

# MARYLAND COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES

Date: 12/06/22

Time: 10am to 12pm

**CEJSC Members:** Camille Burke, Horacio Tablada, John Papagni, Joseph Griffinths, Lori Cunningham, Paulette Hammond, Subha Chandar, Voncia Molock, Barbara Paca, Crystal Faison, Lesliam Quiros,

**CEHPAC Members:** Eamon Flynn (staff), Camille Burke, Devon Dodson, Kelly Love, Alicia Mezu, Christina Drushel-Williams, Dianna Abney, Megan Latshaw, Nse Witherspoon, Ben Gitterman

**In attendance:** Rebecca Rehr, Megan Latshaw, Laura Stewart, Kelly Love, Alicia Mezu, Ana Rule, Veronika Carella, Dorothy Morrison, Bonnie Raindrop, Christina Drushel Williams, Cliff Mitchell, Dianna Abney, Irma Bensinger, Pam Kasemeyer, Ruth Berlin, Theodora Scarato, Ben Gitterman, Devon Dodson, Lisa Nissley, Suzanne Dorsey, Kim Pezza,

## Agenda Items

### **Joint Meeting with the Children's Environmental Health Protection Advisory Council**

#### **1. Introductions & Update on the recent work of each Commission, Chairs**

Secretary Tablada welcomed the members of both Commissions. Camille Burke thanked Paula Dannenfelt for her service to the CEJSC. She will be stepping back. Both Commissions have vacancies to be appointed by the presiding officers. CEJSC and CEHPAC have separately written letters to the General Assembly requesting the vacancies be filled.

CEHPAC has been working on topics including Integrated Pest Management, which includes interviewing IPM Coordinators at schools about how to improve training, education, and implementation of the IPM laws and green cleaning laws as they relate to schools. CEHPAC has also

returned to address the potential health impacts of electromagnetic radiation, approving a guideline for how to reduce exposures to EMR. CEHPAC also reviewed a draft of the MDA JCR Report on IPM and provided feedback to MDA, which was included in the final JCR report submitted 12/1/22. All reports are sent to DLS and posted online.

## **2. Discussion: Spring Community Outreach**

EPA has announced it will be doing community outreach with Eagle Harbor, Curtis Bay, and Cheverly about EJ issues in the spring. MDE and CEJSC will be coordinating with EPA and participating as well. Bellevue-Oxford and Charles County may be other communities worth reaching out to in 2023. Megan Latshaw's students will have some deliverables about EJ issues in Charles County in two weeks.

Do any EJ commissioners have concerns about going out in the community (in terms of the pandemic and safety)? We want to make sure everyone is okay. We will give advance knowledge as much as possible - hopefully on the same day a meeting would have happened

Camille Burke asked questions about EPA outreach to EJ Communities - EPA is reaching out on Civil Rights and EJ (Title VI). One of the deliverables is community outreach in each Region (MD is region III) based on EPA data. Devon Dodson reported that MDE has met with EPA - important to know their data picked the communities without communicating with us - they ended up choosing four communities Hopkins Middle East, Sparrows Point, Cherry Hill, and Port Town, three of four are directly next to locations we are working with at MDE. They will broaden to a cluster approach. EPA will lead CB, MDE will lead Cheverly, MDE is currently providing as much information as possible on what we have done so the efforts are not duplicated. He has also pointed out that they will want to go beyond the 95 stretch to Western Maryland and the Eastern Shore.

## **3. Discussion: Utilizing MDE EJ Screen & the MDH Environmental Health Tracking**

We are conceptually working on how to look at these tools/data together. Two new tools related to environmental health data have been developed and demoed – MDE EJ Screen and the MDH Environmental Public Health Tracking Portal. Marrying the two tools together could enrich the state's ability to identify and address environmental health issues. The EPHT Data Portal is in beta testing at the moment but publicly available. MDE's EJ Screen tool has changed the way MDE staff evaluate projects and looks at overburdened communities.

## **4. Update: Blood Lead Reference Level**

The EPA Action Level for blood lead level has decreased from 5ug/dL to 3.5ug/dL. Subha presented on the change and the implications for Maryland. MDH also evaluated the universal testing strategy established in 2015 and found that the changes were effective, particularly in areas not previously

defined as at risk for lead poisoning and for identifying children with levels between 5 and 9 ug/dL rather than levels over 10ug/dL. Testing rates continue to fall below goals, and much of the data lacks socioeconomic status factors. MDH recommends working more with the provider community, improving data quality, and continuing the universal testing strategy. There are issues with getting parents to bring children for well child visits, sensitivity of lab instruments, and insurance coverage of point-of-care testing. Otherwise providers send patients to labs to have the testing done, and sometimes there is no follow-through. There are also questions and barriers about when the 24 month visit can be done (such as at 20 months).

## **5. Public Comment**

Laura Stewart – Free State Parent Teacher Association is available for assisting state agencies in outreach to communities.

Veronika Carella:

- Requests CEHPAC report to the legislature on their findings and recommendations on the compliance of the IPM law. Requests CEHPAC to instruct the Maryland Air Quality Advisory Council to specifically review the MDA IPM Report.
- Notes the significant data gap related to pesticide application data, and notes there are statutory requirements to collect specific data when pesticides are applied, upon request (COMAR 15.05.01.12). MDA does not appear to request the data from the applicator.

Bonnie Raindrop: Requests CEHPAC document which schools are in full compliance with IPM law, and the evidence supporting those findings.

**Megan Latshaw motioned that the meeting be adjourned, and the meeting adjourned at 11:41am.**

### **Notes from the Chat**

Veronika Carella - MD CEHC Leg Dir 10:11 AM

CEHPAC must request that the Workgroup review the MDA IPM in Schools Report or else they cannot look at it. Please ask CEHPAC to ask the workgroup to review

Megan Latshaw 10:12 AM

Thanks for all your work, Nse! Will you be comparing the DropBox MDA sent with IPM Plans to what your group found publicly available? Also will that DropBox link be shared publicly?

Eamon Flynn -MDH-10:16 AM

Responses to JCR Report:

[https://mlsd.ent.sirsi.net/client/en\\_US/JCR/search/results?qu=%222022+Joint+Chairmen%27s%22&te=JCR&rt=false%7C%7C%7CLOCAL\\_NOTE%7C%7C%7CNote](https://mlsd.ent.sirsi.net/client/en_US/JCR/search/results?qu=%222022+Joint+Chairmen%27s%22&te=JCR&rt=false%7C%7C%7CLOCAL_NOTE%7C%7C%7CNote)

Eamon Flynn -MDH-10:19 AM

The MDA report is actually already posted, including the accompanying documents:  
[https://mlsd.ent.sirsi.net/client/en\\_US/JCR/search/detailnonmodal/ent:\\$002f\\$002fSD\\_ILS\\$002f0\\$002fSD\\_ILS:55029/one](https://mlsd.ent.sirsi.net/client/en_US/JCR/search/detailnonmodal/ent:$002f$002fSD_ILS$002f0$002fSD_ILS:55029/one)

Bonnie Raindrop10:20 AM

I represent Maryland Pesticide Education Network. I have to leave early but would like to comment here: Can CEHPAC document what schools are in full compliance, what schools are not yet in compliance and what is needed to ensure full compliance by all schools with the MD IPM in Schools Law? What evidence has CEHPAC found to support MDA's claim that all Public School Districts are in compliance? Thank you.

Thank you.

Barbara Paca10:20 AM

And Voncia Molock on the ES!

Bonnie Raindrop10:20 AM

I would appreciate receiving the answer by [raindrop@mdpestnet.org](mailto:raindrop@mdpestnet.org), if the answer is addressed in the meeting.

Thank you Devon!

Barbara Paca10:22 AM

Bellevue, Maryland

Megan Latshaw10:22 AM

Charles County Vontasha Simms <[vontashasimms@gmail.com](mailto:vontashasimms@gmail.com)>

Laura Stewart10:23 AM

I will put a note out in our next Free State PTA newsletter if that is appropriate- Laura Stewart  
FSPTA VP Advocacy

Joseph Griffiths -MDP-10:24 AM

You know me so well Devon. Thank you

Laura Stewart10:30 AM

Again please let me know if Free State can also support this outreach [LStewart@fspta.org](mailto:LStewart@fspta.org)

Rebecca Rehr10:30 AM

Can you please repeat what will be done by that February 15 date?

Megan Latshaw10:31 AM

Very exciting, especially now that they're coordinating with MDE!

Barbara Paca10:31 AM

The entire ES may be understood an EJ zone!

Laura Stewart10:35 AM

Another source of lead is play areas with shredded tires. Several play areas had to be shut down after they tested for lead on the surfaces

(And remediated)

Megan Latshaw10:35 AM

Do you know who is leading the climate justice work at EPA?

Subha Chandar -MDH-10:42 AM

MD Environmental Public Health Tracking - Landing page is here:

<https://health.maryland.gov/phpa/OEHFP/EH/tracking/Pages/Home.aspx>

You10:42 AM

MDE EJ Screening Tool: <https://mdewin64.mde.state.md.us/EJ/>

Megan Latshaw10:42 AM

Yay! Definitely a good idea

Subha Chandar -MDH-10:44 AM

Tracking Beta-version of our latest data portal is can be found here:

<https://maps.health.maryland.gov/ephtportal/>

Alicia Mezu -MSDE-10:44 AM

Thank you for this information.

Laura Stewart10:55 AM

If we can drill down to census tract, we can also see if there are hot spots at schools and target air quality improvements.

Horacio Tablada -MDE-10:59 AM

Have to leave the meeting.

Voncia Molock11:01 AM

Is there a way to marry the data with actions being taken? For example - the asthma rate in Dorchester County is so high but what is being done as a result?

Eamon Flynn -MDH-11:03 AM

The EPHT Portal has a tab on "Programs" that discusses what MDH and other state agencies are doing to address each topic. <https://maps.health.maryland.gov/ephtportal/asthma/programs/children>

Ruth Berlin11:05 AM

As the Executive Director of the Md Pesticide Education Network, I want to go on record that we support the request outlined in Ms. Carella's earlier comments regarding the MDA report on their implementation of the IPM in Schools law.

Veronika Carella - MD CEHC Leg Dir11:05 AM

Great point DEvon. What is painfully missing is data from MDA on hazardous chemicals - specifically - where when and how much is applied in a community

MDA does not request pesticide application records or collect the data - a tremendous gap in access to Agency data impacting public health

Megan Latshaw11:06 AM

Agree, Veronika!

Veronika Carella - MD CEHC Leg Dir11:11 AM

CEHPAC needs to report their findings

Dianna E. Abney11:17 AM

I think that many providers understand the need. One of our frustrations is getting patients to come for well child visits on time. Also the fact that at least one major insurer in the state both private and MCO will not let us test in our offices,

Veronika Carella - MD CEHC Leg Dir11:17 AM

Regarding Kelly Love's response, MDA regulations require that all pesticide applicators record specific data whenever EPA registered pesticides are applied by a MDA certified applicator and provide the data to MDA upon request. This issue is that MDA does NOT request the data even when reports of pesticide poisoning occur. [MDA Reg 15.05.01.12 RECORDS]. MDA must take possession of pesticide application records for the protection of public health, children's health and the environment.

Ruth Berlin11:18 AM

Great to hear that the subcommittee will do a proper review of the MDA report and provide their input to the full CEHPAC. This is truly in alignment with CEHPAC being noted as a co-author by the 2022 MGA Joint Committee- and is therefore being looked to - to provide a clear assessment of the full MDA report ( including the attachments) as to schools abiding by the letter of the law..

Eamon Flynn -MDH-11:19 AM

Flyer about reducing the action level:

<https://mde.maryland.gov/programs/land/LeadPoisoningPrevention/Documents/LowerBLL.pdf>

And January letter to physicians:

[https://health.maryland.gov/phpa/OEHFP/EH/Shared%20Documents/Lead/Physician%20follow-up%20Lead%20Letter\\_01252022.pdf](https://health.maryland.gov/phpa/OEHFP/EH/Shared%20Documents/Lead/Physician%20follow-up%20Lead%20Letter_01252022.pdf)

Ben Gitterman11:21 AM

I agree with Dianna. Without on site testing (or at least specimen collection) it is VERY difficult to get parents to go off site and make a trip. JUST for a lead level. They DON'T go. We need that on site testing and flexibility of the dates that it is done

Laura Stewart11:22 AM

As a parent representative I wholeheartedly agree that doing this testing in the office will make this so much more effective

Alicia Mezu -MSDE-11:23 AM

I agree with Diana and Ben.

what can CEJSC and CEHPAC do about this? write a report to legislature?

Monica Brooks11:24 AM

Good question

Eamon Flynn -MDH-11:24 AM

Ben & Dianna - if the POC test comes back at an elevated value, are parents more likely to go off-site for the confirmatory test?

Laura Stewart11:25 AM

Also having a trusted doctor do the testing helps with the emotional response

Dianna E. Abney11:25 AM

Laura, I agree.

Eamon, yes. And the trusted person can give a full explanation on what that means and comfort the parent before they go.

Ben Gitterman11:27 AM

Yes - When MOST parents get told a test result is not normal, they ARE more likely to go off site for a confirmation - it is the initial test to get them off site

Alicia Mezu -MSDE-11:28 AM

I agree. Great conversation!

Laura Stewart11:29 AM

@Devon yes. BTW is there an official parent rep on this call?

Dianna E. Abney11:30 AM

Dianna 301-609-6901 6902 direct to desk. mobile 301-509-0349

Alicia Mezu -MSDE-11:33 AM

Thank you for a very informative meeting today.

Veronika Carella - MD CEHC Leg Dir11:33 AM

PUBLIC INPUT#1 IPM: Children deserve full protection under the Law. CEHPAC has a duty to ensure that the MGA is made aware of CEHPAC's findings and recommendations regarding protecting children and their environment under existing School IPM Law. How will CEHPAC communicate its concerns and findings on the School IPM Law to the Legislature - as requested - now that MDA's Report continues to contradict what the public documents show? Children deserve a CEHPAC review of the final MDA Report.

We too request that that CEHPAC instruct the IAQ/Schools Workgroup to review the MDA JCR December 1, 2022 IPM in Schools Report and report back CEHPAC with next steps in ensuring that CEHPAC findings and recommendations [related to the Legislature's concerns raised by the JRC request of MDA regarding how the School IPM Law is being implemented] - are also shared with the Legislature as was requested.

PUBLIC INPUT#2 DATA GAPS: Regarding Kelly Love's response, MDA regulations require that all pesticide applicators record specific data whenever EPA registered pesticides are applied by a MDA certified applicator and provide the data to MDA upon request. This issue is that MDA does NOT request the data even when reports of pesticide poisoning occur. [MDA Reg 15.05.01.12 RECORDS]. MDA must take possession of pesticide application records to fill this gap.

answering a call, Devon

Megan Latshaw11:35 AM

As the CEHPAC representative to the MD Air Quality Advisory Council, I wanted to share the following update: On October 24, 2022, the Department of the Environment (MDE) presented the proposed regulation titled "Control of Methane Emissions from Municipal Solid Waste Landfills COMAR 26.11.42" to the Air Quality Control Advisory Council (the Council). The Council voted to recommend adoption of the regulations, along with some considerations that the Department is currently reviewing.

The Department plans to publish the Notice of Proposed Action in the Maryland Register by the end of the year, with a virtual public hearing to be held in early 2023. Please note that stakeholder comments received during October 2022 have been posted on our website (<https://mde.maryland.gov/programs/regulations/air/pages/armaregulationsstakeholders.aspx>).

Ben Gitterman 11:40 AM

Devon and Camille - thanks for facilitating a SUPERB meeting

Megan Latshaw 11:41 AM

great meeting - thank you!

Laura Stewart 11:41 AM

Lots of great information and collaboration