

**GOVERNOR'S LEAD POISONING PREVENTION COMMISSION**

Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore MD 21230

MDE AERIS Conference Room  
January 7, 2016

APPROVED Minutes

**Members in Attendance**

Melbourne Jenkins, Susan Kleinhammer, Edward Landon, Patricia McLaine, Cliff Mitchell (via phone), Barbara Moore, Del. Nathaniel Oaks, Ken Strong, Tameka Witherspoon

**Members not in Attendance**

Nancy Egan, Paula Montgomery, Christina Peusch, John Scott

**Guests in Attendance**

C. E. Burke (BCHD), Nick Cavey (MIA), Syeetah Hampton-EI (GHHI), Dawn Joy (AMA), Myra Knowlton (BCHD), Rachel Hess Mutinda (DHMH), Ruth Ann Norton (GHHI), Manjula Paul (MSDE), Christine Schifkovitz (CONNOR), Tommy Tompsett (MMHA), Chris White (Arc Environmental), Ron Wineholt (AOBA)

**Welcome and introductions**

Pat McLaine called the meeting to order at 9:40 AM with welcome and introductions. Minutes of December 3, 2015 were reviewed. Ed Landon made a motion to accept the minutes, the motion was seconded by Barbara Moore, and the minutes were accepted unanimously.

**Old Business**

Funding for Child Care Facilities Workgroup – Ed Landon reported that a follow up meeting has not yet been held; he will follow up with Christina Peusch.

Follow-up on Rental Registry and Mail-out – deferred to February 2016 meeting

**New Business**

Governor Hogan's Plans for Baltimore City – Ed Landon reported that Governor Hogan will provide a lot of money to bolster demolition activities in Baltimore City. The Maryland Stadium Authority will control the demolition effort, and the control level will be with the state. The Governor and Lt. Governor want to oversee operations closely. Details on where demolition is planned are not available now. Demolition has changed now – Ed Landon was not sure what requirements will be used for removal of housing rubble and how the lots will be left. Ruth Ann Norton stated that she has proposed a plan to address the demolition. She noted that East Baltimore Development Incorporated Project (EBDI) included a large amount of demolition and the Casey Foundation had asked the Coalition to put together standards for demolition. The Coalition had convened a national panel to look at the standards and included community input. Monitoring showed lower lead dust loadings due to cleaning streets and sidewalks prior to demolition activity. The City of Baltimore adopted most of the recommendations but does not

require posting of properties or identification of truck routes to be used for removing the rubble. Ed Landon stated that HCE had removed asbestos floor tiles prior to demolition of public

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housing high rises; other heavy metals could also cause problems. There is also concern for water contamination, based on how the storm drains are dealt with, and for truck traffic. Ruth Ann Norton said she is confident the state is taking a good look at this. Ruth Ann Norton indicated that the Federal Government currently has no standards for demolition. The additional cost for employing safe standards by EBDI was 8% and these standards included community education. EBDI standards have gone to the legislature three times but have never gotten out of committee. Delegate Nathaniel Oaks stated he was very concerned about this. Ed Landon noted that on-site inspection control focused on proper use of controls is also an issue. Having active controls in place during operations is very important. Ruth Ann Norton suggested that GHFI could review existing demolition regulations to identify what, if anything is missing to protect health and safety.

Ruth Ann Norton suggested the commission could also advocate for health-based standards for redevelopment – healthy homes standards as part of the rebuilding of affordable housing. This would be of interest to many groups in the community. Ed Landon suggested that the smart thing to do would be to take down entire blocks; this is much more economical but a good plan is needed. Ken Strong said he will carry the message back to BCHD. Strategic demolition planning is going on within Baltimore City Housing. The City does aim for demolition of the whole block whenever possible. Deconstruction is also an alternative, and the City works with non-profits to recycle building materials. Ed Landon noted that there is added cost for deconstruction, which also takes time, but this may be the way to do it in Baltimore. Both Pat McLaine and Ruth Ann Norton noted that relocation of residents, including families, children and elderly, was an issue. Ed Landon stated that the Mayor has indicated that there is a plan in place for relocation. Ken Strong noted that Federal requirements govern the relocation of residents; this is one of the most costly expenses and families typically have done well. Ed Landon stated he wanted to see the standards first. Cliff Mitchell noted that it was important to urge all relevant agencies to be involved with the planning of this work. Myra Knowlton stated that there had not been enough eyes on contractors doing demolition; enforcement is needed. She suggested that the State could also require demolition contractors to have RRP training. Ed Landon stated that the state needed to look at where the refuse is dumped. Contractors should have to show a permit for waste disposal and the State needs to have inspectors on this regularly. Pat McLaine suggested that the Commission consider sending a letter to the Governor about the importance of on-site inspections, involvement of the community, use of EBDI standards and noting the need to ensure the rebuilding of housing for community residents. Based on the GHFI review current requirements to identify if anything is missing, a letter will be drafted for review and approval by Commissioners. Ed Landon will provide an additional briefing on the demolition at our February meeting.

DHMH – Cliff Mitchell reported that DHMH is working with the Coalition on materials for providers. DHMH has secured a mailing list for physicians from the Board of Physicians, including pediatricians and family care providers. He has requested a list of Nurse Practitioners from the Board of Nursing. Cliff is doing a series of Grand Rounds on the new regulations for

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lead screening. The regulations are awaiting publication in the Maryland Register. Cliff stated he will send Pet Grant a copy once the regulations have gone in for publication. Based on prior comments, Cliff Mitchell stated that he feels most of the concerns have been addressed. He is proceeding with the assumption that the regulations will be in place in several months. DHMH is also working on revisions to MSDE forms (for childcare, teachers) and has met with the Office of Childcare and with school nurses. DHMH is also working with local health department case managers and will meet later this month about providing regional resources for the management of children with BLLs in the 5-9µg/dL range. DHMH will also work on their website to make sure materials are readily available. Cliff Mitchell indicated he will be talking with MDE about increased reporting issues and follow-up of children with BLLs of 5-9µg/dL. There is briefing in the House on 1/21/2016 concerning lead at the Environment and Transportation Committee.

Crisis regarding Drinking Water in Flint, Michigan – A number of articles were provided at the meeting on the crisis in Flint, Michigan. Pat McLaine noted that it is important to remember that lead in housing is not the only source of lead exposure. Ed Landon noted that problems occur whenever changes are made to sources for drinking water, for example, using the Susquehanna River. A number of years ago, changes were required for drinking water fountains because of brass fittings containing lead. Ed Landon asked if MDE could provide an update on sources for drinking water in Maryland at our next meeting.

Pay for Success Program – Ruth Ann Norton talked about the Pay for Success Program. This is an alternative financing concept from the UK – pay for what works. For example, lead hazard control is effective in decreasing lead exposures, but the problem is that there are inadequate resources to scale the interventions to ensure the best outcomes for populations. Social impact bonds are secured with private sector investors (e.g. Bill Gates, Mark Zuckerberg) who are interested in using money to have a social impact and to get a return on investment. The program is funded. The government pays only for success, for performance, for what works. Investors get their money back and a return on investment. Private foundations are also involved. GHHI is working with the Calvert Foundation, Johns Hopkins and Goldman Sacks to develop an intervention for kids with asthma. Medical costs are highest among Medicaid recipients. Investors put forward an investment of about \$10 million to cover the cost of housing interventions and a randomized controlled trial. The plan is to get State Medicaid program to pay for proven practices that will reduce the costs and improve the health of children with asthma. The metrics would be decreased asthma hospitalization and ED visits, improvements in symptoms of individual children and improvements in school attendance. Referrals would come from CRISP to community health service providers who will complete home assessment and begin intervention by a nurse to ensure actions are taken to reduce asthma triggers in the home. Follow up is at 1, 6, 9 and 12 months. If there is a 50% reduction in hospitalization and a 40% reduction in ED visits, Johns Hopkins Health Plan and Medicaid will pay. Investors are guaranteed a portion of return even if they don't meet the agreed upon metrics. RWJ and Kresge Foundations back this up. If the program fails to reach its metric, they will pay investors partial payment. The return on investment ranges from 4-12%. Ruth Ann Norton said 8 projects have

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been funded in the US, including early education and work force recidivism. Only one has failed: they had success but did not meet the metric success level. Usually the payer is the government. About 100 transactions are under development nationally. Many focus on early education investments (Early Head Start and Head Start) that have been dramatically successful. Proving the negative (for example, preventing a child from being poisoned or preventing falls) is more difficult to calculate.

Baltimore Eviction Rate among Highest in Country – an article from Baltimore Sun was distributed to Commissioners citing findings from a new study from the Public Justice Center that found the rate of Eviction in Baltimore to be the highest of any major American City – more than 6,000 renters evicted every year. GHHI sits on rent group workgroup. Syeetah Hampton-El indicated that a change was made recently that only 30 evictions could be batched together for processing by the courts. The Workgroup is trying to identify better, more just ways to protect tenant interests. Small mom and pop organizations are not always aware of requirements for evictions. There may be legislation about this during this session. Owners cannot evict if they are not in compliance with lead registration and have a lead certificate. Ed Landon asked if the properties are bank foreclosed. In these cases, liability goes back to the new owner, who may not know about the law. Syeetah Hampton-El stated that if the property was foreclosed, the new owner has restrictions they must comply with. Prior to the sale, the bank is on the hook to maintain the property. Ed Landon stated there should be disclosure of lead to new buyers of foreclosed properties. Myra (BCHD) stated that there was an exemption on lead disclosure at the Federal level on foreclosed properties. The City is sometimes able to get banks to rehab the foreclosed properties, but they are also evicting tenants. There is a gap here, discussed by the Commission at earlier meetings – information about existing notices of violations is not provided at property transfer.

#### **Future Meeting Dates**

The next Lead Commission Meeting is scheduled for Thursday, February 4, 2016 at MDE, AERIS Conference Room, Front Lobby, 9:30am – 11:30am.

#### **Agency Updates**

**Maryland Department of the Environment** – no one present to provide a report

**Maryland Department of Health and Mental Hygiene** – nothing more to report

**Maryland Department of Housing and Community Development.** – nothing more to report. Ed Landon reported that no lead legislation has been dropped yet as early legislation. He is aware of one bill being reconsidered by Senator Eckardt (HB 1158 from 2015 Session).

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**Baltimore City Health Department** – Camille Burke reported that Laura Fox has left the Health Department to move closer to her family; her last day was January 5. BCHD is working with DHMH and the Coalition on the 5-9 BLLs, and taking calls from around the state. Barbara Moore asked who could take calls if a family whose child had a BLL of 5-9µg/dL had questions about inspection; Camille Burke said she would take those calls.

**Baltimore City Housing Department** – Ken Strong reported that negotiations with HUD were complete and the new HUD grant went to the Board of Estimators on December 23, 2015. The start date for the grant will be 1/1/2016. A lot of preliminary work is being done including coordination with other agencies, sub-agreements, getting pipeline cases identified, and the work is moving forward. The Housing Department is talking about how the idea of tax credits for healthy homes improvements might work. RRP training was held for lead staff and partners; HUD and MDE assisted.

**Office of Child Care** – nothing new to report.

**Maryland Insurance Administration** – nothing new to report.

**Public Comment** – no public comments were offered.

### **Adjournment**

A motion was made by Ed Landon to adjourn the meeting, seconded by Barbara Moore. The motion was approved unanimously and the meeting was adjourned at 11:12 AM