

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land and Materials Administration

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LEAD POISONING PREVENTION COMMISSION

February 2, 2023 · 9:30 a.m. – 11:30 a.m. · Google Meet

Approved Meeting Minutes

Documents Distributed:

- Final Agenda 230202
- Draft Minutes 230105
- MDE Lead Commission Calendar 2023
- LPPC Attendance 2022
- Legislative Bills -
HB36.HB79.HB169.SB100.SB144
- EJ & MDE
- 2023 CEB Violation Prez_
- FYI Email - Fw_ [EXTERNAL] [Leadnet]
\$150.0 million dollars for childhood lead poisoning prevention
- Lead Factsheets and XRF Factsheet - Spanish translation

Opening Welcome and Introductions:

Ruth Ann Norton called the meeting to order at 9:30 a.m. with welcome and introductions.

Members Present:

Jacob Benzaquen	Mary Beth Haller	Manjula Paul
Benita Cooper	Cliff Mitchell	Christina Peusch
Jack Daniels	Paula Montgomery	Paul Rogers
Anna Davis	Barbara Moore	Adam Skolnik
Susan Kleinhammer	Ruth Ann Norton	

Members Absent:

Delegate Dalya Attar Senator Jill Carter

Guests Present:

Frederick Banks-MDE	Shamola Dye-MDE	Wendy Phillips-MDE
Thea Becton-HUD	Caitlin Eversmier-MDE	Tiffany Price-MDH
Janice Besecker-MDH	Eamon Flynn-MDH	Tim Rule-MDE
Aku Boatema-MDH	Steven Homola-BCDHCD	Candace Scott-MDH
Rena Boss-Victoria-MDE	Darlene Israel-MDH	Stephanie Staats-HUD
Camille Burke-BCHD	Dawn Joy-AMA	Wes Stewart-GHHI
Chris Corzine-OAG	Myron Mason-MSDE	Chris White-ARC
Lori DeLester-Public	Serena McIlwain-MDE	
William Doyle-HCHD	Jo Anne Murray-MSDE	

Approval of Minutes:

A motion was made by Adam Skolnik, seconded by Mary Beth Haller to accept the January 5, 2023 minutes as distributed. All present Commissioners were in favor; the minutes were approved.

Old Business:

- **Next Meeting Reminder:** Thursday, 03/02/23 9:30 a.m. – 11:30 a.m which includes the Agenda items below.
 - Introduction and Commitment of Governor Wes Moore
 - Introduction to Secretary Jacob Day of the Department of Housing & Community Development
 - HB1110 Updates - Environment - Lead Poisoning Prevention - Elevated Blood Lead Level (Tyler Abbott)
 - Childhood Blood Lead Surveillance Report Updates (Tyler Abbott)
 - Subcommittee Updates on Environmental Investigations (Paula Montgomery/Tyler Abbott)
 - MDE – Compliance and Enforcement (Paula Montgomery)
 - Review Transition Reports relating to MDE Lead Program (Ruth Anne Norton)
- **2023 Lead Commission Calendar for final approval:** The Commission discussed the 2023 calendar and updated it by adding “Dashboard of Unit Production on Lead Hazard Control” with the date to be determined. Ruth Anne Norton suggested that item be added with the intention to create a comprehensive report from the Commission, such as a living document, that will report on the activities around lead poisoning prevention and lead hazard control that is transparent to the public such as the number of federal, state, or local public dollars, being used for lead hazard control efforts. The report could also highlight the efforts of other agencies such as MDH, DHCD, and MDE. The report would be a benefit to child advocates, educators, rental property owners, etc. Jacob Benzaquen, Cliff Mitchell, and Paula Montgomery volunteered to contribute to this process. Ruth Ann Norton indicated that she will reach out to those that volunteered to discuss the matter further.
- **Attendance Report 2022:** Ruth Anne Norton reported that she made efforts to reach out to Delegate Attar and Senator Carter to discuss representation from the legislature in the Lead Commission. Wendy Phillips provided the Commissioners and Guests the report and briefly discussed the results.

New Business:

- **Introduction of MDE Secretary:** Ruth Anne Norton introduced Serena McIlwain, Secretary of MDE. Secretary McIlwain introduced herself, expressed her excitement to work with the Commission and offered her support.
- **MDH EPHT- Environmental Public Health Tracking:** Prior to Cliff Mitchell’s scheduled presentation, he announced that the report discussed at the December 2022 Commission meeting, during MDH’s Evaluation of Universal Testing and Updates on Home Visits, is been released and posted to the MDH website: [Childhood Blood Lead Testing in Maryland: Evaluation and Recommendations](#). Following this update, Dr. Mitchell conducted his presentation and provided the Commission a link to the [Environmental Public Health Tracking Portal](#) which provides data about lead and is important to environmental public health and medicine as a reliable source of information that can be used to carry out primary, secondary, and tertiary prevention of lead poisoning. The goal of this tracking portal is to make environmental health data publicly available for action. Dr. Mitchell gave a live demonstration on how to use the portal and navigate the different pages of information.
- **MDE Environmental Justice Presentation:** Caitlin Eversmier conducted her presentation which was previously sent to the Commission as an attachment called “EJ & MDE”. During her presentation she provided the Commission a link to the [EJ Screening Tool](#). MDE administers regulatory and infrastructure programs to protect and restore the environment for the health and well-being of all Maryland. MDE strives to implement programs that reduce existing environmental inequities and that avoid the creation of new inequities in communities who are overburdened or underserved that may have Environmental Justice (EJ) concerns. The MDE EJ Screening Tool allows users to identify potential EJ or overburdened communities. The EJ Screening Tool is intended to enhance agency compliance, oversight, monitoring, and to enhance communication and outreach in areas with permitting activities in EJ or overburdened communities, or underserved communities. The tool uses Maryland census data to enable users to better understand the nature and number of environmental stressors and potential disparities in communities. EJ aims to ensure fair treatment and equality for all Marylanders. Ms. Eversmier gave a brief powerpoint presentation, previously provided to the Commission, which included the internal environmental justice policy and legislation. Ms. Eversmier also demonstrated how to use the tool.

- **BCHD Update On the City’s Tracking of Lead Violation Notices:** Camille Burke gave a powerpoint presentation, previously provided to the Commission titled “2023 CEB Violation Prez_”, which highlighted the following topics: definition of Lead Violation Notice; actions that trigger violation notices; the process of sending violation notices and the next steps; non-Compliance; re-Inspection; passing the inspection; and list of staff and contact information.
- **MD-DHCD – Lead Grant Programs:** Jack Daniels provided the following updates:
 - MD-DHCD has an MOU with Baltimore City DHCD which is going well.
 - MD-DHCD has 20 deals that it has funded for around \$150,000.
 - MD-DHCD is getting about two submissions a week which are prioritized by working with its underwriting staff to validate and verify in order to move forward with the approvals.
 - MD-DHCD has committed five of its healthy homes for healthy kids projects for around \$500,000
 - MD-DHCD has a pipeline of 12 deals that are waiting for approval.
 - MD-DHCD recently received committee approval for one of those deals and it is working on the accommodation/relocation portion of the project.
 - MD-DHCD has another scope of work that has come in. Currently, its lead inspectors are reviewing the work to make sure it's acceptable to go to the committee.
 - MD-DHCD received about four applications, one of which was not able to move forward because there was no lead in the house.
 - MD-DHCD has done around \$4 million dollars in its other repair programs: Accessible Homes for Seniors, the traditional whole home, critical repair program (MHRP), and Indoor Plumbing Program.
 - The HAF WholeHome Critical Repairs Grant program has seen 410 applications encumbered during this fiscal year accounting for \$4.1 million dollars that was from July 1 to December 31. MD-DHCD is looking internally within its executive management in order to increase funding for the program. By the end of the month, MD-DHCD will have enough applications to spend out the whole \$10 million dollars. The program will end at the end of the calendar year 2026.
 - MD-DHCD has another initiative in Baltimore City called the Homeownership Works (HOW) program which is a pilot program. MD-DHCD has concentrated on two areas of the Pilot Program; Johnson Square in Baltimore City and the Pine Street Community in Cambridge. MD-DHCD is working closely with Habitat for Humanity Choptank in Pine Street and ReBUILD Metro in Johnson Square. There is current legislation in session to increase funding for this Pilot Program as MD-DHCD is becoming a national model for addressing property value gaps.
 - MD-DHCD has a pipeline roughly of about 15 deals in Johnson Square. Three of those deals have been approved. Four are currently in the process of getting final approval and getting commitment. The other eight deals are pending. MD-DHCD is waiting on the customer to be able to get the contractor to come and give a qualified bid in Cambridge.
 - In the Pine Street area MD-DHCD has 12 deals that are in the beginning stages. Once MD-DHCD gets its participation agreement finalized, it should have most of those deals committed and done, however one of those deals fell through which was the deal through healthy homes for healthy kids.

Legislation/Pending Legislative Action Dates

- [HB0079/SB0296 - Housing and Community Development - Whole-Home Repairs Act of 2023](#): Ruth Anne Norton gave a brief overview of HB79/SB296. The bill was introduced by Delegate Vaughn Stewart of Montgomery County and would be replicating the Pennsylvania Whole House law that was passed last year. The state of Pennsylvania put together a fund out of money from the American Rescue Plan. Pennsylvania put the
- \$125 million dollars into a fund for housing for environmental health under the American Rescue Plan with the intention to pilot a whole house approach.
- [HB0200/SB0181 - Budget Bill \(Fiscal Year 2024\)](#): Wes Stewart gave an overview of this supplemental budget bill that will include \$1.5 million dollars in additional funding for the Lead Poisoning Prevention Fund at the Maryland Department of the Environment.
- [HB0036/SB0100 - Real Property – Actions to Repossess – Proof of Rental Licensure](#): Adam Skolnik gave an overview of this bill which requires landlords to have licenses if the landlords are going to use “fail to pay rent” cases in rent court. The Maryland Multi-Housing Association supports this bill with some amendments. Adam

Skolnik will forward to Wendy Phillips the amendments that MMHA is suggesting to be shared with the Commission.

- [HB0169/SB0144 - Public Utilities - Energy Efficiency and Conservation Programs - Energy Performance Targets and Low-Income Housing](#): Ruth Anne Norton reminded the Commission that during the 2022 legislative session, this bill was approved by the legislature but vetoed by Governor Hogan. This bill is being reintroduced in the 2023 session and is an energy efficiency bill that will guide investment to ensure that energy efficiency happens and that low-income families are getting the appropriate level of investment based on their contribution to “Empower” funds which is a utility fund that provides funding back to the public for energy efficiency and weatherization. The bill calls for a Commission that will look at the whole house approach. This bill has an impact on lead in that, like HB79, HB169/SB144 calls for the alignment of dollars into the fund. The general non low-income fund from utilities has about \$130 million dollars in it for the general public which is fully spent out in many ways for the public. Low-income communities actually contribute around \$49 million dollars a year into the fund. Low-income communities only received back \$28 million dollars a year which creates an inequity of expenditure and guidance. HB169/SB144 would effectively correct that inequity. Chair Norton indicated that she will share GHHI’s testimony with the Commission. This bill would provide guidance for the Department of Housing and Community Development about priority expenditure to the lowest income communities. The bill will also establish a task force that will look at an align/grade/coordinate process. The Maryland Matters newspaper recently published an article regarding this bill. Chair Norton indicated that she will share that article with the Commission. The bill sponsor in the House is Delegate Lorig Charkoudian from Montgomery County. The bill sponsor in the Senate is the Chair of the Education, Energy, and the Environment Committee, Senator Brian Feldman. The Senate hearing was on January 31, 2023. The Commission supports this bill which will likely get pasted again by the legislature.

Agency/Hot Topics/Current Events:

- **MDE** (Maryland Department of the Environment) Paula Montgomery stated that the FDA has announced that it has draft guidance. There will be a webinar on that guidance on March 2, 2023 at 10:00am for the industry on action levels for lead in baby food as a response to the zero tolerance initiative as well as goals to reduce dietary exposure to contaminants while maintaining nutritious foods. Additionally, the CDC has identified a cream that the Vietnamese population is using for eczema. According to the FDA the threshold limit is 10 parts, per million. The cream in question is over 7,000 parts per million. There was an advisory that went out to Locals about the cream.
- **MDH** (Maryland Department of Health): No updates provided.
- **MDAAP** (American Academy of Pediatrics, Maryland Chapter) Paul Rogers indicated that MDAAP just completed its fifth session in which Cliff Mitchell participated.
- **MSDE/OCC** (Maryland State Department of Education/Office of Child Care): No updates provided.
- **MIA** (Maryland Insurance Administration): No updates provided.
- **MD-DHCD** (Maryland Department of Housing and Community Development): No updates provided.
- **BC-DHCD** (Baltimore City Department of Housing and Community Development): No updates provided.
- **BCHD** (Baltimore City Health Department): No updates provided.
- **GHHI** (Green & Healthy Homes Initiative): No updates provided.

Commissioner Comments and Updates: No updates provided.

Public Comments and Updates: No updates provided.

Adjournment: A motion was made by Jacob Benzaquen to adjourn the meeting, seconded by Paula Montgomery. All present Commissioners were in favor and the meeting was adjourned at 11:30 a.m.