

## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

April 2, 2020  
County of Delaware  
201 W. Front Street  
Media, PA 19063  
610-891-5425

On or about April 10, 2020 the County of Delaware (County) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of the Lead-Based Paint Hazard Control Grant Program (LBPHC) is authorized by Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, 42 U.S.C. 4852) and funding is provided by the Consolidated Appropriations Act, 2018 (Public Law 115-141), approved March 23, 2018, and the Consolidated Appropriations Act 2019 approved February 15, 2019, (Public Law 116-16) for the purpose of establishing lead-safe residences in Delaware County. The program will allow qualified, low and-moderate income, homeowners and renters improve the safety of their homes by testing for and remediating lead paint. The program will provide lead remediation for 35 eligible residences during the period of January 30, 2020 through July 31, 2023. The County is requesting the release of \$1,000,000 in LBPHC funds and has committed \$100,000 in CDBG and local funds to match the LBPHC funds.

The proposed hazard control activities to be funded under this program are categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at § 58.5 of 24 CFR Part 58. In accordance with §58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target area(s) listed above. Other applicable environmental laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target areas have been studied and compliance with the following laws and authorities has been achieved in this Tier 1 review: Airport Hazards, Coastal Barrier Resources, Air Quality, Coastal Zone Management, Endangered Species, Farmlands Protection, Noise Abatement and Control, Sole Source Aquifers, Wetlands Protection, Wild and Scenic Rivers, and Environmental Justice. Site-specific environmental reviews will include compliance with the following environmental laws and authorities for proposed projects funded under the program(s) listed above: Flood Insurance, Contamination and Toxic Substances, Explosive and Flammable Hazards, Floodplain Management, and Historic Preservation. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at §58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant Impact and Request for Release of Funds published. Copies of the compliance documentation worksheets are available via email. Please contact Phil Welsh at [welshp@co.delaware.pa.us](mailto:welshp@co.delaware.pa.us)

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at Delaware County Office of Housing and Community Development (OHCD); 600 N. Jackson Street, Suite 101, Media, PA 19063. The ERR will be available to the public for review electronically. Please submit your request via email to Phil Welsh at [welshp@co.delaware.pa.us](mailto:welshp@co.delaware.pa.us)

### PUBLIC COMMENTS

Any individual, group, or agency may submit comments on the ERR to the OHCD via email. Comments should be submitted to Phil Welsh at [welshp@co.delaware.pa.us](mailto:welshp@co.delaware.pa.us) All comments received by April 9,

2020 will be considered by the County prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

### **RELEASE OF FUNDS**

The County certifies to HUD that Linda F. Hill in her official capacity as OHCD Director, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the County to utilize federal funds and implement the Program.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will consider objections to its release of funds and the County's certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the County; (b) the County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the County has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58), and may be addressed to HUD as follows: Karen M. Griego, Office of Lead Hazard Control and Healthy Homes, Program Environmental Clearance Officer, U.S. Department of Housing and Urban Development. **Emails should be submitted at [leadregulations@hud.gov](mailto:leadregulations@hud.gov).** Potential objectors may contact HUD via the email address above to verify the actual last day of the objection/comment period.

Linda F. Hill  
Director, OHCD

