

# **LEAD POISONING PREVENTION COMMISSION**

(approved 4/2/09)

Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore MD 21230

Thursday, February 5, 2009

## **COMMISSIONERS IN ATTENDANCE**

Eric Lomboy, Alvin Bowles, Patrick Connor, Cheryl Hall, Melbourne Jenkins, Patricia McLaine, Barbara Moore, Valerie Paton, Linda Roberts, and Mary Snyder-Vogel.

## **COMMISSIONERS UNABLE TO ATTEND**

Nathaniel Oaks, and Dr. Lee Woods.

## **GUESTS IN ATTENDANCE**

Ruth Ann Norton – CECLP, Kelley Ordonio – JHHC, Michael Papi – JHHC, Shirley Corbin-MIA, Madeleine Shea – BCHD, Randy Cornish – Connor Environmental, Paula Montgomery – MDE, and Donna Webster – Wicomico County Hlth Dept (via conference phone).

### **Old Business**

The minutes for the January 8, 2009 meeting were approved.

### **CECLP Update**

Case in the court of Appeals- Jackson vs. Dackman

Case to decide if the “The Reduction of Lead Risk in Housing Act” (“Act”) is constitutional.

- If ruled unconstitutional will lose the law or will need to amend provisions of the law.
- CECLP working with 2 firms in their decision to “weigh in”.
- The Lead Commission (“Commission”) is watching, but not ready to form an opinion
- Amicus must be in by February 27, 2009
- Copy of case to the Commission for dissemination

### **Legislative Update**

House Bill (“HB”) 236, Senate Bill (“SB”) 361- Reduction Lead Risk in Housing-Lead Paint Dusting Testing

- Cross-filed Bill
- Legislation requires mandatory lead dust testing at tenant turnover, eliminating the choice between visual and dust inspections

- Some window treatments in the current law will be removed due to fire safety concerns.
- Statistics show that 77% of Maryland property owners already use the lead dust testing method and that in Baltimore City 73% of property owners use the lead dust testing method.
- Owners that elect to perform the lead dust testing method are more likely to not having other housing issues.
- CECLP asking the Commission to support  
Commission had no objections to sending a letter  
Eric Lomboy to draft 1<sup>st</sup> letter to disseminate to Commission Members  
Pat McLaine will let the Commission know if she will speak on behalf of the Commission
- HB hearing Wednesday February 11, 2009 at 1:00 PM. Must put request to speak in before 12:00 PM on the same day
- SB hearing to be held on Thursday February 19, 2009 at 1:00 PM

House Bill (“HB”) 1526, Senate Bill (“SB”) 907- Demolition Work-Safety Provisions and Permitting.

- May be dropped
- No Senate Sponsor
- CECLP meeting with 3 Senators to discuss
- Not a CECLP Bill

#### Marketing Share Bill- (HB/SB?)

- Allows entities to sue lead paint companies in Baltimore City
- Sponsored by Delegate Rosenberg
- Medicaid re-imburement part removed and re-directed for cleanup
- Plaintiff’s attorney to less cost of services and to be re-directed into the abatement

**Commission** - Discussion of 3 Top Issues to be addressed by the Commission in 2009. Looking to submit problems and recommendations on behalf of the Commission by the end of calendar year 2009

Commission agreed on the following “Top Issues”:

1. Improving database capacity
2. Evaluating funding availability and usage to meet 2010 elimination goals
3. Expanding opportunities to increase lead safe housing

Improving database capacity

- MDE to present database overview on March 5<sup>th</sup> at Commission “working meeting”

Evaluating funding availability and usage to meet 2010 goals

- Eric Lomboy and Mary Snyder-Vogel will be putting together a summary of funding sources.

Expanding opportunities to increase lead safe housing

- Recommendation by Commission members to look into Baltimore City Housing Choice Voucher Program, (Eric Lomboy to contact Sarah Norman) Fuel Fund (Mary Snyder-Vogel to look into), weatherization program.

## **ANNOUNCEMENTS OF FUTURE MEETING DATES**

Recommendation made by Patrick Connor to have a monthly “Working Meeting” to discuss all 3 agreed “Top Issues”. Commission members agreed to a monthly “Working Meeting” and a Quarterly Commission Meeting. **Note: The Next “Working Meeting” is Scheduled on March 5, 2009 from 9:30- 11:30 am.** Eric Lomboy will revise the current schedule accordingly.

### **Other**

Requested input or concerns from Commissioners regarding any larger issues

#### **Alvin Bowles – MDE**

Maryland does not have the authority to implement the lead in products regulations and is currently working on this so it will not be preempted.

#### **Cheryl Hall – Office of Child Care**

Concerned that money used to pay for Child Care Facilities for lead inspections is under review and may be put somewhere else.

#### **Barbara Moore – Health Care Provider**

Indicated that there was a current case where the mother of a lead poisoned child was using a natural detoxifier and there was no indication on the products website (product manufactured in Maryland) about the products contents. She will be receiving a sample from the company. Recommendation was made by Committee members to take the sample to DHMH lab for analysis.

Thanks to all City & State Officials for the work they have done with lead.

Meeting Adjourned