

conducted and until the time the affected unit receives clearance for reoccupancy. If families or individuals are temporarily relocated in a project which utilizes Community Development Block Grant funds, the guidance and requirements of 24 CFR 570.606(b)(2)(i)D(1)–(3) must be met. HUD recommends you review these regulations when preparing your proposal.

(d) Undertaking minimal housing rehabilitation activities that are specifically required to carry out effective hazard control, and without which the hazard control could not be completed and maintained. These grant funds may be used for lead hazard control work done in conjunction with other housing rehabilitation programs. HUD strongly encourages integration of this grant program with housing rehabilitation, maintenance, weatherization, and other energy conservation activities.

(e) Conducting clearance dust-wipe testing and laboratory analysis (the laboratory must be recognized by the National Lead Laboratory Accreditation Program (NLLAP) as being capable of performing lead analyses of samples of paint, dust-wipes, and/or soil).

(2) The following are supporting Project Elements that may be undertaken through matching or other available funds only:

(a) Conducting targeted community awareness, affirmative marketing, education or outreach programs on lead hazard control and lead poisoning prevention designed to increase the ability of the program to deliver lead hazard control services including educating owners of rental properties, tenants, and others on the Residential Lead-Based Paint Hazard Reduction Act, Lead-Safe Housing Regulation, and applicable provisions of the Fair Housing Act, and offering educational materials in languages other than English, when needed, and providing training on lead-safe maintenance and renovation practices and management. Upon request, this also would include making all materials available in alternative formats to persons with disabilities (e.g., Braille, audio, and large type).

(b) Engineering and architectural activities that are required for, and in direct support of, lead hazard control work.

(c) Procuring liability insurance for lead-hazard control activities.

(d) Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such information and data as may be required

by HUD. This activity is separate from administrative costs.

(e) Purchasing or leasing equipment having a per unit cost under \$5,000.

(f) Purchasing or leasing no more than two X-ray fluorescence analyzers for use by this program, if not already available.

(g) Preparing a final report at the conclusion of grant activities.

(3) Support Elements.

(a) Administrative costs. There is a 10 percent maximum for administrative costs as specified in Section 1011(j) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, Public Law 102–550). Additional information about allowable administrative costs is provided in Appendix B.

(b) Program planning and management costs of sub-grantees and other sub-recipients.

(D) *Ineligible Activities*. You may not use grant funds for:

(1) Purchase of real property.

(2) Purchase or lease of equipment having a per unit cost in excess of \$5,000, except for the purchase of X-ray fluorescence analyzers.

(3) Chelation or other medical treatment costs related to children with elevated blood lead levels. Non-federal funds used to cover these costs may be counted as part of the required matching contribution.

(4) Lead hazard control activities in publicly owned housing, or project-based Section 8 housing (This housing stock is not eligible under Section 1011 of the Lead-Based Paint Hazard Reduction Act).

V. Requirements

Except as modified in this section, all the requirements, procedures, and principles listed in Section V of the General Section of the SuperNOFA apply to this program.

(A) *Matching Contribution*. You must provide a matching contribution of at least 25 percent of the requested grant sum. This may be in the form of cash, including private sector funding, or in-kind (non-cash) contributions, or a combination of these sources. With the exception of Community Development Block Grant (CDBG) funds, Federal Revenue Sharing programs, or other programs which by statute allow their funds to be considered local funds and therefore eligible to be used as matching funds, federal funds may not be used to satisfy the required 25 percent matching requirement. Federal funds may be used, however, for contributions above the statutory requirement.

(B) *Program Requirements*. The applicant must also comply with the following:

(1) *Work Activities*. All lead hazard control activities must be conducted in compliance with the applicable requirements of HUD's Lead-Safe Housing Regulation, 24 CFR part 35, and as clarified in HUD's Interpretive Guidance about the rule located at <http://www.hud.gov/offices/lead/guidelines/leadsaferule/index.cfm>. Activities must also comply with any additional requirements in effect under a state or Tribal Lead-Based Paint Training and Certification Program that has been authorized by the EPA pursuant to 40 CFR 745.320.

(2) *Direct Lead Hazard Identification and Control Activities*. Not less than 90 percent of the funds made available shall be used exclusively for abatement, inspections, risk assessments, temporary relocations, and interim control of lead-based hazards.

(3) By September 30, 2005, a statewide or jurisdiction-wide strategic plan to eliminate childhood lead poisoning as a major public health problem by 2010 (further guidance will be provided to grantees on developing the elimination plan) must be submitted to HUD. Applicants are encouraged to collaborate with grantees of the Centers for Disease Control and Prevention (CDC), which are also now required to develop such local plans. At a minimum, the plan must include the following elements:

- i. Mission Statement
- ii. Purpose and Background on Lead Poisoning Prevalence
- iii. Goals, Objectives, and Activities
- iv. Evaluation Plan

(C) *Administrative Costs*. There is a 10 percent maximum for administrative costs as specified in Section 1011(j) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, Public Law 102–550). Additional information about allowable administrative costs is provided in Appendix B.

(D) *Period of Performance*. The period of performance is 42 months. HUD reserves the right to approve no cost time extensions for a period not to exceed 12 months.

(E) *Certified and Trained Performers*. Funded activities must be conducted by persons qualified for the activities according to 24 CFR part 35 (possessing certification as abatement contractors, risk assessors, inspectors, abatement workers, or sampling technicians, or others having been trained in a HUD-approved course in lead-safe work practices).