

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land and Materials Administration

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LEAD POISONING PREVENTION COMMISSION

Thursday, April 7, 2022 · 9:30 a.m. – 11:30 a.m. · Google Meet

Approved Meeting Minutes

Documents Distributed:

- Draft Minutes 220303.pdf
- Final Agenda 220407.pdf
- How 2 Industries Stymied Justice for Young Lead Paint Victims.pdf
- HAF Log - Reporting 472022.pdf (HAF numbers completed to date)
- HAF Presentation revised.pdf (Homeowner Assistance Fund Rehab WholeHome Grant Program Presentation)
- Healthy Homes for Healthy Kids breakdown per month.pdf (Healthy Homes for Healthy Kids Lead Initiative numbers)
- Historic Monthly Encumbrance Chart SLP MHRP Classic 4.8.2022.pdf (Special Loan Programs funding to date)

Opening Welcome and Introductions:

The meeting was called to order at 9:33 a.m. with welcome and introductions during which Secretary Ben Grumbles took a moment to share some comments. On Monday, April 4, 2022, Secretary Grumbles attended a meeting in North Carolina with environmental Secretaries among the 50 states as well as the EPA Administrator. The attendees at the meeting discussed environmental justice, the bipartisan infrastructure law, and many of the important new provisions of the billions of dollars for lead in drinking water. Secretary Grumbles shared with those at the meeting that the MDE Lead Commission is increasing its focus on important sources of lead poisoning and using the funds to use clean water State Revolving Fund Dollars (SRF) and drinking water SRF for lead service line and replacement and also other fixtures in schools or public buildings in order to reduce the exposure to lead through drinking water. Secretary Grumbles emphasized the importance of and the need for the Lead Commission's leadership to help invest wisely and rapidly in lead plumbing, lead fixture, and lead service line replacement, using these dollars that MDE will help to oversee. Ruth Ann Norton asked Secretary Grumbles for his recommended Point of Contact (POC) to the EPA's Office of Water in order to invite the POC to the May Lead Commission meeting. Secretary Grumbles proved the POCs Wendi Wilkes and Andrew Sawyers.

Members Present:

Jacob Benzaquen
Benita Cooper
Jack Daniels
Anna Davis
Susan Kleinhammer

Mary Beth Haller
Cliff Mitchell
Paula Montgomery
Barbara Moore
Ruth Ann Norton

Manjula Paul
Christina Peusch
Paul Rogers
Adam Skolnik

Members Absent:

Delegate Dalya Attar

Senator Jill Carter

Guests Present:

Christina Ardito-MDE
Rena Boss-Victoria-MDE
Shante Branch-MDE
Camille Burke-BCHD
Walter Clews-AmeriSpec
Chris Corzine-OAG
Geraldine Day-BCHD
Debbie Farlow-MDH

Eamon Flynn-MDH
Jeffrey Fretwell-MDE
Ben Grumbles-MDE
Kathryn Hirabayashi-MDH
Dawn Joy-AMA
Michael McKnight-GHHI
Katelyn Mullins-MDH
Simon Penning-BCDHCD

Cherise Roberts-GHHI
Tim Rule-MDE
Kylan Simpson-MDH
George Stewart-GHHI
Marcia Williams-BCDHCD
Chris White-Arc Environmental

Approval of Minutes:

A motion was made by Adam Skolnik, seconded by Barbara Moore to amend the March 3, 2022 minutes. All present Commissioners were in favor of the amendments; the amended minutes were approved.

Amendments: Changed Barbara Moore from absent to present under the attendance.

Old Business:

- Updates from the Legislative Subcommittee: Adam Skolnik provided updates from the Legislative Subcommittee:
 - [**HB101: Landlord and Tenant - Repossession for Failure to Pay Rent - Lead Risk Reduction Compliance**](#) sponsored by Delegate Sandy Rosenburg. The Commission supports this bill. During the 2021 legislative session, this bill was introduced as HB49 and died in the Environment and Transportation Committee. During the 2022 session this bill died again in the Environment and Transportation Committee.
 - [**HB174: Landlord and Tenant - Repossession for Failure to Pay Rent - Registration and License Information**](#) sponsored by Delegate Mary Lehman. The Commission supports this bill. The bill passed. Under HB 174, a lead certificate may be an issue of fact at trial. This bill is effective October 1, 2023.

- [HB1110: Environment - Lead Poisoning Prevention - Elevated Blood Lead Level](#): MDE worked with Delegate Holmes on the bill and MDE testified on Wednesday, March 2, 2022, at the bill hearing in support of the bill. The Commission supports this bill. The bill passed. This bill alters the application and meaning of “elevated blood level (EBL)” and “reference level” as those definitions apply to specified provisions of law that initiate case management, notification, and lead risk reduction requirements under the state’s lead poisoning prevention laws. The bill also requires the Maryland Department of the Environment (MDE), in consultation with the Maryland Department of Health (MDH), and local health departments (LHDs), and other relevant stakeholders, to study and evaluate the most effect means of incorporating the Centers for Disease Control and Prevention (CDC) Blood Lead Reference Value (BLRV) into the state’s lead poisoning prevention programs, as specified. MDE must report its findings and recommendations to the General Assembly by December 31, 2022. The bill takes effect July 1, 2022.
- [HB1266: Dentists - Saliva Lead Poisoning Screening Tests - Scope of Practice and Requirements](#): The bill was scheduled for a hearing on March 8, 2022 which was canceled. The Commission did not support this bill. The bill failed and was withdrawn by the sponsor.
- [HB1290: Education - Public School Construction - Funding and Administration](#) sponsored by Delegate McIntosh. The bill passed which will make money available for lead and water standards.
- [SB0563: Real Property - Actions to Repossess - Judgment for Tenants and Proof of Rental Licensure](#) sponsored by Senator Hettleman. The bill passed but is no longer related to lead due to amendments made.
- Lifetime Service Award: At the March Commission meeting, the Commissioners motioned to officially recognize Geraldine Day’s work through the years and her contribution to the families and children of Baltimore City. Geraldine Day attended the April meeting to accept the award.
- Discuss GAP Analysis: Ruth Ann Norton made a suggestion that lead and water be added to the GAP Analysis.

New Business:

- MDE Lead Commission 2022 Calendar Reminder: May:
 - WSA Updates
 - Update report on testing outcomes in schools/daycares and any new legislation that may have passed from a representative from Water Supply Program
 - Update on Bi-Partisan Infrastructure bill
 - State ARPA Review Report on Progress (Baltimore City): This was rescheduled from April to May
 - Health Department Open Forum-Paula Montgomery: This item will be rescheduled for a future date and time undetermined.
 - Preliminary Data for Testing for 2021 to see the increase or decrease in testing (Shante Branch): This item will be rescheduled to a later month in the year when the results/information is available.
 - 2022 Legislation Closeout Discussion: Lead Clauses and Impacts of Bills that Passed for SB528 and SB524/HB108: There may be a clause on lead in these bills which will be discussed at the May meeting.
 - **Lead and Water in Schools:** update on the 2021 Bill [HB0636 = School Buildings - Drinking Water Outlets - Elevated Level of Lead \(Safe School Drinking Water Act\)](#). [Text - Chapter - Signed by the Governor](#) and the progress that has been made on the implementation. (MSDE)

- **DHCD Lead Hazard Reduction Updates and Initiatives:** Jack Daniels gave a verbal presentation on Lead Hazard Reduction Updates and Initiatives. He provided a brief overview of the function of DHCD and also discussed some of its programs. Jack Daniels provided a copy of the information, literature and slide presentation after the Commission meeting which was sent to the Commission members and guests.
- **State ARPA Review:** Ruth Ann Norton will attempt to contact Alice Kennedy from the Maryland Department of Housing and Community Development (DHCD) to invite her to a future meeting to provide a State ARPA Review and discuss the \$100 million allocation.
- **New York Times Article: How 2 Industries Stymied Justice for Young Lead Paint Victims:** Paula Montgomery emailed the Lead Commission the document titled "Copy of How 2 Industries Stymied Justice for Young Lead Paint Victims" prior to the meeting which was reviewed and highlighted at the meeting. Ruth Ann Norton asked that Benita Cooper thoroughly read the article and be prepared to give an update in June and brief the Commission on the state of property insurance and pollution liability insurance in Maryland and the exclusions that are allowed by the law so that the Commission can make necessary recommendations and set needed standards pertaining to the issues.
- **Combination of Committees Meeting:** Ruth Ann Norton and Cliff Mitchell indicated that they would like to have a combination Committee meeting in June and discuss what the state strategy should be with regard to the intersection of housing and health as it relates to the below three Commissions. All three Commissions share a commonality with regard to children's environment and health and the issue of housing and health. Ruth Ann Norton advised that a pre-meeting be scheduled to include Ruth Ann Norton, Cliff Mitchell, Camille Burke, and MDE reps in order to prepare a preliminary plan for the June meeting.
 - Children's Environmental Health & Protection Advisory Counsel
 - Commission on Environmental Justice & Sustainable Communities
 - Lead Poisoning Prevention Commission
- **Health Department Open Forum Tentative Agenda-Paula Montgomery:** Ruth Ann Norton and Cliff Mitchell recommended that the May Open Forum meeting be rescheduled to a later date to be determined.

Agency Hot Topics/Current Events:

- **MDE (Maryland Department of the Environment):** Secretary Grumbles offered his encouragement to the Lead Commission to continue its important work to follow through with its recommendations as well as implement new programs.
- **MDH (Maryland Department of Health):** Cliff Mitchell informed the Commission that Title 5 is being used to support lead poisoning prevention case management in some of the local health departments which is the maternal and child health block grant that goes to communities and counties. Also MDH continues to expand its home visiting program. Lastly, on Saturday, April 9, 2022 MDH will have a panel at the New Carrollton Spring Festival in Prince George's County with Ruth Ann Norton; Dr. Earnest Carter, Health Officer of Prince George's County; John Bluey from the Department of Housing and Community Development; and Cathy Atar from the Children's Environmental Health Network to discuss climate, housing, health, and health equity.
- **Maryland DHCD (Maryland Department of Housing and Community) Development:** There were no comments or updates provided.
- **BCHD (Baltimore City Health Department):** Camille Burke provided the following link for those interested in employment. <https://humanresources.baltimorecity.gov/employment>
- **HABC (Housing Authority of Baltimore City):** There were no comments or updates provided.
- **Baltimore City DHCD (Baltimore City Department of Housing and Community Development):** There were no comments or updates provided.

- **MSDE/OCC** (Maryland State Department of Education/Office of Child Care): Manjula Paul reiterated that OCC has children in child care homes that are run by owner occupied buildings and asks that the Commission think about how the buildings can have the required testing and also water testing of the private well water source.
- **MIA** (Maryland Insurance Administration): There were no comments or updates provided.
- **GHHI** (Green and Healthy Homes Initiative): West Stewart indicated that GHHI was awarded a 2 million dollar hud healthy homes production grant which will allow GHHI to help 300 low income homes primarily in east Baltimore as part of the 1k unit East Baltimore Project. GHHI will be able to conduct lead hazard reduction around healthy homes around asthma, trigger reduction, injury prevention, radon mitigation, as well as leverage funded weatherization. The goal is to make homes safe, more sustainable, and more financially stable to help tenants and homeowners stay in properties GHHI has now made safer. Ruth Ann Norton added that GHHI will be formally launching a project with health care investment on June 9, 2022 in coordination with the Baltimore Ravens. GHHI will have a virtual Asthma Summit on May 11-12. GHHI will also be posting some blogs as part of National Health Week. GHHI is hiring for Asthma Health Educators, contractors, certified risk assessors, policy director, a vice president of climate energy and equity.

Commissioner Comments and Updates:

- Cliff Mitchell stated that MDH is applying for its five year competitive renewal for its environmental public health tracking program that supports the lead program through epidemiology and asks that the Commission provide a letter of recommendation from the Chair to support the application. Ruth Ann Norton motioned to support Cliff Mitchell's request, seconded by Christina Peusch. All present Commissioners were in favor.
- Susan Kleinhammer wanted to express her concern that there are many inspector technicians that are not aware of the changes that have occurred to the PCS of the XRFs that they are using which should be used effectively, efficiently and correctly. Susan Kleinhammer recommended that MDE should have a position on how this information should be disseminated to those individuals.

Public Comments and Updates: There were no comments or updates provided.

Adjournment: A motion was made by Paula Montgomery, seconded by Adam Skolnik to adjourn the meeting. All present Commissioners were in favor and the meeting was adjourned at 11:33 a.m.

Future Meeting Date:

The next Lead Commission Meeting is scheduled for Thursday, May 5, 2022 via Google Meet, from 9:30 a.m. – 11:30 a.m.