

From: Brooke Christy, Fair Shake Environmental Legal Services
Re: Funding Lead-Safe Projects
Last Updated: February 15, 2024

OVERVIEW

- **Legislative Process:** An ordinance is a set of rules passes by a local municipality. In most towns, ordinances are reviewed by the City Council, and if the majority of Council members vote ‘yes’, the ordinance is passed. Ordinances can address a variety of issues, including building codes within the municipality.
- **History:** Throughout the 1900’s, lead was used by corporate entities and government entities because of its cheap cost, versatility, and ability to help colors maintain their bright hues. This led to widespread cases of lead poisoning and the eventual ban on leaded gasoline, the manufacturing of lead service water lines, and the manufacturing of lead-based paint.
- **Environmental Injustice:** Lead exposure continues to disproportionately affect communities with low-income and communities of color. Failure to continue to invest in the early detection of lead will only further perpetuates environmental injustice in these communities.
- **Funding:** Municipalities across the country are receiving unprecedented amounts of funds from the federal government to address lead hazards. To assist municipalities in utilizing these funds, we have created a worksheet that displays some of the policy options available.
 - This list is not exhaustive but instead should help facilitate initial conversation.
 - These examples are displayed by ordinance type. These categorizations were created to reflect the federal governments priorities, so that our team and municipal partners are competitively marketing these ideas when seeking federal and related state grants.
- **Community Democracy River:** This river too often flows backwards. Preventative policies typically require significant capital and/or political investment—resulting in the neglect of lead prevention efforts until governments realize how much remediation financially costs and the price paid by residents exposed to lead hazards.
 - Regardless of the policy proposal is right for your community, consider where you are in the river from prevention to remediation and whether your local entity is considering external costs paid by residents exposed to lead.
 - Ensure that your community knows that for every dollar invested in lead paint hazard control the return to society is at least \$17 to \$221. These benefits include decreased medical costs, decreased special education costs, increased future earnings of children, decreased crime, and more!¹

¹ *Return on investment calculator for lead poisoning prevention*, Green & Healthy Homes Initiative, <https://www.greenandhealthyhomes.org/publication/return-on-investment-calculator-for-lead-poisoning-prevention/#:~:text=A%20dollar%20invested%20in%20lead,of%20a%20lead%20poisoned%20individual.>

OVERVIEW OF LEAD SAFE CERTIFICATIONS

- Lead abatement activities and Renovation, Repair and Painting (RRP) projects may sometimes look similar, but they are two separate programs that require different certifications and are regulated differently by Environmental Protection Agency (EPA).
- General understanding of these differences is important for policy drafting and grant applications.

	Lead Abatement Activities	Similar or Different	Renovation, Repair and Painting (RRP)
Purpose	<ul style="list-style-type: none"> □ Known hazard □ Permanently eliminate existing lead-based paint hazards 	Different	<ul style="list-style-type: none"> □ Suspected hazard □ Conduct renovations, repairs or painting to reduce lead-based paint hazards.
Initiated by	<ul style="list-style-type: none"> □ Tribal, state or local government □ Voluntary request by property owner 	Different	<ul style="list-style-type: none"> □ Voluntary request by property owner
Certifications	<ul style="list-style-type: none"> □ Individuals must be trained and certified in lead abatement activities □ Firms must be certified to conduct lead abatement activities 	Similar	<ul style="list-style-type: none"> □ Individuals must be trained and certified in RRP activities □ Firms must be certified to conduct RRP activities
Occupant Protection	<ul style="list-style-type: none"> □ Firms are required to make sure occupants are out of the home, childcare facility or preschool 	Different	<ul style="list-style-type: none"> □ Firms are not required to make sure occupants are out of the home, childcare facility or preschool □ Firms must distribute EPA's <i>The Lead-Safe Certified Guide to Renovate Right</i> before starting renovation work □ Occupants should not be present in the work area

OVERVIEW OF POTENTIAL FUNDING SOURCES

Please note that some federal funding sources may be available through state managed programs. All overviews are quotes taken from the government websites linked in the first column.

Name of Fund	Brief Overview	Administering Agency
Department of Housing and Urban Development Community Development Block Grant (“CDBG”)	<p>The CDBG Program provides annual grants to states, municipalities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income persons. CDBG grants may include “costs associated with project-specific assessment or remediation of known or suspected environmental contamination.”</p>	US HUD
Office of Lead Hazard Control and Healthy Homes Grant Programs	<p>The Office of Lead Hazard Control and Healthy Homes (OLHCHH) provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards. In addition, the office enforces HUD's lead-based paint regulations, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home.</p>	US HUD
Choice Neighborhoods Grant	<p>The Choice Neighborhoods program leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and stakeholders, such as public housing authorities, cities, schools, police, business owners, nonprofits, and private developers, come together to create and implement a plan that revitalizes distressed HUD housing and addresses the challenges in the surrounding neighborhood. The program helps communities transform neighborhoods by revitalizing severely distressed public and/or assisted housing and catalyzing critical improvements in the neighborhood, including vacant property, housing, businesses, services and schools.</p>	US HUD
Housing Choice Voucher Program	<p>HUD’s Housing Choice Voucher (HCV) Program is a federal program that provides financial assistance to low-income families to assist them in residing in affordable, safe and sanitary housing. Every year HUD receives an appropriation of funds for the HCV Program that is funneled to local PHA’s that administer the program. Families can apply to the HCV Program at local PHAs directly, who will collect the necessary information and determine eligibility based on the total annual gross income, family size, and citizenship.</p>	US HUD
HOME Investment Partnerships Program	<p>The HOME Investment Partnerships Program (HOME) provides formula grants to states and localities that communities use - often in partnership with local nonprofit groups - to fund a wide</p>	US HUD

	range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest federal block grant to state and local governments designed exclusively to create affordable housing for low-income households.	
Low-Income Housing Tax Credit	The Low-Income Housing Tax Credit (LIHTC) program is the most important resource for creating affordable housing in the United States today. Created by the Tax Reform Act of 1986, the LIHTC program gives State and local LIHTC-allocating agencies the equivalent of approximately \$9 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households.	US HUD
Office of Policy Development and Research's (PD&R) Research Grant	PD&R is responsible for maintaining current information on housing needs, market conditions, and existing programs, as well as conducting research on priority housing and community development issues. PD&R provides reliable and objective data and analysis to help inform policy decisions, and it is committed to involving a greater diversity of perspectives, methods, and researchers in HUD research.	US HUD
Title V Maternal Child Health Block Grants	The Title V Maternal and Child Health (MCH) Block Grant Program is a partnership between the federal government and states. Our goal is to support the health and well-being of all mothers, children, and families.	US HRSA
Superfund, aka EPA's Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	Provides funds to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. It can be applied to residential areas that have contaminated soil due to proximity to previous mining sites, previous smelting sites, or pre-1978 paint manufacturing sites.	US EPA
Environmental Justice Collaborative Problem-solving Cooperative Agreement	This program provides financial assistance to eligible organizations working to address local environmental or public health issues in their communities. The program assists recipients in building collaborative partnerships with other stakeholders (e.g., local businesses and industry, local government, medical service providers, academia, etc.) to develop solutions to environmental or public health issue(s) at the community level. Eligible entities include a community-based nonprofit organization or a partnership of community-based nonprofit organizations.	US EPA
Water Infrastructure Improvements for the Nation Act ("WIIN") Grants	The WIIN Act addresses, supports and improves America's drinking water infrastructure. Included in the WIIN Act are three new drinking water grants that promote public health and the protection of the environment. The three programs are (1) Small, Underserved, and Disadvantaged (SUDC)	US EPA

	Tribal Drinking Water Grant Program, (2) Reduction in Lead Exposure Via Drinking Water Tribal Program, and (3) Lead Testing in School and Child Care Program Drinking Water Tribal Grant Program	
Public Water System Supervision (“PWSS”) Grant Program	Grants help eligible states, territories, and tribes develop and implement a PWSS program adequate to enforce the requirements of the SDWA and ensure that water systems comply with the National Primary Drinking Water Regulations.	US EPA
Training and Technical Assistance for Small Systems Grants	Across the nation, state and local officials are challenged with effectively communicating information and overseeing training for small system owners and operators with a wide range of expertise, skills, and preferences for modes of communication. Through the grant program, EPA provides information, training and technical assistance to officials and small system personnel so that they may deliver high quality drinking water to their customers.	US EPA
Water Infrastructure Finance and Innovation Act (“WIFIA”) Program	The Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) established the WIFIA program, a federal credit program administered by EPA for eligible water and wastewater infrastructure projects. WIFIA and the WIFIA implementation rule outline the eligibility and other requirements for prospective borrowers.	US EPA
Clean Water and Drinking Water State Revolving Funds, which will administer funds appropriated in the Bipartisan Infrastructure Law	State Revolving Funds help increase access to low-cost financing for critical water and water-and wastewater-related public health and environmental needs. The federal and state partnership is designed to provide low-cost financing to wastewater systems.	US EPA
Housing Preservation Grants	It provides grants to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low- and very-low-income rural citizens. USDA will award a total of \$18,500,000 in Housing Preservation Grant Program funding for the repair and rehabilitation of rural housing units. \$2,500,000 of this funding is for organizations to help people repair homes they own or rent that were damaged in a calendar year 2022 Presidentially declared disaster areas (\$50,000 maximum award).	USDA
Circuit Rider Program	This program provides technical assistance to rural water systems that are experiencing day-to-day operational, financial or managerial issues. Rural water system officials may request assistance from the National Rural Water Association State Association or the local Rural Utilities Service office. Rural Utilities Service staff may also request assistance on behalf of the system.	USDA

Emergency Community Water Assistance Grants	<p>This program helps eligible communities prepare, or recover from, an emergency that threatens the availability of safe, reliable drinking water. Eligible entities include:</p> <ul style="list-style-type: none"> ❑ Rurally located public bodies ❑ Nonprofit organizations ❑ Federally recognized tribes ❑ Applicants must show that a major decline in quantity or quality of water occurred within two years of the date of the application. Grants are also awarded when a significant decline in quality and quantity of water is imminent. 	<p>USDA</p>
Lead Safe Ohio	<p>This provides \$150 million to be used in coordination with the Ohio Department of Health for an American Rescue Plan Action lead poisoning prevention and mitigation program.</p> <p>Eligible uses include lead safe building certification; screening and testing for lead poisoning; education; community engagement; early intervention; workforce development of lead contractors; window and door replacement in at-risk housing; and remediation in shelters, childcare facilities, and residential properties. The state has set aside \$22.5 million for workforce development and \$100 million for construction activities.</p>	<p>OH DoD</p>

For a more comprehensive guide on funding lead remediation and recommendations on how to use the above federal programs for addressing lead hazards, [click here to access the Green & Healthy Homes Initiative Lead Funding Toolkit.](#)

For additional resources on how communities are using ARPA funds, [click here to read more on the National Center for Healthy Housing.](#)