

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION
Maryland Department of the Environment
Approved Meeting Minutes
Thursday, April 1, 2021

Documents Distributed:

Draft Minutes 210304.pdf
Final Agenda 210401.pdf
GAP_StrategicPlanningAnalysisLCActions 03.22.21.pdf
Press Release - Settlement in Lead Accreditation and Oversight Case.pdf
SEP Comments DRAFT_From Lead Commission (Drafted by Ruth Ann Norton).pdf

Opening Welcome and Introductions:

Paula Montgomery called the meeting to order at 9:32 AM with welcome and introductions.

Members Present:

Anna Davis	Barbara Moore	Paul Rogers
Susan Kleinhammer	Leonidas Newton	Adam Skolnik
Cliff Mitchell	Ruth Ann Norton	
Paula Montgomery	Christina Peusch	

Members Absent:

Dalya Attar	Benita Cooper	Manjula Paul
Jill Carter	Mary Beth Haller	

Guests Present:

Chevelle Bash-GHHI	Jack Daniels-DHCD	Jamal Lewis-GHHI
Rena Boss-Victoria-MDE	Eamon Flynn-MDH	Wendy Phillips-MDE
Shante Branch-MDE	Lisa Horne-MDH	Tim Rule-MDE
Walter Clews-AmeriSpec	Dawn Joy-AMA	Georgella Samu-MDE
Shelly Choo-MDH	Saeid Kasraei-MDE	Wes Stewart-GHHI
Chris Corzine-OAG	Kaley Laleker-MDE	Patrick Wallis-HUD

Approval of Minutes:

A motion was made by Barbara Moore, seconded by Anna Davis to accept the March 4, 2021 minutes as distributed. All present Commissioners were in favor; the minutes were approved.

Old Business:

- 2021 Legislation Discussion:
 - Anna Davis reported on the below bills.
 - **HB0049 Landlord and Tenant - Repossession for Failure to Pay Rent - Lead Risk Reduction Compliance:** This bill died in the Environment and Transportation Committee in January.
 - **HB0636/SB0546 School Buildings - Drinking Water Outlets - Elevated Level of Lead (Safe School Drinking Water Act):** The third reading of this bill passed in the Senate on March 31, 2021 and it appears as though this bill will pass all the way to the Governor's Office for signature.
 - Adam Skolnik reported on the below bills.
 - **HB0523 Landlord and Tenant - Repossession for Failure to Pay Rent - Registration and License Information:** The bill was initially a city only bill but once the bill got to the House, it was changed to a statewide bill with some additional amendments. It passed out of the House and was heard in the Senate on March 30, 2021.
 - Wes Stewart reported on the below bills.
 - **HB0078/SB0052 Public Health - Maryland Commission on Health Equity (The Shirley Nathan-Pulliam Health Equity Act of 2021):** This bill will create a Commission with goals for health disparities and improving health equity. The Lead Commission may be asked to participate or provide some information to this possible future Commission. This bill is currently favorable.
 - **HB0463/SB0172 Maryland Health Equity Resource Act:** This bill will provide resources for prevention programs to address health equity and health disparities. It will focus more on housing, asthma, and injury prevention, but it could have lead implications in the future. This bill is currently favorable.
- Discussion (Consent Decree - Home Depot) Draft Request to DOJ re: SEPs in Settlement Agreements (Voting Update): Ruth Ann Norton previously provided MDE a draft letter addressed to the Department of Justice (DOJ) regarding SEPs in Settlement Agreements. The letter requested for any settlement, that funds as part of the Consent Decree, would be allocated to special environmental projects that deal specifically with lead. Wendy Phillips sent out a copy of the letter to Commissioners and a Call to Vote for Commission Members with a deadline of March 12, 2021. Due to a low response of 5 members responding, the Commission was not able to obtain a quorum on the Call to Vote so the letter was never sent to the DOJ. During the Call to Vote, MDE learned that the DOJ rescinded its policy memo prohibiting the use of SEPs in settlements of civil suits with private defendants, allowing for SEPs in cases like the Home Depot case going forward. With this new information, the letter would need to be amended. Paula asked the Commission if they still thought it would be beneficial to send an amended letter from the Commission. Wes Stewart recommended that

the letter be amended and still sent to the DOJ. Paula Montgomery asked Wes Stewart and Ruth Ann Norton to revise the letter and resubmit it to MDE.

- Christina Peusch made a motion to accept the letter with the necessary amendments as discussed which was seconded by Anna Davis.
 - Commissioners in favor: Anna Davis, Susan Kleinhammer, Paula Montgomery, Barbara Moore, Christina Peusch, Paul Rogers, Adam Skolnik
 - Abstentions: Cliff Mitchell, Leonidas Newton, Ruth Ann Norton
- Call to Vote/Surveys: Paula Montgomery reminded the members that their input is valuable and needed and to please make sure to respond to future calls to vote that are sent by Wendy Phillips.
- Update on Lead Testing and Immunization Subcommittee Meeting - Paul Rogers provided a status update and reviewed the next steps which are as follows:
 - Finalizing the template letters to go to providers and parents which would be sent to the health departments, day care centers, lead clinics, WIC clinics, and County Public Information Officers, etc. and request that those organizations distribute the letters as they see fit.
 - Determine the audience and compile a list of names, addresses, email addresses to whom the template letters should be sent.
 - Schedule another meeting to finalize the list and determine a responsible person.
- Discuss GAP Analysis: Address Lead Exposure in Owner-Occupied Properties (Line item 21-23): An updated report was previously disseminated to the Commission and Paula Montgomery discussed the current status of items highlighted within the report which are progressing. Adam Skolnik indicated that he will reach out to the specified agencies and invite representatives to attend a future Lead Commission meeting or schedule a separate meeting on the side in which Paula Montgomery, Anna Davis, and Ruth Ann Norton would participate.

New Business:

- Reporting Calendar Reminder: Full update on Lead Testing and Immunization Subcommittee and determine action plan moving forward - Paul Rogers
- MDE Water Supply Program Update:
 - Georgella Samu provided statistical updates for the Lead Report results in which MDE received reports from all 24 districts. All the information will be updated on the MDE webpage and will go live April 02, 2021. You can access this information at the following link:
https://mde.maryland.gov/programs/Water/water_supply/Pages/Testing-For-Lead-In-Drinking-Water-Public-and-Nonpublic-Schools.aspx
 - Tim Rule provided a brief update on the Water Infrastructure Improvements for the Nation (WIIN) Act, section 2107 grant which authorizes EPA to award grants to states for assistance in voluntary testing for lead in drinking water at schools and child care programs. There is a new additional Federal Fiscal 2021 allotment for which WSA intends to apply. WSA is in contact with EPA to confirm the project dates and if there are any changes in light of the pandemic and will keep the Lead Commission updated with any news. WSA also continues to work with the Office of Child Care Center to ensure that its initial outreach to the child care centers is as successful as possible.

- Ruth Ann Norton and Barbara Moore expressed concern that schools are not considering its bathroom sinks as consumption outlets. Ruth Ann Norton and Barbara Moore feel that only putting warning signage up for those non-consumption outlets that tested high for lead levels may not be enough to keep children safe. Both Commission members recommend that schools be required to remediate their non-consumption outlet fixtures when they are tested high for lead levels. Ruth Ann Norton recommends that the Commission reevaluate the current regulations and the risk factors that are established and share its recommendations with the Legislature as well as review the Lead and Copper Rule. Ruth Ann Norton also suggested that a letter be drafted discussing the grant program and how spending is prioritized and the risks on those spending priorities as well as discussing bathroom sinks and recommending that the bathroom sinks be included in the replacement priority. It was decided that this topic would be added to the May agenda to review what is included in the grant and rules, allocated spending, and next steps forward to regulation changes or legislative change.
- HUD Field Office Collaboration with State and Local Agencies and New Grant Opportunity: Interested parties who want more information on this grant can go to the GHHI web site at <https://www.greenandhealthyhomes.org/publication/ghhi-hud-older-adults-home-modification-grant-program-nofa-webinar-march-22-2021/>. To watch the recorded webinar you can visit the following website: <https://www.youtube.com/watch?v=UPf7ZgsbwCU>. To view the slides for the webinar you can visit the following link: <https://www.greenandhealthyhomes.org/wp-content/uploads/GHHI-HUD-Older-Adults-Home-Modification-Grant-Program-NOFA-Webinar-3-22-21.pdf>
- Press Release: Settlement in Lead Accreditation and Oversight Case: The press release was provided to the Commission prior to the meeting and Kaley Laleker provided an overview of the settlement.

Agency Hot Topics/Current Events:

- **MDE** (Maryland Department of the Environment):
 - Shante Branch reported that MDE is on track with the LRCA database and expects to release this late October. MCE has provided MDE with all blood lead data through July and MCE is currently processing the August data. MCE is progressing and processing the information.
 - Paula Montgomery reported that the Centers for Disease Control and Prevention (CDC) provided a new notice of a funding award. The majority of the work that is outlined in this grant is work that is performed by MDE. MDE is waiting on clarification from the CDC on the amount of money in which MDE can request. The application is due April 25, 2021. MDE would greatly appreciate any letters of support from the Commission Members. The Lead Poisoning Prevention Commission will provide a letter of support to MDE for the grant. Barbara Moore offered to provide a draft letter of support for the Commission.
- **MDH** (Maryland Department of Health): Cliff Mitchell reported that MDH has completed its final installment of the continuing medical education course. The courses were recorded and can be found at the MDH website at the below web links:

- Session 1: Maryland's Evolving Approach to Lead Poisoning:
<https://www.youtube.com/watch?v=ar9V9MavOcE>
- Session 2: Overview of Healthy HOMes Approach to Children's Health:
<https://www.youtube.com/watch?v=6lpinDJmXRg>
- Session 3: Case Presentations:
<https://www.youtube.com/watch?v=CRjM6glw4q4>
- MDH Website Environmental Health Training and Instructional Materials:
<https://phpa.health.maryland.gov/OEHFP/EH/Pages/Curriculum.aspx>
- **Maryland DHCD** (Maryland Department of Housing and Community) Development: There were no comments or updates provided.
- **BCHD** (Baltimore City Health Department): There were no comments or updates provided.
- **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): There were no comments or updates provided.
- **MIA** (Maryland Insurance Administration): There were no comments or updates provided.

Commissioner Comments and Updates:

Christina Peusch discussed the Lead Commission recognition and awards which were canceled in 2020 due to the pandemic. She recommended that the Commission continue this annual exercise which normally coincides with the National Prevention Week as decided previously by the Commission and suggests that it be done virtually. She will email the criteria used previously to recognize excellence, innovation and leadership from the Commission.

Public Comments and Updates:

There were no comments or updates provided.

Adjournment:

The meeting adjourned at 11:16am

Future Meeting Date:

The next Lead Commission Meeting is scheduled for Thursday, May 6, 2021 via Google Meet, from 9:30 – 11:30 AM.