

U.S. Department of Energy
WEATHERIZATION ASSISTANCE PROGRAM (WAP)
STATE PLAN/MASTER FILE WORKSHEET

(Grant Number: EE0009941, State: WY, Program Year: 2023)

This worksheet should be completed as specified in Section III of the Weatherization Assistance Program Application Package.

V.1 Eligibility

V.1.1 Approach to Determining Client Eligibility

Provide a description of the definition of income used to determine eligibility

Per 10 CFR § 440.16(a), no dwelling unit may be weatherized without documentation that the dwelling unit is an eligible dwelling unit as provided in 10 CFR § 440.22.

The definition of "low income" that the State of Wyoming Weatherization Assistance Program (WAP) adheres to and uses statewide for the purpose of determining eligibility in accordance with 10 CFR § 440.22(a) shall be kept on file as per § 440.14(c)(6)(xii). This shall ensure that no dwelling unit is weatherized without documentation that the unit is an eligible dwelling unit.

Wyoming has elected to use the 10 CFR § 440.22(a)(3) guidance for defining client income eligibility for Wyoming's WAP. This guidance states that (a), "A dwelling unit shall be eligible for weatherization assistance under this part if it is occupied by a family unit:" that (3), "If the State elects, is eligible for assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget (OMB)." Wyoming's current Low Income Home Energy Assistance Program (LIHEAP) income guideline chart includes a column showing the WAP threshold at 200% of the federal poverty level. If an applicant is eligible for WAP, but not eligible for LIHEAP, the applicant is approved for weatherization-only and denied for LIHEAP assistance.

WPN 22-5 extended categorical income eligibility to U.S Department of Housing and Urban Development (HUD) means tested programs. The method of verification of eligibility must be included in the client file.

Per Weatherization Program Notice (WPN) 23-3, "income" means "cash receipts earned and/or received by the applicant before taxes during applicable tax year(s) but not the income exclusions listed below." Gross rather than Net Income shall be used when determining client eligibility.

Income Exclusions: the following cash receipts are not considered sources of income for the purposes of determining eligibility:

- Capital gains;
- Any assets drawn down as withdrawals from a bank;
- Money received from the sale of a property, house, or car;
- One-time payments from a welfare agency to a family or person who is in temporary financial difficulty;
- Tax refunds;
- Gifts, loans, or lump-sum inheritances;
- College scholarships;
- One-time insurance payments, or compensation for injury;
- Non-cash benefits, such as employer-paid or union-paid portion of health insurance;
- Employee fringe benefits, food or housing received in lieu of wages;
- The value of food and fuel produced and consumed on farms;
- The imputed value of rent from owner-occupied non-farm or farm housing;
- Depreciation for farm or business assets;
- Federal non-cash benefit programs such as Medicare, Medicaid, Food Stamps, school lunches, and housing assistance;
- Combat zone pay to the military;
- Child support, as defined below;
- Reverse mortgages; and
- Payments for care of Foster Children.

Child Support: Child support payments, whether received by the Payee or paid by the Payor, are not considered Sources of Income to be added to the payee income or deducted from the payor income for the purposes of determining applicant eligibility.

Payee: Where an applicant receives child support from any state program or individual during an applicable tax year, such assistance is not considered income for the purposes of determining eligibility.

Payor: Where an applicant pays child support through a state program and/or to an individual, such assistance is not considered a deduction to Income for the purposes of determining eligibility.

Cash Receipts: Cash receipts include the following:

- Money, wages and salaries before any deductions (gross amounts);
- Net receipts from non-farm or farm self-employment (receipts from a person's own business or from an owned or rented farm after deductions for business or farm expenses);
- Regular payments from social security, railroad retirement, unemployment compensation, strike benefits from union funds, worker's compensation, veteran's payments, training stipends, alimony, and military family allotments;
- Private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

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- Dividends and/or interest;
- Net rental income and net royalties;
- Periodic receipts from estates or trusts; and
- Net gambling or lottery winnings.

Proof of Eligibility: Proof of income eligibility shall be included in the client file.

1. **Availability of Supporting Documentation:** For purposes of review and audit, each client file will contain an application from the client that contains the required demographics and income for the entire family living in the residence. Files will also contain evidence that the client is eligible to receive WAP services. These documents can be stored electronically or retained in hard copy for each client.
2. **Eligibility Determined by Outside Agency/Program:** If income eligibility is determined by an outside agency or program, i.e. LIHEAP or the U.S. Department of Housing and Urban Development (HUD), any document used to determine eligibility, such as a copy of LIHEAP eligibility or a copy of the HUD income eligibility certification, will suffice as evidence of client eligibility. Wyoming utilizes a client eligibility summary page verified and provided by Wyoming's Low-Income Energy Assistance Program (LIEAP) Contractor which is stored electronically in the LIEAP computer database and in the WAP client file.
3. **Self-Certification:** After all other avenues of documenting income eligibility are exhausted, self-certification is allowable. However, evidence of the various attempts at proving eligibility must be contained in the client file, including a statement signed by the potential applicant indicating that he has no other proof of income. Wyoming requires income verification for all applicants. When an applicant claims zero income, Wyoming requires the applicant to complete the LIEAP Declaration of Zero Income Form. Certain requirements, such as registering with the Wyoming Department of Workforce Services (DWS), providing detailed summary of how bills are being paid, go hand-in-hand with the Declaration of Zero Income Form.

Re-Certification: An applicant must be re-certified when eligibility lapses due to the length of time the applicant was waiting to receive Weatherization services. Re-certification of eligibility must occur at least every 12 months. Wyoming requires a new application each year. This meets the requirement that re-certification of eligibility occurs every 12 months.

Per 10 CFR 440.16(a), "No dwelling unit may be weatherized without documentation that the dwelling unit is an eligible dwelling unit as provided in §440.22."

Wyoming uses a dual application process with LIEAP so that a person is determined eligible for Weatherization and LIEAP at the same time in most cases. However, households are not required to accept LIEAP heating assistance to receive weatherization assistance. Applications for weatherization-only assistance are accepted year round and are not subject to the limitations of Wyoming's LIEAP application deadline dates. This has increased outreach effectiveness in Wyoming.

The Wind River Indian Reservation has an active Weatherization program serving the Northern Arapaho Tribal members who reside on the Wind River Indian Reservation in accordance with 10 CFR § 440.11. The Eastern Shoshone Tribe does not have an active Weatherization program to date. Eastern Shoshone Tribal members living on the Wind River Indian Reservation currently receive Weatherization services through Wyoming Weatherization Services (WWS), (local sub-grantee), in accordance with 10 CFR § 440.16 (f). All other Native Americans residing in Wyoming receive Weatherization services from the local agency performing weatherization work in their region of residence in accordance with 10 CFR § 440.16 (f).

Describe what household eligibility basis will be used in the Program

The Wyoming WAP shall determine client eligibility pursuant to 10 CFR Section § 440.3 (3), meaning that Wyoming elects to define low income in relation to family size as that which is the "basis for eligibility for assistance under the Low Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget (OMB)."

Individuals, households (especially those with children under the age of six, elderly persons [60 years of age or older], and the disabled) who are low income and meet the State of Wyoming LIEAP eligibility standards may be eligible to participate in the WAP. Wyoming's LIEAP eligibility standards are based on the U.S Department of Health and Human Services (HHS) standard, except that the Secretary may establish a higher level if the Secretary, after consulting with the Secretary of Agriculture and the Secretary of Health and Human Services, determines that such a higher level is necessary to carry out the purposes of this part and is consistent with the eligibility criteria established for the weatherization program under Section 222(a)(12) of the Economic Opportunity Act of 1964. Income is defined by LIHEAP regulations and Weatherization Program Notices (WPN) 23-1 and 23-3. Occupants of subsidized housing and shelters may also be eligible for Weatherization services. However, not all income-eligible applicants may qualify to receive Weatherization services due to provisions under the Walk Away/Deferred Assistance policy and the Re-Weatherization rule. Through this process, Wyoming ensures that clients meet both income and building eligibility requirements as pursuant to 10 CFR Section § 440.16(a).

To meet the eligibility requirements, a household must provide documentation that the combined household income meets the income guidelines referenced above. Clients on the waiting list must re-qualify after twelve months based on their current income and household size at the time of re-application.

"Disabled" means any individual (1) who is a disabled individual as defined in Section 7(6) of the Rehabilitation Act of 1973, (2) who is under a disability as defined in Section 1614 (a) (3)(A) or 223(d)(1) of the Social Security Act or in Section 102(7) of the Developmental Disabilities Services and Facilities Construction Act, or (3) who is receiving benefits under Chapter 11 or 15 of Title 38, U.S.C. "Elderly" means any individual aged 60 years or older. "Young Child" means any child age 5 and under. Priority is given to households containing members who meet one or more of these definitions. Additionally, priority is given to high energy users.

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Upon receipt of a WAP/LIEAP application that is for, or otherwise involves in any way, an agency employee, relative of an employee, extended family member or governing board member, local Weatherization agencies must notify the State LIEAP/WAP Program Manager before the application is approved. This applies to both personal Weatherization applications as well as applications for Weatherization of rental units owned or occupied by an agency employee, relative of an employee, or governing board member. In these instances, the State Program Manager may either take responsibility for qualifying the applicant, prioritizing the application and conducting the energy audit and determining which local agency shall perform the Weatherization work; or, the State Program Manager may designate another independent local agency to fulfill these responsibilities.

Describe the process for ensuring qualified aliens are eligible for weatherization benefits

With regard to qualified aliens receiving weatherization benefits, Wyoming follows guidance provided by Health and Human Services (HHS) regarding restrictions on immigrant eligibility. This guidance can be found by going to <https://www.acf.hhs.gov/ocs/policy-guidance/liheap-im-97-25-guidance-federal-means-tested-public-benefits-under-welfare>

Definition of Qualified Aliens:

Qualified aliens include:

- Legal Permanent Residents
- Asylees
- Refugees
- Aliens paroled into the U.S. for at least one year
- Aliens whose deportations are being withheld
- Aliens granted conditional entry (prior to April 1, 1980)
- Battered alien spouses, battered alien children, the alien parents of battered children, and alien children of battered parents who fit certain criteria
- Cuban/Haitian entrants
- Victims of a severe form of trafficking

For purposes of verifying United States (U.S.) citizenship status and qualified alien status, Wyoming follows guidance issued under Attorney General (A.G.) Order No. 2129-97 from the U.S. Department of Justice (DOJ) pertaining to "Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996," which may be referenced at <https://www.govinfo.gov/content/pkg/FR-1997-11-17/html/97-29851.htm>

Wyoming also refers to guidance at <https://www.acf.hhs.gov/ocs/policy-guidance/liheap-im-hhs-guidance-use-social-security-numbers-ssns-and-citizenship-status>

V.1.2 Approach to Determining Building Eligibility

Procedures to determine that units weatherized have eligibility documentation

Unit Eligibility Documentation: Wyoming WAP expects sub-grantees to exercise caution in dealing with non-traditional type dwelling units such as shelters, apartments over businesses, etc. to ensure they meet all Program regulations on whether the unit is eligible for weatherization assistance. Any consideration of weatherizing these types of units must be discussed with the WAP Program Manager and with the Department of Energy (DOE) Project Officer to get approval prior to performing any weatherization work.

Not all income-eligible applicants may qualify to receive Weatherization services due to provisions under the Walk Away/Deferred Assistance policy and the Re-Weatherization rule. Through this process, Wyoming ensures that clients meet both income and building eligibility requirements as pursuant to 10 CFR Section § 440.16(a).

The DOE defines a dwelling unit as a "house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters," 10 CFR § 440.3. When an applicant who is income eligible but who does not reside in an eligible dwelling unit comes up, every effort shall be made to refer the applicant to other local, regional or state housing assistance providers when such providers exist.

Sub-grantees may weatherize a building containing rental dwelling units when: 1) the sub-grantee has obtained the written permission of the owner or his or her agent; 2) not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large multi-family buildings meeting WPN 22-5 requirements) of the dwelling units in the building are income eligible dwelling units, will become eligible dwelling units within 180 days under a Federal, State, or Local government program for rehabilitating the building or making similar improvements to the building, and 3) in accordance with the Wyoming WAP Multi-Family Policy and Procedures which ensures that:

- The benefits of weatherization assistance in connection with such rental units, including units where the tenants pay for their energy through their rent, will accrue primarily to the low-income tenants residing in such units;
- For a reasonable period of time after weatherization work has been completed on a dwelling containing a unit occupied by an eligible household, the tenants in that unit (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed; and,
- No undue or excessive enhancement shall occur to the value of the dwelling units.

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For the purpose of determining how many dwelling units exist in a shelter, sub-grantees may either count each 800 square feet of the shelter as a dwelling unit or it may count each floor of the shelter as a dwelling unit.

Determining building eligibility can be done by 1) the traditional method of collecting income and demographic information from each tenant, or 2) identifying properties that have been deemed income-certified by HUD per the property certification procedures outlined in WPN 22-5. Further guidance on determining building eligibility is available in WPN 22-12 and WPN 22-13.

No funds shall ever be used to weatherize a dwelling unit which is known to be vacant or designated for acquisition or clearance by a federal, state, or local program within 12 months from the date weatherization of the dwelling unit would be scheduled to be completed; or, to purchase purely cosmetic items for the sole purpose of enhancing the appearance of the dwelling unit. A unit is not eligible for weatherization unless it is the present and primary residence of the applicant, and the applicant has no plans to move from the dwelling unit within the 12-month period following completion of the weatherization work.

Each WAP client file contains clear and comprehensive documentation regarding building eligibility, including pre- and post-retrofit photographs. Eligible buildings include: single family, manufactured housing, multi-family, and shelters.

Both the application and the LIEAP database now contain information regarding dates of weatherization completions, thus making it possible to track for purposes of re-weatherization. Each sub-grantee also keeps records regarding prior weatherization completions. Sub-grantee records can now be cross-referenced with State database records to further ensure that only those units eligible for re-weatherization receive subsequent weatherization services.

Wyoming adheres to all documentation and building eligibility requirements as specified in 10 CFR § 440.22. Wyoming has a signed Programmatic State Historic Preservation Office (SHPO) agreement in place to meet historic preservation requirements.

Describe Reweatherization compliance

Per WAP Memorandum 075:

Re-weatherization: Section 1011(h) of the Energy Act of 2020, amended 42 U.S. Code § 6865(c)(2) and removed the re-weatherization date, September 30, 1994, and created a “rolling” option.

The Consolidated Appropriations Act of 2021 amended 42 USC 6865(c)(2) to read as follows: “(2) Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as ‘previous weatherization’), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.” This provision gives Grantees the flexibility to revisit those homes weatherized 15 years prior that may not have received the full complement of Weatherization services, including the use of an advanced energy audit or addressing health and safety concerns.

Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as ‘previous weatherization’), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.

o The inclusion of “other Federal programs” includes all Federal funds including LIHEAP, HUD, or USDA “weatherization” activities.

Wyoming tracks all Weatherization completions in a State database and has updated the tracking system to provide 15 year alerts. The tracking system was updated in July of 2022 to provide the 15 year alerts. All Sub-grantee agencies also track all completions. This provides a valuable cross reference.

Describe what structures are eligible for weatherization

Eligible Structures: Pursuant to 10 CFR § 440.22, Eligible Dwelling Units are as follows:

(a) A dwelling unit shall be eligible for weatherization assistance under this part if it is occupied by a family unit:

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- (1) Whose income is at or below 200 percent of the poverty level determined in accordance with criteria established by the Director of the OMB,
- (2) Which contains a member who has received cash assistance payments under Title IV or XVI of the Social Security Act or applicable state or local law at any time during the 12-month period preceding the determination of eligibility for weatherization assistance; or
- (3) If the State elects, is eligible for assistance under the Low Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the OMB.
- (b) A sub-grantee may weatherize a building containing rental dwelling units using financial assistance for dwelling units eligible for weatherization assistance under paragraph (a) of this section, where:
- (1) The sub-grantee has obtained the written permission of the owner or his/her agent;
- (2) Not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large multi-family buildings) of the dwelling units in the building:
- (i) Are eligible dwelling units, or
- (ii) Will become eligible dwelling units within 180 days under a Federal, State or Local government program for rehabilitating the building or making similar improvements to the building; and
- (3) The grantee has established procedures for dwellings which consist of a rental unit or rental units to ensure that:
- (i) The benefits of weatherization assistance in connection with such rental units, including units where the tenants pay for their energy through their rent, will accrue primarily to the low income tenants residing in such units;
- (ii) For a reasonable period of time after weatherization work has been completed on a dwelling containing a unit occupied by an eligible household, the tenants in that unit (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed;
- (iii) The enforcement of paragraph (b)(3)(ii) of this section is provided through procedures established by the State by which tenants may file complaints, and owners, in response to such complaints, shall demonstrate that the rent increase concerned is related to matters other than the weatherization work performed; and
- (iv) No undue or excessive enhancement shall occur to the value of the dwelling units.
- (v) For buildings identified under paragraphs (b)(4)(i), (ii) and (iii) of this section, States will continue to be responsible for ensuring compliance with the remaining requirements of this section, and States shall establish procedures to ensure such compliance in accordance with this section.
- (c) In order to secure the Federal investment made under this part and address the issues of eviction from and sale of property receiving weatherization materials under this part, Wyoming uses a Landlord Agreement and this Agreement must be signed prior to performing weatherization work to a rental dwelling. Wyoming WAP will accept landlord contributions, however; they are not required except in the case of large multi-family type buildings. Wyoming WAP requires the building owner to contract with a qualified multi-family energy auditor to conduct the energy audit of the building. The building owner is responsible for the cost of the multi-family energy audit and for providing the audit report to the Wyoming WAP sub-grantee.
- (d) As a condition of having assistance provided under this part with respect to multifamily buildings, a state may require financial participation, when feasible, from the owners of such buildings. Such financial participation shall not be reported as program income, nor will it be treated as if it were appropriated funds. The funds contributed by landlords shall be expended in accordance with the agreement between the landlord and the weatherization agency.
- (e) In devising procedures under paragraph (b)(3)(iii) of this section, states should consider requiring use of alternative dispute resolution procedures including arbitration.
- (f) A state may weatherize shelters. For the purpose of determining how many dwelling units exist in a shelter, a grantee may count each 800 square feet of the shelter as a dwelling unit or it may count each floor of the shelter as a dwelling unit.
- The Wyoming WAP approach to building eligibility is in full compliance with 10 CFR 440.22 and current DOE guidance.
- Wyoming WAP adheres to Historic Preservation requirements through a programmatic agreement between the Wyoming WAP and the State Historic Preservation Office (SHPO). Client files include SHPO documentation.
- The weatherization of non-stationary campers and trailers that do not have a United States Postal Service-recognized mailing address associated with the eligible applicant's physical address is not allowed. The use of a post office box for a non-stationary camper or trailer does not meet this requirement. DOE funds will not be used to weatherize these types of dwelling units.

Describe how Rental Units/Multifamily Buildings will be addressed

Rental Units: Rental units and multifamily buildings will be addressed in accordance with 10 CFR § 440.22(b)(2) and the Wyoming WAP Multifamily Policy and Procedures.

Certain buildings containing rental units may comply with the income eligibility requirements when 50 percent of those dwellings are eligible dwelling units rather than the 66 percent identified in 10 CFR § 440.22(b)(2) which allows for weatherization of the whole building. The buildings that are subject to the 50 percent threshold are duplexes, four-unit buildings, and certain eligible types of large multifamily buildings. In the final rule published on December 8, 2000, DOE provided guidance on what types of large multifamily buildings may be subject to the 50 percent threshold (65 Fed. Reg. 77210, Dec. 8, 2000).

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DOE has indicated that "certain eligible types of large multifamily buildings" are those buildings for which an investment of DOE funds would result in a significant energy-efficiency improvement because of the upgrades to equipment, energy systems, common space, or the building shell. By providing this flexibility, sub-grantees are better able to select the most cost-effective investments and enhance their partnership efforts in attracting leveraged funds and/or landlord contributions. This flexibility does not apply to any other type of multifamily unit. All questions regarding whether a building meets the criteria are directed to the DOE Project Officer.

The definition of "significant energy improvement" as it pertains to this section is based on specific criteria for the building in question. This must be assessed using existing conditions to determine the threshold to achieve significant energy improvements.

The Wyoming WAP sub-grantees shall use caution when utilizing flexibility as described above. And, with regard to multifamily and rental units, Wyoming WAP adheres to the following WPNs: 22-5, 22-12, and 22-13.

Multifamily weatherization can be challenging due to complexities that exist only within multifamily buildings from differences in eligibility, to managing average cost per unit, to properly accounting for leveraged resources. WPN 22-12 addresses topics that only apply to multifamily; while related Guidance may be relevant to all housing types. DOE's purpose in issuing additional guidance is to eliminate confusion at all levels of the Program while ensuring that consistent guidance and technical assistance is available to Grantees and Sub-grantees weatherizing multifamily buildings.

Guidance specific to Weatherization of Rental Units is addressed in a separate program notice WPN 22-13.

DEFINITION: For WAP, a multifamily building is any residential building containing two or more units.

Residential buildings with 25+ units or are more than three stories are usually referred to as large multifamily buildings;
Residential buildings with 5-24 units that are 3-stories or fewer are usually referred to as small multifamily or low-rise multifamily buildings; and,
Multi-unit buildings with fewer than 5 units are called 2-4 unit buildings.

GUIDANCE: This guidance covers the following:

Prioritizing Weatherization Work Based on Housing Type;
Multifamily Building Eligibility;
Property Listings for Use in the Weatherization Assistance Program;
Average Cost Per Unit in Multifamily Dwellings;
Buy Downs and Leveraging; and,
Documentation Requirements.

Prioritization Guidance:

To meet the purpose of WAP, Wyoming ensures weatherization services are provided to low-income persons that live in all types of housing (i.e., site built single-family, manufactured housing units, and multifamily buildings).

Multifamily buildings, including rental housing, offer opportunities for energy efficiency upgrades that are a cost-effective approach to lowering operating expenses, maintaining affordability, and creating healthier, more comfortable living environments for low-income families.

Wyoming understands that weatherization is designed to take place with a whole building as a system approach (10 CFR 440.22(b)). A single unit within a multi-unit building is not categorically excluded, but, due to the rare instances when this is allowable, DOE Project Officer (PO) prior approval is required.

Essential elements of the Wyoming WAP approach to addressing eligibility of rental units and multifamily buildings follow below:

1. Before a rental unit may be determined to be an eligible dwelling unit, a landlord agreement is sent to the owner and must be returned signed by the landlord before the unit may be considered for weatherization assistance. This agreement is the vehicle by which the owner's permission to perform work on the dwelling is secured as well as the vehicle by which the regulations regarding the weatherization of rental units are outlined for the owner and tenant.
2. Both the application and the landlord agreement stipulate that the benefits of weatherization assistance accrue primarily to the low income tenants residing in the unit.
3. Application documents, as well as the landlord agreement, state that "the household will not be subject to rent increases ("unless those increases are demonstrably related to other factors than the weatherization work performed.")
4. Application documents and applicant letters of approval/denial include language regarding clients rights and appeal/complaint procedures.
5. Application documents and the landlord agreement stipulate that no undue enhancement shall occur to the value of the dwelling unit.
6. Wyoming utilizes the landlord agreement form to secure the federal investment. Wyoming WAP stipulates that the property may not be sold or be expected to sell within the 12 month period following the weatherization work. We also stipulate that tenants shall not be evicted after weatherization so that the landlord may increase rents. Landlords must show that eviction is not related to the weatherization assistance received by the tenant.

Wyoming does not have many large multifamily buildings due to the rural nature of the state. However, we do have a Multifamily Policy and Procedure document in place in the event such a building would present for consideration. Multifamily dwelling units make up less than 20% of State of Wyoming housing stock.

Describe the deferral Process

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Deferral Process: Deferral may be necessary if health and safety issues cannot be adequately addressed according to WPN 22-7 guidance, or when a building does not meet building eligibility requirements. The decision to defer work in a dwelling can be difficult, but is necessary in some cases. This does not mean that assistance will never be available for a deferred dwelling, but that work must be postponed until the problems can be resolved and/or alternative sources of help are found. In the judgment of the auditor, any conditions that exist which may endanger the health and/or safety of the workers or occupants should prompt the work to be deferred until the conditions are corrected. Deferral may also be necessary where occupants are uncooperative, abusive, or threatening.

Per Wyoming's Health and Safety Plan, a dwelling unit should not be weatherized where there is a major code violation or where there is a potentially harmful situation that may adversely affect the occupants or the WAP agency's crew and/or other staff. When such issues are identified, the owner/occupant is notified verbally and in writing; and, only after the owner/occupant satisfactorily resolves the issue(s) shall any weatherization work begin. The crew must declare their intent to defer weatherization work on an eligible dwelling unit on the energy audit worksheet. The audit worksheet shall include the applicant's name and address, dates of the audit/assessment, date the client was informed, a clear description of the identified issues, a clear description of the conditions under which weatherization work could begin/continue, a clear description of the responsibilities of all parties involved, and the applicant's signature indicating that s/he was informed of her or his rights and options, and that s/he understands the issues and her or his responsibilities. A copy shall be given to the applicant, a copy shall be placed in the client file, and a copy shall be forwarded to the State Program Manager.

Should an applicant request a second opinion on a deferral or walk-away, the weatherization agency is encouraged to contact their local county health, building, electrical, fire, or other city/county inspector to request an independent inspection of the site. Should the applicant refuse to have another inspector inspect the unit, the crew will note the refusal in the client file, and no work shall be performed on the unit at that time. If, after an outside inspection, the inspector deems that the work pending deferral can and should be completed, crews and weatherization agencies are encouraged to work with the outside inspector's suggestions to make the improvements. However, the outside inspector does not make the final determination on the amount, cost of work, or measures applied to the unit. Should the weatherization agency deem the suggestions financially or programmatically beyond the scope of the WAP, the weatherization crew may document their justifications and still defer weatherization work to the unit.

Weatherization crew members or other weatherization agency staff who choose to work on a unit that could or should be a deferral, do so at their own risk. However, putting occupants at further risk as a result of doing the work is never allowable. The Wyoming Department of Family Services (DFS) WAP does not require, expect, or encourage weatherization crews to work in unsafe or unhealthy conditions. Deferral conditions may include, but are not limited to:

1. The client, or other household member, has known health conditions that prohibit the installation of certain types of weatherization materials. Crews should explore alternative allowable materials before taking deferral steps.
2. The building structure or its mechanical systems, including electrical and plumbing, are in such a state of disrepair that failure is imminent and the conditions cannot be resolved cost effectively or within the scope of the WAP guidance.
3. The house has raw sewage, excessive animal feces, or other sanitation problems that would further endanger the client and weatherization crews if the weatherization work were performed under those existing conditions.
4. The house has been condemned; or, electrical, heating, plumbing, or other equipment has been "red tagged" by local, county, or state building officials or utilities due to safety or code issues.
5. Moisture problems that are so severe they cannot be resolved under existing health and safety measures or as incidental minor repairs. Wyoming is a semi-arid state, so deferrals for severe moisture issues will be rare. However, this does not mean there are no mold or moisture issues in Wyoming.
6. Dangerous conditions exist due to high carbon monoxide (CO) levels associated with combustion appliances which cannot be resolved under existing health and safety measures and guidance.
7. The client is uncooperative, abusive, hostile, or threatening to the crew, sub-contractors, auditors, inspectors, or others who must work on, or visit the home.
8. The extent and condition of lead-based paint in the house would potentially create increased health and safety hazards for both the occupants and workers.
9. If, in the judgment of the energy auditor, any condition exists which may endanger the health and safety of the workers or sub-contractors, the work should not proceed until the identified issues are satisfactorily corrected.
10. If a serious mold condition is discovered during the initial assessment/audit of the home and cannot be adequately addressed within the scope of the WAP, the unit will be referred to the appropriate public or non-profit agency for remedial action. Wyoming weatherization agencies shall defer work on the home until another funding source or the owner completes mold remediation. Wyoming weatherization crews shall distribute the pamphlet from the U.S. Environmental Protection Agency (EPA), Indoor Environmental Division (IED), "A Brief Guide to Mold, Moisture, and Your Home" to clients whose homes have a moisture and/or serious mold problem. The pamphlet can be found at <http://www.epa.gov/iaq/molds/images/moldguide.pdf>.
11. The client cannot be reached at the telephone number on file due to the service being disconnected or due to client unavailability.
12. The client refuses to allow energy auditor(s) access to all areas of the home necessary to conduct the comprehensive energy audit.
13. Presence of animals which pose a risk to the weatherization workers. The work may be deferred until such animal threats have been secured adequately enough to no longer pose a threat.
14. Unable to gain access to the area to perform the work. The work may be deferred until the blocked access is cleared to allow the necessary access to perform the work.
15. The client refuses access due to COVID-19 related concerns. Wyoming has created a COVID-19 checklist as well as COVID-19 screening questions to assist crew members in making decisions to defer due to COVID-19 related issues.

Wyoming has a standard template/sample deferral/referral letter that weatherization agencies use to create the deferral notice that is sent to the client when conditions so warrant.

Wyoming will, when feasible, make allowable and cost effective repairs to homes to render them weatherization-ready and avoid deferral. These repairs will be made in accordance with the Wyoming WAP Weatherization Readiness Fund (WRF) Plan and WPN 23-4.

V.1.3 Definition of Children

Definition of children (below age): 6

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V.1.4 Approach to Tribal Organizations

☒ Recommend tribal organization(s) be treated as local applicant?

If YES, Recommendation. If NO, Statement that assistance to low-income tribe members and other low-income persons is equal.

Approach To Tribal Organizations: The Wind River Indian Reservation (located in Fremont County) has an active weatherization program serving the Northern Arapaho Tribal members residing on the Wind River Reservation, in accordance with 10 CFR 440.13 (b). The Eastern Shoshone Tribal members, both on the Wind River Reservation and outside of the Reservation, shall receive Weatherization services through the State WAP. Northern Arapaho Tribal members residing outside of the Reservation shall receive WAP services from the State WAP. Members of both tribes shall receive services in an equitable manner to low-income clients statewide, in accordance with 10 CFR 440.16(f).

Wyoming WAP adheres to guidance issued in 10 CFR 440.16(f); 10 CFR 440.13(b); and, 10 CFR 440.12(b)(5).

V.2 Selection of Areas to Be Served

Areas Served: All eligible local Weatherization agencies were selected on the basis of open and competitive bid, public comment, experience, availability of certified energy auditors, current Weatherization performance and experience in serving low-income households in accordance with 10 CFR § 440.15. All local Weatherization agencies in Wyoming are either private non-profit entities or community action agencies as defined in 10 CFR § 440.15 and 10 CFR § 440.3. Wyoming WAP is in accordance with 10 CFR 440.14(c)(6)(ii).

Being an eligible Weatherization agency in no way guarantees ongoing funding due to reduction of funds, program changes, lack of compliance, downsizing, etc. All program allocations are grants and do not represent an entitlement in any way.

On-going eligibility to provide Weatherization services in the future shall be determined by:

1. Sufficient statewide funding levels are available that can justify the Weatherization funding of that agency.
2. Technical expertise of the agency. Each agency must have staff trained and qualified to conduct energy audits, perform furnace inspection and testing, do blower door tests, provide quality control final inspections by certified quality control inspectors, and implement other vital technical aspects of the program.
3. Evidence that the entity can operate a year round and adequately staffed program based upon projected funding levels, including carryover funds when applicable. This includes being able to keep year round staff that have the critical technical expertise described above.
4. Ability to serve all parts of the service area of the agency.
5. Availability of adequate and knowledgeable program management and financial experience needed to meet program regulation and reporting requirements.
6. Ability to meet all required performance and production requirements.
7. Ability to respond to fair, transparent, and competitive Requests For Proposals (RFP) when applicable.
8. Possession of required certifications and/or detailed plans for meeting certification requirements.

The State of Wyoming ensures funds will be allocated on an equitable basis based on low-income population projections by county per most recent census figures. The sub-grantee funding formula is based on county population-based LIHEAP eligibility (which meets at least 200% of Federal Poverty Level (FPL) as required by the DOE), square miles of service, population over sixty (60) years of age, DFS welfare services data, and heating degree days in the service area. This is in accordance with 10 CFR § 440.14(c)(6)(ii).

The Wyoming WAP provides service to all 23 counties of the State of Wyoming. The Council of Community Services (CCS) serves a 5 county area in northeastern Wyoming. Wyoming Weatherization Services (WWS) provides service to 18 counties from 8 field office locations. Wyoming Weatherization Services also has the responsibility to provide services to the Eastern Shoshone Tribe on the Wind River Indian Reservation. These are the current sub-grantees. If necessary to change any sub-grantees listed here, or to add sub-grantees, when the outcome of any Request For Proposals issued subsequent to the approval of this State Plan changes or adds sub-grantee agencies and/or territories, Wyoming will amend this State Plan accordingly.

V.3 Priorities

Priorities: Priority shall be given to identifying and providing Weatherization assistance to elderly and disabled low-income persons, those households with children under the age of six, and to households with high energy use and high energy burden. This is in accordance with 10 CFR § 440.16 (b) (1) (2) (3) (4) (5).

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Priority is given to identifying and providing weatherization services to:

1. Elderly persons (defined as age 60 and older);
2. Persons with disabilities;
3. Families with children under age 6 in the home; and,
4. High residential energy users; and
5. Households with a high energy burden

According to 2021 population estimates, 17.9% of Wyoming's population was aged 65 years and older. The share of the population that is 65 and older increased from 12.5% in 2010 to 17.9% in 2021. To ensure that the elderly receive priority, this plan establishes a goal of completing a minimum of 30% of the DOE units for households in which at least one occupant is aged 60 years or older. Sub-grantees are encouraged to complete this goal early in the grant period. The 2021 population projections also estimate that 6.1% of Wyoming's population is under age six (6). The share of the population that is 0 to 4 years old decreased from 7.1% in 2010 to 5.6% in 2021. <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/wyoming/> To ensure households with children under age 6 receive priority consideration, this plan a goal of completing a minimum of 30% of the DOE units in which at least one occupant is under age 6.

107,514 adults in Wyoming have a disability. This is equal to 24% or 1 in 4 adults in Wyoming. <https://www.cdc.gov/ncbddd/disabilityandhealth/impacts/wyoming.html> The goal completion rate for this group is 30%. To ensure that disabled adults receive priority consideration, the goal completion rate for this group is also 30%.

The Weatherization Assistance Program in Wyoming is designed to assist in achieving a healthful dwelling environment and maximum practical energy conservation in the dwellings of persons of low income. Persons with disabilities, the elderly population, and young children under the age of six are given priority. Efforts are also made to serve high energy users and achieve maximum energy savings. Homeowners and renters are equally eligible for program-provided services. The LIEAP/WAP application contains the information necessary for assigning priority points.

Production goals for the elderly and disabled are based on the most recent census data. Wyoming's total 2023 population is estimated at 583,279.

Consideration of "high residential energy users" (as defined in 10 CFR § 440.3) will be in combination with the other listed categories for priority consideration.

Sub-grantees will be allowed to re-weatherize no more than three percent (3%) of previously weatherized units with DOE money; however, it is not mandatory that funds be expended for re-weatherization if an abundance of never-served eligible clients exists. A priority has been established to focus on the elderly, persons with disabilities and homes with young children. The re-weatherization will focus on units which did not receive sidewall insulation, and roof and belly insulation in mobile homes.

All weatherization measures for Wyoming are guided by a DOE-approved Energy Audit. Wyoming WAP uses the National Energy Audit Tool (NEAT) for single family dwellings and the Manufactured Home Energy Audit (MHEA) for manufactured housing. This requirement ensures that all weatherization measures installed will yield the highest payback for the funds invested. Individuals receiving Weatherization assistance within the last 12 months while residing at another residence shall receive assistance at their present residence after all other applicants currently on the waiting list have been assisted. Applicants waiting more than twelve months to receive assistance shall be required to re-qualify for the next program year.

In Wyoming, all households shall be placed on a wait list based on a priority point system calculation. Those households with higher total priority points shall be served first. Those households with lower total priority points will be lower on the wait list and shall be served in the order they appear on the wait list. There is no guarantee that every household on the wait list will receive weatherization assistance.

In the case where remote locations exist, geographic or county-by-county grouping of applicants for priority may be done for efficient use of travel and personnel funds, as long as overall county-by-county production is not negatively affected by this practice.

SUGGESTED PRIORITY SYSTEM RATING

Since October 1, 1994, income eligibility for the WAP has been determined by the LIEAP contractor's intake workers through a dual application process. Once determined income eligible, the application is marked approved and made available to the Weatherization local agency staff for further eligibility determination. The weatherization outreach worker will be able to figure the first phase of client priority points from information on the application. The second phase will be figured by taking the total energy usage from the fuel bills (for the past twelve months). The total energy usage will then be transferred to the worksheet titled CLIENT PRIORITY DETERMINATION FORM and the total priority points can be figured. The work order priority points will be used to determine the order in which weatherization clients will be energy-audited and weatherized. Energy usage information must be gathered before the priority forms can be completed. When sub-grantees are unable to get adequate energy usage documentation from the client or utility, the sub-grantee shall contact the LIEAP contractor to get the energy usage information.

WORK PRIORITY INFORMATION

1. Applicant age: Age 70 or above _____ (20 points)
Age 60-69 _____ (15 points)
2. Applicant Health: Disabled _____ (25 points)
3. Children < age 6: Give (15 points) for each child in household under six years of age

USE TOTAL POINTS OF ITEMS ONE THROUGH FIVE TO PRIORITIZE JOB ENERGY AUDITS.

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4. Energy Usage Priorities (determined from fuel histories obtained from fuel suppliers; to determine average energy usage for comparison point, the Energy Administration Information (EAI) 2009 Residential Energy Consumption Survey [RECS] identified the national average home energy consumption at 89.6 million British thermal units [mmBtu] and the Wyoming average home energy consumption at 105 mmBtu per housing unit)

> 134 mmBtu = 40 points	125 - 134 mmBtu = 35 points
115 - 124 mmBtu = 30 points	106 - 114 mmBtu = 25 points

Deviation from the suggested formula requires prior written approval from the State of Wyoming LIEAP/WAP Program Manager. Housing type is not a recognized priority under the DOE regulations, and use of housing type as a priority may be contrary to the requirement for high residential energy users to be considered as a priority in evaluating service delivery ranking of eligible households. Therefore, Wyoming shall not discriminate due to the type of home where the low-income family lives.

V.4 Climatic Conditions

Climate: Wyoming's most noted features are its majestic mountains and high plains. The mean elevation is approximately 6,700 feet above sea level and even without the mountains included, the average elevation for the southern part of the State is in excess of 6,000 feet, while parts of the northern regions are about 2,500 feet lower. Wyoming's lowest point at 3,125 feet is near the northeast corner where the Belle Fourche River crosses over into South Dakota. The highest point is Gannett Peak at 13,785 feet located in the Wind River Range in the west-central part of the State.

Because of its elevation, Wyoming has a relatively cool climate and ranks 41st in the United States with an annual average of 45.6 degrees Fahrenheit. The warmest parts of the state are the lower portions of the Bighorn Basin, the lower elevations of the central and northeast, and along the eastern border.

During winter months, it is characteristic to have rapid and frequent changes between mild and cold spells. Usually, there are up to 10 cold waves that hit the state but frequently less than half that number for any one location in Wyoming. The majority of cold waves move southward on the east side of the Continental Divide.

Wyoming's mountain ranges lie mostly in a north-south direction, putting them perpendicular to the prevailing westerly's. Thus, the mountain ranges in Wyoming provide barriers that force the air currents coming in from the Pacific Ocean to rise and drop much of their moisture along the western slopes. East of the mountains, the State is considered semi-arid. While there are many mountain ranges, the mountains themselves cover less area in Wyoming than the high plains. This topography combined with the variations in elevation make it hard to divide Wyoming into homogeneous, climatological areas.

Wyoming's weather and geography directly affect energy consumption in homes. Heating degree days is a climatic statistic that can be used to reflect the severity and length of the heating season. Basically, heating degree days represent the number of hours over the course of a year that the outside air temperature is below 65 degrees Fahrenheit (it can then be divided For the period by 24 to present the statistic in terms of the number of days).

The state of Wyoming is primarily a heating climate. When using the NEAT or MHEA energy audit, heating is a far more significant factor than cooling in determining energy conservation measures. In nearly every instance, the heating loads require more comprehensive measures than cooling loads. The NEAT was developed for use in site-built residential homes, and the MHEA was developed for use in mobile and manufactured homes. The Wyoming WAP is approved to use both of these audit tools.

Wyoming Weather Data can be viewed at

<http://www.wrds.uwyo.edu/sco/climateatlas/temperature.html>

V.5 Type of Weatherization Work to Be Done

V.5.1 Technical Guides and Materials

All weatherization work completed under the Wyoming DOE-funded WAP must follow the standards and guidelines set forth in the Wyoming Standard Work Specifications (SWS) Technical Weatherization Field Guide. This online guide aligns with the Standard Work Specifications (SWS) and has been approved by DOE and provided to all sub-grantees. **All work completed with DOE WAP funds will be consistent with the DOE approved energy audit (NEAT/MHEA) and 10CFR 440 Appendix A. The NEAT audit will be used with site built single family homes and the MHEA will be used for manufactured housing.**

In accordance with WPN 22-4, all DOE-funded tasks performed on eligible client homes must meet the specifications, objectives and desired outcomes outlined in the SWS for Home Energy Upgrades where applicable. "Applicable" tasks are those tasks that are addressed in the SWS for Home Energy Upgrades for single family, multifamily, and/or manufactured/mobile homes. Tasks that are not listed in the SWS are not subject to this requirement.

All weatherization work completed must meet or exceed all local and state building codes and comply with DOE guidelines. The following activities fall within the scope of this program and shall be considered for weatherization:

1. Caulking and weather-stripping of doors, windows, and other appropriate areas;
2. Furnace efficiency modifications limited to:

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- Replacement burners designed to increase the energy efficiency of the heat system;
 - Devices for modifying flue openings to increase energy efficiency of the heat system;
 - Electrical or mechanical furnace ignition systems to replace standard gas pilot lights;
 - Furnace inspection, safety and tune-up procedures;
 - Duct testing and sealing;
 - Insulate ducts and heating pipes;
 - Replacement of diffusers, registers and air filters;
 - Installation of vent dampers;
 - Installation of programmable thermostats;
3. Wall, floor, ceiling, attic, and foundation insulation plus other building shell measures:
- For American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62.2 (2016) requirements, Wyoming is using the alternative compliance protocols allowed for ASHRAE 62.2 (2016) and we are using the Residential Energy Dynamics (RED) ASHRAE 62.2 (2016) Ventilation Calculation Tool. The RED has been updated to meet ASHRAE 62.2 (2016) standards.
 - Repair or replace primary windows and doors if audit shows a Savings-To-Investment-Ratio (SIR) of one or greater;
 - Install storm windows and doors as above;
 - Minor incidental repairs to enable installation of energy efficiency measures;
4. Water heater insulation;
5. The following insulating or energy conserving devices or technologies are also authorized:
- Materials used as a patch to reduce air leakage through the building envelope;
 - Water flow controllers;
 - Materials used for heating system tune-ups, repairs and other energy efficiency modifications;
 - Vapor barriers;
 - Materials and measures to improve attic ventilation and/or indoor air quality;
 - Pipe and boiler insulation;
 - Materials used for water heater modifications which will increase energy efficiency;
 - Minor trailer skirting repair work to preserve an installed energy efficiency measure;
 - Heat exchangers;
 - Hot water heat pumps;
 - Waste heat recovery devices;
 - Furnace and modification equipment/materials;
 - Replacement furnaces and boilers (replacement of furnaces that are 30 or more years old is allowed and replacement is allowed if the replacement will result in a significant SIR; Replacement of furnaces is also allowed, regardless of furnace age, when furnace no longer functions or when furnace presents a health and safety issue;
 - Wood/pellet stoves;
 - Ventilation equipment;
 - Replacement refrigerators (replacement refrigerators must show a significant SIR and replacements will not have ice and water features in the door);
 - Renewables as allowed by DOE guidance and regulations;
 - Install motor controls such as variable speed drives;
 - Convert incandescent lighting to compact fluorescent light (CFL), or light-emitting diode (LED) lighting;
 - Other materials listed in Appendix A of 10 CFR § 440 dated 02/01/2002;
6. Health and safety measures, including:
- Installation of smoke and carbon monoxide alarms/monitors;
 - Repair or replace vent systems on fossil-fuel-fired heating systems and water heaters to ensure that combustion gases draft safely to the outside;
 - Providing intentional mechanical ventilation as necessary per ASHRAE 62.2 (2016) standards;
 - Other health and safety measures as allowed per WPN 22-7.

DOE has determined the following activities included in the WAP Administrative and Legal Requirements Document (ALRD) 2022 are categorically excluded from further National Environmental Policy Act (NEPA) review, absent extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to a particular project, and adhere to the applicable State's programmatic agreement with the cognizant State Historic Preservation Office (SHPO).

1. Administrative activities associated with management of the designated Weatherization Office and management of programs and strategies in support of weatherization activities.
2. Development and implementation of training programs and strategies for weatherization efforts, including initial home audits, final inspections and client education.
3. Purchase of vehicles and equipment needed for weatherization audits.

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4. Weatherization activities provided that projects apply the restrictions of each state's programmatic agreement with SHPO, and are limited to:

- Installation of many types of insulation;
- Air sealing (caulk, door sweeps, weather-stripping, etc.);
- Heating and cooling system safety checks (clean and tunes);
- Efficiency Modifications (burner retrofits, replacement of controls - thermostats, valves, and adjustments, and replacement of heating and cooling systems);
- Energy Efficiency retrofits (replacement of heating and cooling systems including domestic hot water heaters);
- Duct modifications and sealing (duct repairs and additions);
- Multi-family building controls and efficiency improvement (ranging from time clocks to heat recovery);
- Clean, repair and/or replace electric baseload appliances/fixtures (such as refrigerators, water heaters, and lighting);
- Conversion to Solar thermal installations, repairs and replacements;
- Energy-related health and safety measures including: carbon monoxide and smoke alarms; lead-safe (DOE WAP guidance) weatherization procedures and Environmental Protection Agency (EPA) Certified Renovator requirements; blower door testing (ventilation and exhaust); combustion appliance safety inspections;
- Incidental and necessary energy-related repairs and replacements including: repair and replacement of damaged windows and doors and minor electrical and plumbing repairs.

For activities/projects requiring additional NEPA review, States must complete the environmental questionnaire <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review has been completed and that the Contracting Officer has approved the activities prior to initiating the project or activities.

Fuel conversion, or fuel switching, shall only be allowed on a case-by-case basis and cost effectiveness must be documented and approved in advance by the State Program Manager. An SIR of 1 or greater must be obtained and documented. Approval from the State Program Manager is not required for necessary furnace replacements, unless the total cost exceeds \$6,500. Justification for the furnace replacement must be well-documented in the client file.

Water heaters may be replaced on a case-by-case basis. Repairing and cleaning water heaters is allowable. This is in concurrence with WPN 22-7 and the Wyoming WAP Health and Safety Plan. DOE funds may not be used to replace cook stoves per WPN 22-7. However, sub-grantees may address cook stoves that pose a serious health and safety risk utilizing LIEAP WAP funds. This allowance is based on historical data and experience which suggests that it is not uncommon to find cook stoves operating unsafely in Wyoming's WAP housing stock. Additionally, cook stoves installed in Wyoming are typically not calibrated correctly for Wyoming's altitudes. An additional justification for allowing cook stove repair or replacement with non-DOE funds as an allowable health and safety measure is that many of our clients will resort to trying to heat their homes with their cook stoves when they experience a heat loss emergency during severe cold spells. While we do not recommend cook stoves as a form of safe home heat, and while we educate clients against using cook stoves for home heating, we also know that clients will resort to whatever heating appliance available to try to stay warm. Because of this, we would be remiss in leaving a cook stove in place that we know is emitting unsafe levels of carbon monoxide (CO) into the home.

- Each unit must receive a quality control final inspection by a certified quality control inspector (QCI) before it can be counted as a completion, and crews shall be required to clean up work sites before leaving. All weatherization work shall be audit-based using the DOE approved audit, and in accordance with 10 CFR 440 Appendix A and Supplemental Approval of Wyoming's Energy Audit Procedures for Site-Built Single Family and Manufactured Housing for the WAP: Adding LED lighting as Approved Material per WPN 19-4.

Requests For Proposal (RFP) for the WAP Program include descriptions of all technical requirements and specifications and these requirements and specifications are also included in all sub-grantee contracts. Contract language used will be as follows: "Sub-grantee/Contractor must follow all requirements and specifications outlined in DOE WPN 22-4". Wyoming has already implemented the use of a receipt and acknowledgement form. This form will be used to verify and confirm that sub-grantees have read and acknowledged the expectations for work quality outlined in contracts.

Wyoming has updated all Monitor Forms, On-Site Inspection Forms, and pertinent WAP Forms to include and comply with all SWS and Quality Work Plan (QWP) requirements. Crews and the State Program Manager are using the updated forms.

Wyoming estimates that, under current funding levels, a minimum equivalent of eight (8) certified Quality Control Inspectors (QCIs) will be needed to ensure that every unit reported to DOE receives an inspection by a certified individual in program year 2022. Nine certified QCIs are currently in place. Other crew members are currently undergoing QCI training and are pending certification. Wyoming plans to follow the Independent Auditor/QCI option for administering quality control inspections. Accordingly, Wyoming will continue to complete grantee quality assurance reviews at a rate higher than the 5% minimum. Wyoming will conduct quality assurance reviews up to 10% of completed DOE units.

QCI inspections will be monitored for quality assurance purposes. Should a QCI certified inspector be identified as failing to adequately inspect to the most recently approved Wyoming SWS cross referenced Field Guide, the following protocol was developed to address such failure(s):

- Failures in initial year of conducting QCI inspections will prompt additional remedial training for the inspector.
- Initial year inspectors receiving remedial training for identified failures will be placed on a corrective action plan and will be monitored more frequently for the 6 month period following training.
- Inspectors who demonstrate repeated failures after remedial training and/or do not successfully complete a corrective action plan will be disqualified from performing future QCI inspections.

Wyoming WAP sub-grantee agencies will be responsible for assessing the readiness of employees that they intend to develop as certified QCIs. The QCI Home Energy Professional (HEP) Pre-Exam quiz has been provided to all current sub-grantees to assist them in this process. Additional QCIs will be phased in as necessary.

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Single-Family: Manufactured Housing: Multi-Family:
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V.5.2 Energy Audit Procedures

Audit Procedures and Dates Most Recently Approved by DOE

Audit Procedure: Single-Family Audit Name: NEAT Approval Date: 9/24/2021
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Audit Procedure: Manufactured Housing Audit Name: MHEA Approval Date: 9/24/2021

Audit Procedure: Multi-Family Audit Name: Approval Date:
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Comments

The State of Wyoming's energy audit procedures and Weatherization materials standards are in accordance with 10 CFR § 440.21(i) and WPN 19-4. Each local agency is required to have staff trained and qualified to conduct energy audits. Local agencies may also sub-contract for energy audit services if necessary.

Wyoming has been approved by DOE for the use of both the NEAT and MHEA, and is pending re-approval. These audit tools shall be used by all local agencies in determining the correct prioritization of weatherization improvements for each dwelling unit. Each audit analysis will remain in the client file. Prices paid for materials and labor is to be updated at least once yearly, or when a significant change in a factor occurs.

NEAT is a residential energy audit developed by Oak Ridge National Laboratories (ORNL) for the U. S. Department of Energy for use in the Weatherization Assistance Program. During program year 2023, the latest version of NEAT/MHEA Audit shall be used. MHEA is a manufactured home energy audit tool also developed by Oak Ridge National Laboratories (ORNL). Wyoming will also transition to the web-based NEAT/MHEA during PY 2023.

Wyoming plans to transition to the Web-based NEAT and MHEA v. 10 during program year 2023. Training on the web-based versions will be offered to Sub-grantee crews during the Fall 2023 WAP training. Use of the web-based audit tools will be fully implemented in accordance with DOE guidance.

When addressing multi-family dwellings, Wyoming shall require that the energy audit be sub-contracted by the building owner as a landlord contribution in most instances. See Wyoming's Multi-Family plan for more detail (attached). Wyoming's multi-family dwelling units are less than 20% of housing stock.

Manufactured Home Audits: Wyoming requires all sub-grantees to provide ongoing manufactured home audit and weatherization training to all crews to ensure that cost-effective measures are selected and installed in eligible manufactured homes. Wyoming uses MHEA for manufactured housing energy audits.

V.5.3 Final Inspection

Under no circumstances will a dwelling unit be reported to the State of Wyoming as completed until the local Weatherization agency, or its authorized representative, has performed a quality control final inspection and certified that all applicable work has been completed in a professional manner and in accordance with 10 CFR § 440.21(b). Final inspections of DOE funded units will be conducted by certified quality control inspectors. Each local agency shall implement internal control measures to insure that no dwelling unit will be reported to the State as complete until the local agency has performed a quality control final inspection and certified that all work has been completed in a professional manner in accordance with approved priority procedures. Documentation of the quality control inspector's certification credentials will be available in the client files.

All sub-grantee contracts will include language stating that sub-grantees must be in compliance with the Standard Work Specifications (SWS) and all requirements specified in WPN 22-4.

Field guides and standards are distributed electronically to sub-grantee agencies for distribution to their respective employees. Additionally, print copy field guides are distributed to sub-grantee agencies who, in turn, distribute to their respective employees. Field guides and standards training is included in our annual WAP training and updates are communicated and distributed via these trainings. The WAP program manager verifies that all necessary sub-grantee staff received current copies of the field guides and standards as part of annual monitoring. Wyoming also utilizes a Receipt and Acknowledgement Form to document receipt of important WAP guidance, field guides, and communications. Sub-grantee agencies are responsible for distributing applicable field guide standards to their approved sub-contractors/vendors. During monitoring, the WAP program manager verifies that all applicable standards and requirements are included in the sub-grantee agency's bid packages used for the procurement of sub-contractors/vendors.

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Wyoming WAP uses the Receipt and Acknowledgement Form to document and confirm that sub-grantees have read and acknowledge the expectations for work quality specified in the sub-grantee contracts.

Quality Control Inspector Requirements:

Quality Control Inspectors (QCI) working for, or contracted by, the DOE-funded WAP must possess the knowledge, skills and abilities in the National Renewable Energy Laboratory (NREL) Job Task Analysis (JTA) for Quality Control Inspectors (QCI). This applies to all individuals who perform an evaluation and sign off on work performed in homes, including final inspections and grantee-contracted monitoring staff.

* QCI competency shall be demonstrated by certification as a Home Energy Professional Quality Control Inspector.

* QCIs can be employed by third party organizations or sub-grantees; however, the grantee is ultimately responsible for ensuring that every unit reported to DOE meets the work quality guidelines required by the WAP.

* The grantee must have a policy for validation of the QCI credentials. Copies of the QCI credential shall be kept in the client file upon completion of the quality control inspection. Credentials must also be kept in sub-grantee main offices.

* The grantee must have policies and procedures in place to address situations when the QCI is not inspecting units using the standards adopted by the State and consistent with the SWS. This policy will include monitoring of the QCI and procedures for disciplinary action if the grantee inspection protocols are not consistently followed.

Quality Control Inspection Requirements:

* DOE-funded units must be inspected using criteria found in the specifications outlined in the Work Quality section of WPN 22-4.

* Every client file must have a form that certifies that the unit had a final inspection and that all work met the required standards. The certification must be by a certified QCI. Signatures may meet the requirement. If a unit has received both a final inspection and has also been monitored by the grantee, two forms must be available in the client file - one for each inspection.

* The QCI must include an assessment of the original audit and confirm that the measures called for on the work order were appropriate and in accordance with the grantee audit procedures and protocols approved by DOE.

* Sub-grantee and contractor/vendor agreements must specify that the contractor/vendor, by signing the agreement, signifies a responsibility to perform work to the specifications outlined in WPN 22-4.

If a QCI inspector is identified as not inspecting to the requirements of the approved Wyoming Field Guide or the SWS, or is not requiring returns to correct measures which did not meet these requirements, the following will occur:

- QCI inspector will be placed in a corrective action plan;
- While on the corrective action plan, the QCI inspector shall receive added training and will also receive additional oversight and monitoring;
- Failures in initial year of conducting QCI inspections will prompt additional remedial training of the QCI inspector;
- Initial year inspectors receiving remedial training for identified failures will be placed on a corrective action plan and will be monitored more frequently for the 6 month period following training; and,
- Inspectors who demonstrate repeated failures after remedial training and/or do not successfully complete a corrective action plan will be disqualified from performing future QCI inspections.

V.6 Weatherization Analysis of Effectiveness

All program activities engaged in by either the State of Wyoming or any of its local Weatherization agencies, are intended to maintain or increase the efficiency, quality, and effectiveness of the Weatherization program at all levels. A previous assessment suggested a per-unit savings ranging from 20% to 35% on average. The State of Wyoming will monitor each local agency's average Savings to Investment Ratio (SIR) with the intent of identifying those practices that result in high SIRs, and limiting or eliminating those practices that result in low SIRs. There will be Training and Technical Assistance (T&TA) funds available to assist local agencies in their efforts to optimize their Weatherization practices and effectiveness.

Wyoming adheres to the guidance in 10 CFR § 440.14(c)(6)(i) to assess the effectiveness of all weatherization projects conducted by our network of sub-grantees. Wyoming's approach to assessing sub-grantee effectiveness includes, but is not limited to: comprehensive desk/administrative audit of each sub-grantee at least once annually, on-site field inspections of a random sample of all completions statewide and across all sub-grantees, random site visits to in-progress job sites, visits to all sub-grantee office/shop locations at least once per year, and contracted independent on-site field inspections (when funding allows) to increase the overall numbers of on-site inspections to better ensure quality of work and program compliance. Wyoming's comprehensive administrative audit also includes a comprehensive fiscal audit by the DFS Financial Services Division (FSD) staff and/or WAP Program Manager.

The WAP Program Manager periodically reviews productivity and energy savings data for all regions and makes comparisons between regions and between sub-grantee agencies. Through this ongoing review process, the WAP Program Manager is able to identify best practices, as well as weaknesses. Best practices are recommended to the network of sub-grantees and weaknesses are strengthened by providing additional training and technical assistance where needed. This is a fluid process that allows for continuous analysis and improvement.

The Wyoming WAP monitoring process outlined above allows for an ongoing assessment of the network's training capabilities and allows for frequent, consistent, and applicable monitoring feedback to be incorporated into training and prioritization decisions. Wyoming is developing a protocol for virtual monitoring to be better prepared in the event of future pandemics or disasters that might prevent in-person monitoring.

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The Wyoming WAP has a vision for continuous improvement. Within the network, we often refer to our program/state as "the little big state that could." Our program philosophy includes a philosophy of continuous learning and improvement and is backed up by a "can do" attitude. This will be the philosophy and attitude that guides our plan for maintaining the Standard Work Specifications (SWS), Quality Work Plan (QWP), and Quality Management Plan (QMP) requirements, and required Job Task Analysis (JTA) certifications. The Wyoming WAP conducts a weeklong statewide mandatory WAP training every year which also contributes to our vision of continual improvement.

All sub-grantee performance reviews/monitor reports are kept on file in the WAP Program Manager's office. Each sub-grantee has a monitoring file for each program year. Our network of sub-grantees is small so tracking these reports is relatively easy.

If a sub-grantee has failed final inspections or has other findings cited as the result of a monitoring assessment, the sub-grantee is placed in an immediate corrective action plan. This may also prompt increased on-site inspections and/or administrative monitoring until the cited deficiencies have been satisfactorily corrected by the sub-grantee. Ongoing corrective actions with little or no improvement on the part of the sub-grantee may lead to termination of Contracts.

The WAP Program Manager periodically reviews measure costs across sub-grantee agencies and compares those costs to the regional and local market costs. Cost parameters are updated by sub-grantee agencies a minimum of once per year and should reflect accurate market rates. This review and practice helps to ensure that weatherization measures are being charged accurately.

Wyoming also conducts as-needed meetings to provide ongoing technical assistance, training and updated program information. Program effectiveness and best practices are often discussed at these meetings which are at times conducted by phone conference. Additionally, Wyoming conducts quarterly Safety Committee meetings. The Wyoming Safety Committee and WAP Program Manager also compiles and distributes a Safety Saves newsletter at least quarterly.

Client education as a tool for added program effectiveness: Wyoming WAP sub-grantees provide ongoing energy-related, as well as health and safety, education to all clients. Energy Saving calendars are provided to recipient clients on a yearly basis. These calendars offer monthly energy saving tips that are geared toward changing energy consumption behaviors. Sub-grantees also use the energy audit process as a means for educating the clients about their home's energy performance, how energy-related behaviors affect energy costs, health and safety risks, the proper use and maintenance of mechanical systems (furnace filter replacement, for example), and possible referral options for additional assistance.

Wyoming established the quality work plan task force to collaborate and plan for the implementation of and compliance with the quality work plan as outlined in WPN 22-4. This has proven to be an effective approach.

V.7 Health and Safety

The final rule, published March 4, 1993, revised the purpose and scope of the WAP to improve the health and safety of low-income persons served by the Program, especially those that are particularly vulnerable such as the elderly, persons with disabilities, and children. Health and safety information appears in three sections of the regulations 10 CFR 440.16, 440.18 and 440.21.

Wyoming shall concur with and be in compliance with the DOE health and safety requirements outlined in WPN 22-7.
And, Wyoming has revised its current WAP Health and Safety Plan to incorporate the requirements outlined in WPN 22-7.

Wyoming includes questions on its application for the purpose of gathering information regarding occupant pre-existing health conditions as part of the intake process. Our deferral policies are spelled out in our Health and Safety Plan.

Wyoming WAP is in full compliance with ASHRAE 62.2 (2016) indoor air quality requirements.

Client education with regard to health and safety issues is explained in the attached Wyoming Health and Safety Plan. Client education is a big part of our deferral/referral protocols in Wyoming. Clients are provided with verbal as well as written education when addressing an identified health and safety issue.

Wyoming addresses all instances of "case-by-case" determinations using the following protocol: The crew member provides the information, including photos if applicable, to the crew leader who then discusses the situation with his/her manager. The program manager then provides the detailed information to the State Program Manager and discusses the situation with her. If additional information is needed, it is gathered and provided. The determination is then made by the State Program manager and the sub-grantee program manager and communicated back to the crew.

See entire updated 2023 Wyoming Health and Safety Plan attached to SF-424 of this State Plan.

V.8 Program Management

V.8.1 Overview and Organization

The Wyoming DFS shall be responsible for the administration of the Wyoming Weatherization Assistance Program. The State of Wyoming DFS is the official applicant for the Department of Energy (DOE) funds. Korin Schmidt is the Director of the Department of Family Services and has been designated by Governor Mark Gordon as the authorized representative to apply for DOE funds. Program implementation and oversight is provided by one Program Manager. There is also one fiscal position that time-studies to WAP. Additionally, other staff may time study to the WAP as appropriate. Wyoming also reserves the option to add contract personnel on an as-needed basis as a way to augment State WAP personnel.

In Wyoming, the number of personnel positions allocated to State Agencies is set by the State Legislature. While DOE may prefer that there be more staff positions allocated to the

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Wyoming WAP program, it is not something that is within the control of the Agency. Wyoming has historically shown strong performance in its Weatherization program. Since 2008, Wyoming has standardized its monitoring procedures, policies and forms and has easily exceeded the minimum of 5% for units inspected by the grantee in past program years. Wyoming has shown marked and steady improvement in its WAP program since 2008, and will continue to implement improvements. This has been accomplished under current staffing. When necessary, Wyoming contracts additional independent monitors and trainers to assist State personnel in accomplishing program goals and requirements. Wyoming WAP is currently seeking to add contracted technical monitors to assist the WAP Program Manager with technical monitoring. The Wyoming Department of Family Services (DFS) vision is derived from three basic values:

1. Safe at home;
2. Giving families opportunities for success; and
3. Supporting the people who support the families.

The Wyoming WAP plays a key role in helping the DFS achieve this vision by ensuring the health and safety of eligible Wyoming households; increasing opportunities for long term financial security and success by significantly reducing home energy costs; and, by working in partnership with other Agency and State programs; community partners; utility and fuel vendors; and, others to provide support, education and resources to eligible clients and all who advocate for and/or serve these families.

DFS has one staff position dedicated to the Wyoming WAP and LIEAP and one fiscal position also splits time between the WAP and other programs. The current WAP Program Manager is OSHA certified (10 hour and 30 hour); Renovation, Repair and Painting (RRP) certified for lead safety for renovation, repair, and painting under EPA certification no. R-I-18362-10-00933 (Re-certified 2020 with an expiration date of 2025); and has earned a certificate of completion for 2011 Weatherization ASHRAE 62.2 training sponsored through the Workforce Development program at Eastern Wyoming College and has recently completed certification training as an EPA-certified Environmental Professional. Additionally, the DFS WAP Program has achieved EPA Lead Safe Certified Firm status under certification no. NAT-48880-1. The current WAP Program Manager also has 25.5 years experience managing government funds and contracts, both in the private and public sectors. She achieved master certified trainer status in her previous private sector employment, taught an Introductory Women's Studies course at the University of Wyoming while pursuing graduate level studies for which she was awarded the Ellbogen Meritorious Teaching Award, and has presented at a LIHEAP regional training, 2017 LIHEAP National Conference, and at the National Energy and Utility Affordability Conference (NEUAC) multiple times highlighting years of public speaking and training/education experience. She has additionally presented at several LIHEAP Peer-To-Peer Webinars on a vast range of topics, including tribal relations, performance data reporting and analysis, building efficiencies through technology enhancements, effective fuel vendor agreements, effective monitoring of LIHEAP-funded Weatherization projects and sub-grantees, to name a few. Most recently, she presented at a National Association for State Community Services Programs (NASCSPP) Webinar on the topic of providing weatherization services safely during the COVID-19 pandemic. The current WAP Program Manager is considered to be a subject matter expert and has been noted for best practices by Federal Agency partners, national organizations and peers. The current Program Manager was recently awarded the Eternal Flame Award by the U.S. Department of Health and Human Services (HHS) and National Energy Assistance Directors Association (NEADA) at the 2019 NEUAC conference for her LIHEAP accomplishments and contributions. She is also a 1994-1995 graduate of the Western States Center Advanced Leadership Mentorship Project.

The current WAP Program Manager has been in her current position since October 8, 2008, giving her 14.5 years experience managing the Wyoming WAP and LIEAP. This experience includes contract management, sub-grantee monitoring, budget management, compliance oversight, on-site quality control inspections oversight, program development and implementation, program improvement, technical training and support, knowledge of DOE regulations, guidance, and requirements, knowledge of state and local rules, regulations, and code requirements, knowledge of technical standards and standardized work specifications as outlined by DOE, knowledge of health and safety requirements, OSHA 10 and OSHA 30 certification, EPA RRP certification, knowledge of pertinent non-DOE Federal regulations (e.g. EPA, DOL, OSHA, etc.), hundreds of hours in the Field observing in-progress and completed jobs, facilitation of safety committee and quarterly meetings, and facilitation of annual mandatory WAP training for Wyoming sub-grantees, just to highlight some of the most relevant areas of experience.

The WAP is housed in the Economic Security Division of the Wyoming Department of Family Services.

V.8.2 Administrative Expenditure Limits

Per WAP Memorandum 075:

On December 27, 2020, President Donald J. Trump signed into law P.L. 116-260, an omnibus legislative package that includes several significant changes for the Weatherization Assistance Program (WAP). The package combined the COVID-19 relief bill, the Fiscal Year (FY) 2021 appropriations bill, and a number of smaller bills including the Energy Act of 2020. The Energy Act of 2020 included language reauthorizing WAP through FY 2025, as well as making several changes and updates to the program.

This memo was intended to provide information about some of these changes in order to assist Grantees in developing Program Year (PY) 2022 and PY 2023 State Plans that properly align with the new legislation. Specifically, this memo addresses:

An increase in administrative funds from 10 to 15 percent of the grant.

Authority to "re-weatherize" a home if 15 years have passed since the original services.

Administrative Cost of Sec. 1011(g) of the Energy Act of 2020 (Division Z of P.L. 116-260) includes language that will amend 42 U.S. Code § 6865(a)(1) language on administrative funds. Previously, the administrative cost category was limited to 10 percent of the grant and will now be increased to 15 percent.

Not more than an amount equal to 15 percent of any grant made by the Secretary under this part may be used for administrative purposes in carrying out duties under this part, except that not more than one-half of such amount may be used by any State for such purposes, and a State may provide in the plan adopted pursuant to subsection (b) for

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Specific Section references included in this memo refer to sections within the Energy Act of 2020, which was included as Division Z of P.L. 116-260.

o DOE will allocate the 15 percent, with a direct split between the Grantee and its Subgrantees.

o Consistent with past practices, DOE includes the provision where a Grantee may provide in its annual plan an additional 5 percent for administration for recipients of grants of less than \$350,000. The Grantee must determine that such recipient requires the additional amount to implement effectively DOE's administrative requirements.

o Also consistent with past practices, Grantees must only use the new PY total allocation funds in determining the administrative allowances, as any carryover funds have already had administrative costs allocated. Unexpended funds in administrative category accounts may be carried over from the previous budget period within the award, provided there is sufficient support and justification for their continued use. Grantees can also choose to include any administrative carryover funding into the Program Operations category and/or provide a portion of their Grantee administrative funds to Subgrantees.

Grantee Administration

o The total charged to Administration can be no more than 7.5 percent of total new PY funds awarded. Cost allocation between this category and Grantee Training & Technical Assistance (T&TA) must be in accordance with 2 CFR 200 and 10 CFR 440.23 "Oversight, training, and technical assistance."

Subgrantee Administration

o Subgrantee Administration must be at least 7.5 percent of the total new funds awarded.

o Grantees may allow Subgrantees who receive less than \$350,000 of new DOE appropriated funds, to receive to an additional 5 percent of their subawards for administration. This additional funding can be approved only to implement the administrative requirements of the Program.

o Wyoming does not allocate an additional 5% to any of our subgrantees.

V.8.3 Monitoring Activities

The Wyoming WAP has made positive progress over the last few years to establish better training, technical assistance, processes, tools, and resources to assist the Wyoming WAP sub-grantee network in providing the highest quality of work and services to the low-income families served by the program. Ongoing monitoring is the primary way we ensure that the public purpose of the program is being met at all times. The Wyoming WAP monitoring activities adhere to the guidance outlined in WPN 20-4. Additionally, and in accordance with WPN 22-4, a stronger emphasis will be given to ensuring that all sub-grantees understand and meet the expectations for work quality. The Wyoming WAP Program Manager has created a Receipt & Acknowledgment (R&A) Form that has already been implemented as a means of confirming sub-grantee receipt of technical standards and guidelines. Signed R&A forms shall be kept in the sub-grantee files in the WAP Program Manager's office. Copies will also be kept on file in the sub-grantee main offices.

Monitoring of the WAP relies on a process that has the following goals:

- To ensure proper and timely use of funds and realization of expected benefits.
- To provide transparency and accountability.
- To provide quality control.
- To provide technical assistance and training.

In accordance with 10 CFR 440, the Grantee has the responsibility to perform monitoring and oversight of the program implementation and work performed by all its sub-grantees.

Monitoring Schedule:

May-June 2024: Virtual and on-site Administrative Desk Monitoring of Council of Community Services

May-June 2024: Virtual and on-site Administrative Desk Monitoring of Wyoming Weatherization Services

Technical monitoring will also be conducted with both subgrantees throughout PY 2023.

Wyoming WAP Approach to Monitoring Sub-grantees: The Wyoming WAP Program Manager conducts a comprehensive monitoring of each sub-grantee at least once per year. A written report is provided to the sub-grantee and is also kept in the sub-grantee monitoring file maintained in the State Office. These reports are available to DOE during DOE monitoring visits. Comprehensive monitoring includes, but is not limited to:

1. Programmatic and Management Monitoring, including:

Sub-grantee review

Financial/Administrative Review

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DFS Advisory Board (PAC)

Equipment/Inventory/Materials Review

Eligibility

Rental

Feedback and Reporting

Energy Audits

Field Work

Health & Safety

Quality Assurance

Training & Technical Assistance

Description of how monitoring results are handled and required follow-up procedures, as well as listing of staff performing the monitoring

Corrective Action Plan follow-up and/or creation as appropriate
Best practices.

Review of previous monitoring report(s); corrective action plans.

2. Sub-grantee Monitoring, including:

Program Overview (client file review, work orders, etc.)

Financial/Administration

Inventory

Energy Audits

Qualifications & Training

Weatherization of Units

Health & Safety

Quality Management Assurance

How monitoring results are handled and required follow-up procedures, as well as a listing of staff performing the monitoring

3. Financial Monitoring, including:

Financial Management/Accounting Systems and Operations: Effective December 26, 2014, the DOE Financial Assistance regulations contained in 10 CFR 600 were superseded by the Financial Assistance regulations in 2 CFR 200 (with DOE specific regulations codified in 2 CFR 910). DOE will require compliance with 2 CFR 200 for awards issued after December 26, 2014.

Audits (The Grantee will review each sub-grantee's financial audit report annually.)

Payroll/Personnel

Vehicles and Equipment

Procurement

Sub-awards/Sub-grantee Monitoring

Invoicing

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Records Retention

Financial Management/Accounting Systems and Operations

How monitoring results are handled and required follow-up procedures, as well as listing of staff performing the monitoring

Per WPN 20-4, Section 3, Wyoming WAP is required to follow DOE prescribed Quality Control Inspector (QCI) policy to determine the percentage of units to monitor. The DOE QCI policies allow Grantees to do one of the following or develop their own quality control inspection policy that must be approved by DOE. Sub-grantees will be required to submit to the State WAP Program Manager a Corrective Action Plan (CAP) for all identified deficiencies discovered during monitoring. This CAP will be due within 30 days of receipt of the monitoring report from the State.

Sub-grantees will be required to submit to the WAP Program Manager a Corrective Action Plan addressing all identified deficiencies discovered during monitoring. This Corrective Action Plan will be due within 30 days of receipt of the monitoring report from the Grantee.

Independent QCI: Must complete reviews of at least 5% of each sub-grantee's completed weatherized units (with DOE funds) using an independent QCI.

Independent Auditor/QCI: When the Auditor performs the audit, creates the work order, and performs the final quality control inspection, the Grantee must perform reviews of a percentage of all completed units. The final percentage of inspections will be defined by the Grantee and justification provided to DOE supporting the final number. The Grantee must also develop a quality assurance plan that ensures that the individual who is functioning as both the auditor and the quality control inspector is able to consistently perform both tasks. Wyoming WAP chooses this option.

The goal of the on-site quality work reviews of completions and "in-progress" jobs is to assess quality of work, compliance, appropriateness of materials, appropriateness and accuracy of energy audits (no missed opportunities), effectiveness of QCI final inspections, safe work practices, and other factors that are relevant to on-site weatherization work.

In accordance with WPN 20-4, Wyoming WAP Monitoring Protocols require sub-grantees to take appropriate corrective action when significant deficiencies are discovered during monitoring. Significant deficiencies could include health and safety violations, poor quality of installation of materials, major measures missed, and so on. Sub-grantees in corrective action plans may receive additional monitoring visits as well as increased on-site inspections of work until it can be determined that all deficiencies have been resolved. Wyoming WAP policy requires the WAP Program Manager to provide the Monitoring Report to the sub-grantee within 30 days of the completion of the monitoring process. More frequent monitoring visits are conducted for sub-grantees with significant deficiencies.

When a sub-grantee is found to have significant deficiencies, that sub-grantee is considered to be "at risk" and is placed in a corrective action plan with very clear expectations and timelines for resolving the identified deficiencies. Corrective action plans are monitored very closely and result in frequent follow-up visits by the WAP Program Manager. Additionally, the "at risk" sub-grantee may be required to submit corrective action status reports to the WAP Program Manager. Per WPN 20-4, the WAP Program Manager will increase the percentage of units reviewed and the frequency of monitoring visits to the at-risk sub-grantee until it can be assured that all deficiencies are resolved. If a sub-grantee fails to respond satisfactorily and/or resolve all identified deficiencies satisfactorily, further action will be taken, including termination of the Contract. Once deficiencies are corrected and procedures are put in place to prevent reoccurrence, the Grantee may resume its usual required sampling percentage per WPN 20-4 of the sub-grantee's work in subsequent monitoring visits.

Protocol for disqualifying poor performers:

- It must be well-documented that the contractor has repeatedly failed to perform adequately.
- It must also be well-documented that additional training and technical assistance was provided to the poorly performing contractor and that the additional training and technical assistance did not result in improvements.
- The failed contractor will be given a 30 day notice of termination.
- Contractors terminated for failure to perform shall be added to the Wyoming WAP List of Disqualified Contractors.
- Disqualified contractors will be barred from future work under Wyoming WAP.

Wyoming has a total of one staff dedicated to the WAP program. This position is shared with the LIEAP program. This employee completes both technical and administrative monitoring of Wyoming's sub-grantee network. Staff from our Financial Services Division assist with financial monitoring of sub-grantees when feasible. In Wyoming, State positions are set by the State Legislature. It is not within the Agency's authority to simply add staff positions. The current WAP Program Manager is RRP certified, OSHA 10 and OSHA 30 certified, and she has completed ASHRAE and other training. The WAP Program Manager's time and travel are paid out of both administrative and T&TA funds. Time and travel associated with Monitoring is paid out of T&TA funds. The SF 424A budget indicates amounts budgeted to administrative and T&TA activities.

To supplement Wyoming's technical monitoring, Wyoming does often contract independent monitors/inspectors, one of whom has completed QCI training and certification in 2015 and is currently working on re-certification. These contracts are paid out of T&TA funds. The contracted technical monitors have several certifications between them, including: HVAC licensed; RRP certification; Building Inspector certification; and, OSHA. Additionally, one of the contracted technical monitors has previously worked in the weatherization field for several years. Contracted technical monitors, when we use them, are paid out of T&TA funds. Beginning July 1, 2015, contracted technical monitors must be QCI certified to complete quality control inspections on DOE-funded completions. Wyoming is in compliance with this requirement.

Reporting: A narrative report that includes successes and significant problems will be reported to DOE in the T&TA, Monitoring, and Leveraging Report annually. This monitoring report will include, at minimum, the following: sub-grantees monitored; any major findings (waste, fraud, and abuse) and resolutions; trends with respect to findings, concerns or other issues; needed T&TA (programmatic/administrative, technical, financial); any sub-grantees considered to be high risk and plan for resolving the issues; sub-grantees considered high risk for other programs (LIEAP, for example); and, outcome activities involving T&TA and monitoring training.

Wyoming anticipates using 65% of grantee T&TA funds and 10% of grantee Administrative funds for monitoring activities.

V.8.4 Training and Technical Assistance Approach and Activities

T&TA activities are intended to maintain or increase the efficiency, quality and effectiveness of the Weatherization program at all levels. Such activities shall be designed to maximize energy savings, minimize production costs, improve program management and crew/contractor "quality of work", and/or reduce the potential for waste, fraud, abuse and

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mismanagement. Wyoming WAP allocates the majority of T&TA funds to sub-grantees. Of the grantee T&TA funds, Wyoming anticipates that 65% will be utilized for monitoring activities.

Training needs in Wyoming have focused on achieving the highest possible energy savings benefit for each dollar invested. The primary areas of focus have been:

- Quality assessment of potential homes to be weatherized.
- Utilization of the NEAT Audit and the MHEA audit tools.
- Calculations of possible energy savings potential based on fuel consumption.
- Identification of health/safety issues which require corrections for the home to be considered safe, following WPN 22-7 guidelines.

In Program Year 2023, the Wyoming WAP will target training toward continuing to meet the WPN 22-4 Quality Work Plan requirements pertaining to quality control inspections and meeting the required Standard Work Specifications (SWS), SWS Field Guide updates, and Health and Safety guidance issued in WPN 22-7, and transitioning to web-based audit tools. The overall goal of Program Year 2023 training will be geared toward continued improvement of work quality and additional phased in quality control inspector certifications, as well as continuing education requirements to maintain QCI certifications. The 2023 training will also include necessary health and safety training as well as training prompted by 2023 DOE Weatherization Program Notices. An emphasis will also be given to training needs identified as part of QCI inspections and quality assurance monitoring.

History and experience has shown that monitoring results, final quality assurance inspections, reviews of in-progress jobs, surveying crews about their training needs, and thorough reviews of new guidance documents, requirements, codes, laws, regulations, etc. have been the most effective means for identifying training needs in Wyoming.

Program Year 2023 Wyoming WAP Training Plan is attached to this State Plan:

Comprehensive Training: comprehensive, occupation-specific training which follows a curriculum aligned with the JTA for that occupation. Comprehensive training must be administered by a training program that is accredited by the Interstate Renewable Energy Council (IREC) for the JTA being taught. Initial priority will be given to quality control inspector training necessary to achieve QCI certification, as that is the first JTA certification required by DOE. The goal is to phase in additional QCI certified inspectors during PY2022, as well as to meet continuing education requirements necessary to maintain certifications. Wyoming will also begin IREC accredited training for other JTAs as such training becomes available. Wyoming requires subgrantees to ensure crew members complete routine, comprehensive training for all Retrofit Installers/Technicians, Crew Leaders, and Energy Auditors aligned with their respective Job Task Analysis (JTA).

Specific Training: single issue, short-term training to address acute deficiencies in the field including dense packing, crawlspace, ASHRAE 62.2 (2016), new hazard communications requirements, and other deficiencies or trends identified by QCI certified inspectors and sub-grantee monitoring. Conferences and regional trainings are included in this category. All other necessary training such as lead safety, RRP re-certifications and certifications, OSHA, CPR/First Aid, etc. will also be included in this category. Programmatic/financial administrative training will also be included in this category with special emphasis given to 2 CFR 200 and 2 CFR 910 in program year 2023.

In Wyoming, any training necessary for required certifications is mandatory. Additionally, the annual WAP training we conduct in Wyoming is mandatory. Required health and safety training is also mandatory, such as lead safety. Non-mandatory training includes things like attendance at the HPC Home Performance training conference.

In Wyoming, the sub-grantees are the primary recipients of the allowable T&TA funds. A small percentage of T&TA funds are used at the grantee level for monitoring, training support, and providing technical assistance.

T&TA funds may also be used to train contractors at the sub-grantee level participating in the program. When making the decision to pay for sub-contractors' training, grantees and sub-grantees must secure a retention agreement in exchange for the training. The retention agreement should require that contractors will work in the program for a specific amount of time and must align with the cost of the T&TA provided. More information regarding contractor/agency retention agreements can be found at www.eere.energy.gov.

The Wyoming WAP Training Plan incorporates feedback from the DOE Project Officer monitoring visits as well as feedback from the WAP Program Manager's monitoring visits into the Wyoming Annual WAP Training which occurs each Fall or Spring. This training is also used to accomplish many of the Tier 2 Training needs. Attendance at the Wyoming WAP Annual Training is mandatory. Attendance is tracked daily and per training agenda topic using sign in sheets. Sub-grantees could have their T&TA funds reduced for non-attendance at mandatory training offerings.

Wyoming WAP workforce credentials must be available in sub-grantee offices for review by the State WAP Program Manager. Credentials are reviewed during comprehensive monitoring visits. Additionally, the WAP Program Manager will do credential checks during visits to "in-progress" jobs. Sub-grantees are required to notify the WAP Program Manager of all certifications held by sub-grantee staff. Additionally, sub-grantees are required to submit an annual T&TA report to the WAP Program Manager. This report must include all training costs and certification costs per employee. Wyoming also requests copies of sub-grantee personnel certifications as part of our Request For Proposal procurement process and ongoing monitoring process.

All WAP Field personnel must receive OSHA 10 training as soon as feasible following hiring. New Field personnel should not be left unsupervised at a job site during the initial 90 days after hire. Sub-grantees are expected to have at least one RRP certified crew member/leader available at each office/crew location. The WAP Program Manager is also RRP certified. Sub-grantee personnel in leadership/supervisory positions must also complete OSHA 30 training/certification. Staff performing final inspections for DOE WAP must be QCI certified.

Wyoming WAP has an interest in making comparisons between weatherization territories and sub-grantees to assess effectiveness and energy savings. These comparisons often result in agenda topics for discussion at the Wyoming WAP Quarterly Meetings, and can also be incorporated into the Annual WAP training as Specific single issue training offerings.

Wyoming WAP also includes health and safety topics at each annual WAP Training. Wyoming has also convened a WAP Safety Committee comprised of members from each sub-grantee and the WAP Program Manager. This committee meets quarterly. Wyoming also created a Wyoming WAP Safety Newsletter which is written and distributed to all sub-grantee staff quarterly. This has become a useful tool for communicating health and safety issues and information to the sub-grantee network, as well as for identifying health and safety topics for training. Wyoming WAP held a Health & Safety training in January of 2022. Another Health and Safety training is scheduled for the Fall of 2023. Most crew members attended Building Performance Institute (BPI) Home Performance conference in April 2023. A list of approved online training courses was distributed to our WAP network as well.

Research has shown that client education programs are vital to maximizing each home's energy resources. Wyoming employs allowable LIHEAP funds for the purchase of client education materials and uses the WAP sub-grantee network to distribute materials to clients. WAP sub-grantee crews are also well-trained in educating clients regarding their homes' energy consumption and performance. They are also trained to educate clients on a wide variety of health and safety issues. The WAP crews are also required to educate

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clients regarding the use and maintenance of any equipment installed in their homes. A large part of the initial energy audit is geared toward client education. Clients receive additional education as work progresses and as part of the job finalization process. All clients complete a client final satisfaction survey and it must be kept in the client file. This survey includes questions geared toward assessing the level of education the client received from the crew.

Percent of overall trainings

Comprehensive Trainings: 50.0

Specific Trainings: 50.0

Breakdown of T&TA training budget

Percent of budget allocated to Auditor/QCI trainings: 25.0

Percent of budget allocated to Crew/Installer trainings: 38.0

Percent of budget allocated to Management/Financial trainings: 25.0

V.9 Energy Crisis and Disaster Plan

1. Wyoming adheres to WPN 12-7 for guidance related to disaster planning and relief.
2. The use of DOE WAP funds is limited to eligible weatherization activities and the purchase and delivery of weatherization materials.
3. Allowable expenditures under DOE WAP include: 1) the cost of incidental repairs to an eligible dwelling unit if such repairs are necessary to make the installation of weatherization materials effective and, 2) the cost of eliminating health and safety hazards, elimination of which is necessary before the installation of weatherization materials (10 CFR 440.18(d)(9); 10 CFR 440.18(d)(15)). Wyoming WAP limits incidental repair costs to \$500.00 per unit average under this section. Wyoming WAP also limits health and safety costs to \$843.00 per unit average under this section. To the extent that the services are in support of eligible weatherization (or permissible re-weatherization) work, such expenditures would be allowable. For example, debris removal at a dwelling unit so that the unit can be weatherized would be an allowable cost. The \$6,500, as updated, per unit average limit applies.
4. WAP rules require that priority be given to identifying and providing weatherization assistance to elderly persons, persons with disabilities, families with young children, high residential energy users and households with high energy burdens (10 CFR 440.16(b)). However, it is permissible to consider households located in the disaster area as a priority as long as the households are eligible and meet one of the priorities established in regulation and are free and clear of any insurance claim or other form of compensation resulting from damage incurred from the disaster.
5. The above shall be allowed only in the case of a State- or Federal government-declared disaster.