Linda Best was not able to locate the folder for inspection. She told me that she was new to the Development and doesn't know where the folder might be. And also, she's about to retire later this month but she will like to put the folder together for the next Manager.</p> <p>Ms. Best's inability to present the requested documents during the inspection is in violation of NYCHA's Lead Safe Housing Standard Procedure which states the following:</p> <p>Property Managers ensure that physical copies of all materials required to be disclosed by the Lead Disclosure Rule are present, available for inspection, and permanently maintained at thier respective management offices.</p>			
<p>11. CORRECTIVE ACTION TAKEN:</p> <p>(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>I informed her that EHS LOTS Administrator will be calling to guide her on the process. LOTA, Vincent Eweka, contacted Property Manager Linda Best and emailed the Lead Disclosure Quick Reference Guide for her review.</p> <p>Additional guidance from the Lead Hazard Control Department and the Compliance Department will be needed to ensure that Property Management staff at this location are familiar with the Lead Disclosure requirements and are prepared to present these documents when requested. LOT will perform a follow-up inspection within the next 30 days.</p>			



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12. PHOTOS:		
13. EHS PERSONNEL/EHS VENDOR Chibuzor Nwobodo		
NAME: Chibuzor Nwobodo		DATE & TIME OF OBSERVATION: 04/08/2021
14. ADDITIONAL INFORMATION (provide any other information that may be of importance)		

Exhibit B: LOT Escalation Report (January – June 2021)



Environmental Health & Safety Department

EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (If Vendor also indicate company name) DAVID ZUCKERMAN 12474	3. TYPE OF JOB ASSISTANT PROPERTY MANAGER	4. EHS INSPECTION WO# 81296802 5. CM WO#
6. ADMINISTERING DEPARTMENT BROOKLYN PROPERTY MANAGEMENT DEPARTMENT	7. DEVELOPMENT: INGERSOLL HOUSES	8. OBSERVATION ADDRESS 120 NAVY WALK BROOKLYN NY 11201	
9. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR			
10. INCIDENT DESCRIPTION: On 04/28/2021 and 05/14/2021 Property Management inspections were performed at 120 Navy Walk, Brooklyn NY 11201 and both failed inspections. During the initial inspection on 04/28/2021 NYCHA Lead Compliance Consultant Vendor UNYSE instructed Property Management staff to contact the Lead Oversight Team (LOT) for guidance on how to obtain the required documents. On 05/14/2021 approximately at 1:31 pm, LOTS arrived to the site to conduct a storeroom and property management inspection at 120 Navy Walk, Brooklyn NY 11201 and met with the Assistant property manager David Zuckerman who stated that he does not have the development lead disclosure documents at this time.			
11. 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 made a phone call to his immediate supervisor to inform the current situation. LOTA spoke to Mr. Zuckerman and Assistant on how to get the development lead disclosure documents. On 05/17/2021 LOTA spoke to and emailed the Assistant Property Manager Mona Sumpter and sent a copy of the Lead Disclosure QRG and further informed her to contact the Lead Hazard Control Department with any questions about locating the required documents.			



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12. PHOTOS:		
13. EHS PERSONNEL/EHS VENDOR		
NAME: John Ospina		DATE & TIME OF OBSERVATION: 05/14/2021 1:31 PM
14. ADDITIONAL INFORMATION (provide any other information that may be of importance)		
<p>David Zuckerman 718-6247316</p> <p>Development does not have a property manager at this time.</p>		

Exhibit C: LOT Escalation Report (January – June 2021)



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LEAD OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA	2. VENDOR/NAME(S) OF NYCHA PERSONNEL THEOPHILUS PIKRAMENOS ID 84749 MARK FRANCE ID 83424	3. TYPE OF JOB RRP	4. INSPECTION and CM WO IN WO 78914407 CM WO 61607878
5. ADMINISTERING DEPARTMENT MANAGEMENT & PLANNING	6. DEVELOPMENT: ALBANY	7. OBSERVATION LOCATION 1008 SAINT MARKS AVENUE APT 4F BROOKLYN	
8. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR		9. IMMEDIATE ACTION LIST UNIT: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
<p>10. INCIDENT DESCRIPTION:</p> <p>During a routine QA Compliance Inspection performed by EH&S' Lead Oversight Team, workers from NYCHA were observed doing the following:</p> <ul style="list-style-type: none"> • NYCHA staff were not wearing all recommended PPE (Tyvek suits, gloves and face masks). • Improper Containment/ Containment breach in that there was no plastic sheet covering the tenants' belongings, no barrier between work area Kitchen and Bathroom, tenants were present in the Livingroom area during work activity. • 6 mil plastic was blocking egress in the apartment hallway interfering with leaving the apartment in an emergency. • No Debris Containment, work area not isolated so that no dust or debris leaves the work area. • Staff dry sweeping resulting in dust and debris dispersal in Bathroom and Apartment Hallway. 			



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11. CORRECTIVE ACTION TAKEN:

(Describe what was done after you observed the deficiency, who was this reported to at the development, were the corrective actions performed, did you remain onsite to see completion of the job?)

LOTS reported deficiencies to the painter's supervisor Ramon Florentino who immediately came to assist LOTS. LOTS requested painters to clean up work area, organized work materials and set up new containment before continuing with the job.

12. LEAD COMPLIANCE ASSURANCE PERSONNEL/ OBSERVER

**JOHN OSPINA,
LEAD OVERSIGHT TEAM SPECIALIST**

DATE & TIME OF OBSERVATION
01/13/2021 10:47 AM

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

Exhibit D: LOT Escalation Report (January – February 2021)



Environmental Health & Safety Department

LEAD OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA	2. VENDOR/NAME(S) OF NYCHA PERSONNEL Aristides Cordero – Painter (NYCHA ID# 82218) Roberto Valverde – Painter (NYCHA ID# 78009)	3. TYPE OF JOB Paint (RRP)	4. INSPECTION WO# INS WO 79492089 CM WO 62265342 DW WO 62265340
5. DEPARTMENT Management and Planning	6. DEVELOPMENT: Bronx River Houses	7. OBSERVATION LOCATION 1575 E 174 th Street, #6K Bronx, NY 10472	
8. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR		9. IMMEDIATE ACTION LIST UNIT: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
<p>10. INCIDENT DESCRIPTION:</p> <p>On 02/11/2021 at about 03:15 pm, I flagged two Painters for not following proper NYCHA RRP clean-up procedures. Aristides Cordero and Roberto Valverde after performing RRP paint work refused to properly clean up their work area. I observed the painters take down the plastic sheeting used for containment but they did not:</p> <ol style="list-style-type: none"> 1) Mist protective sheeting before folding 2) They refused to hepa vacuum Livingroom where they also performed work 3) They refused to clean walls and floor surfaces within their work area with Mop, Swiffer and or damp cloth. 4) They refused to clean the floor of kitchen where dust wipe sampling was scheduled. 5) And they did not heed my corrective instructions to do so. <p>They told me that it's not their duty to clean the work area after performing work and they left.</p> <p>I spoke to their Supervisor, Matthew Gay and he told me that he will speak to the Painters involved regarding the infractions. He also informed me that he was not on site and that he will make a conference call with the painters.</p> <p>I informed the Dust wipe Technician not to conduct clearance sample collection because the work area was not cleaned.</p>			
<p>11. CORRECTIVE ACTION TAKEN: (Describe what was done after you observed the deficiency, who was this reported to at the development, were the corrective actions performed, did you remain onsite to see completion of the job?)</p> <p>I called Matthew Gay the Painter Supervisor and he told me that he will speak to the Painters involved. I remained on site in front of apartment #6K until about 3:45 pm but the painters did not return to clean the floors as I had instructed them.</p>			
12. LEAD COMPLIANCE ASSURANCE PERSONNEL/ OBSERVER			
Chibuzor Nwobodo LEAD OVERSIGHT TEAM SPECIALIST		DATE & TIME OF OBSERVATION 02/11/2021 03:15 pm	



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

I left the site at about 3:45 pm.

Exhibit E: LOT Escalation Report (January 01 – June 30, 2021)



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EHU OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA Personnel	2. VENDOR/NAME(S) OF NYCHA PERSONNEL (if Vendor also indicate company name) Robert Meade	3. TYPE OF JOB RRP/Plastering	4. EHS INSPECTION WO# 81261888
			5. CM WO# 71642184
6. ADMINISTERING DEPARTMENT Manhattan Property Management Department	7. DEVELOPMENT: Riis Houses	8. OBSERVATION ADDRESS 108 Avenue D, Manhnattan	
9. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR			
<p>10. INCIDENT DESCRIPTION:</p> <p>At the time of the LOTS arrival at the worksite, plasterer helper Mr. Robert Meade was performing work without the required RRP certification. The LOT Specialist observed Mr. Meade wet scraping and plastering walls. Mr. Meade indicated he received certified renovator training but was unable to show proof of certification. The work order RRP verification tab shows that the work was confirmed as RRP.</p> <p>The Lead Safe Housing Standard Procedure states the following:</p> <p>"To perform RRP work that might disturb lead-based paint, a NYCHA employee or vendor employee must have current RRP certification."</p> <p>"Certified renovators performing RRP work must have their certifications, including any refresher course certifications, with them on-site.</p> <p>a. Certified renovators must carry a physical copy of the certification with them; or</p> <p>b. Must have an electronic copy of the certification on their mobile device."</p> <p>"Supervisors are not permitted to assign work that requires a certified renovator to employees or vendors who are not certified renovators."</p>			
<p>11. CORRECTIVE ACTION TAKEN:</p> <p>(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>LOT specialist Samuel Awelewa called the plasterer supervisor, Mr. Nicholas, to obtain Mr. Meade's RRP certification, but he did not respond to the call. The LOT Specialist notified the LOT Adminstrator, Vincent Eweka, about the incident and supplied him with the phone number of the plasterer supervisor, Mr. Nicholas. LOTA informed the LOT Specialist that he spoke with supervisor Nicholas, and he promised to furnish the information as soon as possible. However, the plasterer supervisor, Mr. Nicholas Greenaway, failed to provide Mr. Meade's RRP certification by the end of the shift.</p>			



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12. PHOTOS:		
N / A	N / A	N / A
13. EHS PERSONNEL/EHS VENDOR EH&S PERSONNEL		
NAME: Samuel Awelewa		DATE & TIME OF OBSERVATION: 5/12/2021 10:00am - 3:20pm
14. ADDITIONAL INFORMATION (provide any other information that may be of importance)		
<p>In addition to the LOT Administrator requesting the training documentation from Mr. Robert Meade's supervisor via email and verbal discussion, the EHS Planning and Logistics Coordinator checked the HR training report which only listed Mr. Meade's Transcript Status as "Registered" . The completed date in the HR Training report was blank. HR could not confirm training. Therefore this matter is being escalated to the Compliance Department.</p> <p>Another worker- Reinaldo Pagan was also present. Mr. Pagan did not have his RRP certification available for inspection, however EHS verified through the HR Training Database that Mr. Pagan completed RRP refresher training.</p>		

Exhibit F: LOT Escalation Report (January 01 – June 30, 2021)



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LEAD OVERSIGHT ESCALATION REPORT			
1. VENDOR or NYCHA PERSONNEL? NYCHA	2. VENDOR/NAME(S) OF NYCHA PERSONNEL Samantha Pinkard ID # 84265	3. TYPE OF JOB Post RRP Dust Wipe	4. INSPECTION WO# WO 79443247 CM 68254940
5. ADMINISTERING DEPARTMENT: LEAD HAZARD CONTROL		6. DEVELOPMENT: KINGSBOROUGH HOUSES	7. OBSERVATION LOCATION 353 KINGSBOROUGH 3RD WALK
8. DEFICIENCY: <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR		9. IMMEDIATE ACTION LIST UNIT: XNO YES	
<p>10. INCIDENT DESCRIPTION:</p> <p>During a routine RRP Compliance Inspection performed by the EH&S Lead Compliance Assurance vendor, Cody Gaspard, a NYCHA Dust Wipe Technician, Samantha Pinkard, was observed doing the following:</p> <ul style="list-style-type: none"> • Measurements were not taken for both the window sill and well where the dust wipe technician took samples. • The template for floor samples was not cleaned between uses. • While using the floor sampling template, part of the sample was taken outside of the template. <p><i>Note: The Lead Compliance Assurance vendor also recorded a failure on the inspection work order for technician not using a template/tape for <u>ALL</u> sample areas.</i></p> <p><u>References</u></p> <p>I. U.S EPA Lead Dust Sampling Technician Field Guide <i>Step One: Clean template with a new wipe</i> <ul style="list-style-type: none"> ▪ If no template, outline with tape (Bullet#3) <i>Step Four: Wipe sample area and place wipe in sample tube</i> <ul style="list-style-type: none"> ▪ Do not cross the outer border of the tape or template (Bullet#4) <i>Step Five: Measure the sample area</i> <ul style="list-style-type: none"> ▪ Measure width and length (unless template was used). ▪ Length of sill or trough between edges of tape ▪ Width of sill or trough, measure at tape ▪ Measure to 1/8 inch. ▪ Do not remove tape until after measurements are taken. <i>Step Six: Record sample area dimensions on forms</i> <ul style="list-style-type: none"> • Calculate the sample area and record on sample collection form and laboratory chain-of-custody form. </p> <p>II. Guidelines For The Evaluation And Control Of Lead-Based Paint Hazards In Housing (2012 Edition) Guidebook Appendix 13.1- Wipe Sampling of Settled Dust for Lead Determination</p> <p><i>"After the sampling of an area has been completed, measure the dimensions of the surface area wiped to the nearest eighth of an inch using a tape measure or a ruler. Record specific measurements for each area wiped on the field sampling form. <u>Do not estimate the surface area; measure it.</u>"</i></p>			



Environmental Health & Safety Department

11. CORRECTIVE ACTION TAKEN:

(Describe what was done after you observed the deficiency, who was this reported to at the development, were the corrective actions performed, did you remain onsite to see completion of the job?)

- The Lead Compliance Assurance vendor instructed the Dust Wipe Technician that all surfaces should be measured and marked with tape prior to measuring. However, worker responded that she had the dimensions of the components in the units memorized.
- The LOT Administrator, Vincent Eweka, made several attempts to contact Chris James, Supervisor Healthy Homes regarding incident and the needed corrective actions that must occur going forward but was unsuccessful. An email was also sent to Mr. James to discuss the Compliance Assurance vendor's allegations of the Dust Wipe Technician's hostile behavior and refusal to be observed on more than one job per day.
- EHS recommends that Ms. Pinkard receive Dust Wipe Sampling refresher training.
- During the inspection Ms. Pinkard presented a copy of her Certified Renovator certificate. Proof of Ms. Pinkard's most recent Dust Wipe Sampling Technician training should also be provided. (It should be noted that the Lead Compliance Assurance vendor inaccurately recorded the information from the certified renovator certificate on the inspection work order).



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12. LEAD COMPLIANCE ASSURANCE PERSONNEL/ OBSERVER	
Cody Gaspard	DATE & TIME OF OBSERVATION 02/08/2021 AT 2:20 PM
13. ADDITIONAL INFORMATION (provide any other information that may be of importance)	
<div></div>	