
LEAD PLUMBING FIXTURE REPLACEMENT ASSISTANCE GRANTS PROGRAM GUIDELINES

Subject: Guidelines
Approval: Commission Resolution 16-03

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APPLIES TO

Lead plumbing fixture replacement assistance grants issued to traditional public, community and chartered non-public schools

GUIDELINES

I. Background

In June 2016, amended substitute House Bill 390 of the 131st Ohio General Assembly authorized the creation of the Lead Plumbing Fixture Replacement Assistance Grants Program, and created an appropriation of \$12,000,000 in state funds to be used for this purpose. Subsequently, House Bill 529 of the 132nd Ohio General Assembly reappropriated funds for this program. The grants are to be used to reimburse public and chartered nonpublic schools to assess their drinking water and replace drinking fountains, water coolers, plumbing fixtures, and limited connected piping found to be a cause of lead above the federal action level of 15 parts per billion in drinking water.

The Round 1 application window opened on September 1, 2016 and closed on August 31, 2017. The reimbursement window for Round 1 closed on May 31, 2018. The Round 2 application window will open in June 2018 for eligible schools that have not yet applied and for eligible schools with expired grants in Round 1 to re-apply. The Round 2 application window will close on July 31, 2018. The deadline to submit for reimbursement in Round 2 is December 31, 2018.

These guidelines establish the eligibility, processes and procedures to be used for the administration, phasing, and distribution of the grants by the Ohio School Facilities Commission (the “Commission”).

II. Grant Amount

The maximum grant award amount is \$15,000 per eligible school for drinking water assessments and fixture replacement costs.

III. Eligibility

- A. Eligible School. An eligible school is a traditional public school, community school or chartered non-public school that is housed in a building constructed before 1990. Schools that received reimbursement in Round 1 are ineligible for a second grant or additional reimbursement in Round 2.

1. Eligible school types are:
 - a. City
 - b. Exempted Village
 - c. Local
 - d. Joint Vocational
 - e. Community School
 - f. Non-public schools (private, parochial, chartered)
2. A building constructed before 1990 means a physical structure, owned or leased by the school, in which all original construction was completed before January 1, 1990.

B. Eligible Work. Two types of work are eligible for reimbursement under this program.

1. Drinking Water Assessments. These assessments must:
 - a. Be performed by a commercial laboratory certified by the Ohio Environmental Protection Agency (OEPA) to perform chemical analysis on drinking water; and
 - b. Follow lead sampling and testing protocols consistent with OEPA's sampling and testing guidelines; and
 - c. Be performed on eligible plumbing fixtures as detailed in Sections III.B.2 and III.C. below; and
 - d. Be completed on or after January 1, 2016.
2. Plumbing Fixture Material Replacements. The following are eligible for replacement and reimbursement, if assessment results indicate these specific plumbing fixtures to be the cause of lead above the federal action level in drinking water:
 - a. Drinking fountains;
 - b. Water coolers;
 - c. Kitchen plumbing fixtures that deliver water used for preparing food for human consumption;
 - d. Other plumbing fixtures whose primary function is to deliver water for human consumption, such as stand-alone ice makers;
 - e. Limited connected piping and ancillary plumbing materials that are necessary to be replaced in order to replace eligible plumbing fixtures, such as piping, elbows, fittings, and isolation valves.

C. Ineligible Work. Examples of work not eligible for reimbursement under this program include:

1. Fees charged by firms that are not OEPA-certified labs (e.g., environmental consulting companies);
2. Labor associated with plumbing fixture replacements;
3. Plumbing fixtures with no associated drinking water assessment data;
4. Plumbing fixtures not found to be a cause of lead above the federal action level;
5. Plumbing fixtures not primarily for delivery of water for human consumption, such as showers, toilets, urinals, fire hydrants, utility sinks used for janitorial services and emergency eye wash stations;
6. Other plumbing fixtures specifically listed as ineligible on the commission website, which may include fixtures previously recalled because of lead components;
7. Either assessment or fixture replacement work completed before January 1, 2016.

IV. Application and Reimbursement Process

The Commission has created a process whereby schools will use a web-based application to apply for these non-competitive grant funds. A district may apply through the on-line process on behalf of all eligible schools in its district, or the district may allow its schools to apply on-line individually. While the grant program is non-competitive, awards are subject to availability of funds, and grants will be awarded for eligible activities in the order they are received. Schools that have implemented assessments and fixture replacement activities or are planning these activities in the near future have the greatest likelihood of receiving funds. Total grant funds for this initiative will not exceed \$12 million to cover both assessments and fixture replacement costs.

There are two possible scenarios for the application and reimbursement process. In both scenarios, the Commission will issue each district or school a single reimbursement per awarded grant.

A. Eligible work already completed after January 1, 2016

1. School secures and pays for assessments and, if applicable, plumbing fixture replacements.
2. The Commission emails schools with a unique link to the online application portal.
3. School or district applies for approval and reimbursement through online application on behalf of all eligible buildings for which the school or district is responsible.
4. School provides sufficient evidence, in a manner acceptable to the Commission, that an assessment was completed and fixture replacements (if applicable) are eligible for reimbursement under these guidelines. This includes confirming that assessment activities were conducted in accordance with the program's sampling and testing protocols.
5. School or district creates and uploads electronic copies of financial documents to support the reimbursement request, such as pdf copies of relevant invoices, receipts, and canceled checks for assessments and costs for replacement fixtures, if applicable.
6. The Commission replies with acknowledgement of receipt of the grant application to the school or district contact person.
7. The Commission follows up with any questions to the school or district contact person.
8. The Commission accepts or rejects the request for reimbursement and notifies the school or district contact person.
9. If approved, the Commission reimburses the school or district electronically through the state's financial system.

B. Work to be performed

1. The Commission emails schools with a personalized link to the online application portal.
2. School or district applies for approval through online application on behalf of all eligible buildings for which that school or district is responsible.
3. The Commission accepts or rejects the request for grant approval and notifies the school or district contact person.
4. If approved, the school or district secures and pays for drinking water assessments.

5. If an assessment determines eligible plumbing fixtures are the cause of lead above the federal action level in drinking water, the school or district completes and pays for necessary plumbing fixture replacements for which it is seeking reimbursement.
6. School provides sufficient evidence, in a manner acceptable to the Commission, that the assessment was completed and fixture replacements (if applicable) are eligible for reimbursement under these guidelines. This includes confirming that assessment activities were conducted in accordance with the program's sampling and testing protocols.
7. School or district creates and uploads electronic copies of financial documents to support the reimbursement request, such as pdf copies of relevant invoices, receipts, and canceled checks for assessments and costs for replacement fixtures, if applicable.
8. The Commission accepts or rejects the request for reimbursement and notifies the school or district contact person.
9. If approved, the Commission reimburses the school or district electronically through the state's financial system.

V. Timeline

- A. The program began accepting applications for Round 1 on September 1, 2016. The program will begin accepting applications for Round 2 at a date to be announced on the Commission web site.
- B. Once the grant application system is operational, grant applications will be processed and grant funds will be reserved for schools in the order received.
- C. The application deadline will be July 31, 2018, based upon availability of funds, and announced on the Commission web site.
- D. Round 1 grants were available for reimbursement after September 27, 2016, the effective date of the program's enabling legislation. Round 2 grants are available for reimbursement upon the opening date of the Round 2 application period.
- E. Documentation of assessments and fixture replacements must be submitted to the Commission for reimbursement by December 31, 2018. A grant will expire if no reimbursement is submitted within this timeframe.
- F. A district or school that has allowed a grant to expire may reapply, if the program is still open for applications and funding is still available.

VI. Records, Reports, Audits

- A. The Commission may conduct reviews or inspections of a school receiving grant funds to determine compliance with the requirements of the program.
- B. All records of grant applications and supporting documentation including the laboratory analysis results retained by the schools are considered to be public record, and will be made available to the public upon request.
- C. The Commission will include records associated with this program in accordance with its record retention schedules.