

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land and Materials Administration

1800 Washington Boulevard · Suite 610 · Baltimore Maryland 21230-1719

410-537-3304 · 800-633-6101 · www.mde.maryland.gov



04/03/25 · 9:30 a.m. – 11:30 a.m. · Google Meet Lead Commission Distributed Meeting Material

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LEAD POISONING PREVENTION COMMISSION

April 3, 2025 · 9:30 a.m. – 11:30 a.m. · Hybrid Meeting

Meeting Agenda

- Welcome, Introductions, Opening Remarks
- Approval of Minutes – March 2025
- Old & New Business
 - Legislation Updates
 - Old Lead-Free Certificates: (Susan Kleinhammer/Chris White/Fred Banks)
 - Spring into Action - Lead Prevention (Fred Banks)
 - Strategic Planning Day
 - Commission Recess 2025
- Agency Hot Topics/Current Events
 - **MDE** (Maryland Department of the Environment) Fred Banks
 - **MDH** (Maryland Department of Health) Dr. Cliff Mitchell
 - **MDAAP** (American Academy of Pediatrics, Maryland Chapter) Dr. Michael Ichniowski
 - **MSDE/OCC** (Maryland State Department of Education/Office of Child Care) Manjula Paul
 - **MIA** (Maryland Insurance Administration) Benita Cooper
 - **MD-DHCD** (Maryland Department of Housing and Community Development) Nicola Tran
 - **BC-DHCD** (Baltimore City Department of Housing and Community Development) Nicole Hart
 - **BCHD** (Baltimore City Health Department): Brionna Adams/Camille Burke
 - **YGG** (Young Gifted & Green) Naadiya Hutchinson
 - **GHHI** (Green & Healthy Homes Initiative) Ruth Ann Norton
- Commissioner Comments and Updates
- Public Comments and Updates
- Next Meeting Reminder: Thursday, June 1, 9:30 a.m. – 11:30 a.m. which includes the Agenda items below:
 - Legislation Outcomes and Next Steps
 - Strategic Planning Day

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LEAD POISONING PREVENTION COMMISSION March 6, 2025 • 9:30 a.m. – 11:30 a.m. • Hybrid Meeting Draft Meeting Minutes

Members Present:

Adam Skolnik	Fred Banks	Nicola Tran
Alexandra Nestadt	Jacob Benzaquen	Nicole Hart
Barbara Moore	Manjula Paul	Ruth Ann Norton
Christina Peusch	Michael Ichniowski	Susan Kleinhammer
Cliff Mitchell	Naadiya Hutchinson	

Members Absent:

Anna Davis	Benita Cooper	Dalya Attar
		Mary Washington

Guests Present:

Adewole Adegborioye-MDE	Ilan Kokotek-MDE	Rena Boss-Victoria-MDE
Adonna Patterson-MDH	Jack Daniels-MD-DHCD	Rick Kessler-MDE
Anstasia Solano-MDE	Jonathan Riddix-BC-DHCD	Samantha Keane-MDE
Andrew Roelke-MDE	Joshua Perkins-YGG	Shadia Musa-GHHI
Brionna Adams-BCHD	Kevin Stanley-MDE	Shamola Dye-MDE
Chris Corzine-OAG	Kira Videan-MDE	Sheneka Frasier-MDE
Chris White-ARC	Laura Nugent-GHHI	Suma Kondle-MDH
Cynthia Herrera-GHHI	Lori Tantlinger-JHU	Stephanie Cobb-Williams-MDE
Dawn Joy-AMA	Maria Prawirodihardjo-MSDE	Thelonious Williams-MDH
Denifah Bun-Tejan-MDE	Marjorie D'Ambrosio-MDE	Tim Rule-MDE
Dontrell Jones-MDE	Nancy Servatius-MDH	Victor Powell-HUD
Eileen Carroll-Public	Nekia Randall-BC-DHCD	Wade McCord-MDE
George Stewart-GHHI	Paula Montgomery-MDE	Wendy Phillips-MDE
		William Doyle-HCHD

Documents Distributed:

Agenda 250206
Meeting Minutes 250109

Welcome and Introductions:

Commissioner Chair Ruth Ann Norton, President and Chief Executive Officer for the Green & Healthy Homes Initiative (GHHI), called the meeting to order at 9:30 A.M. with welcome and introductions.

Opening Remarks, Acknowledgements, and Other Discussions:

Commissioner Norton congratulated the MDE Lead Program and acknowledged the award they received from the University of Baltimore Schaefer Center for Public Policy for mentoring student interns and serving as Next-gen Leaders for Public Service.

Approval of Minutes:

A motion was made by Commissioner Fred Banks, Program Manager for the Maryland Department of the Environment's (MDE) Lead Poisoning Prevention Program (LPPP), seconded by Commissioner Barbara Moore, Pediatric Nurse Practitioner at Mt. Washington Pediatric Hospital (MWPH) to amend the February 2025 minutes. All present Commissioners were in favor of the amendments; the amended minutes were approved.

Amendments:

The below was added to "Opening Remarks, Acknowledgements, and Other Discussions"

- **Green Environmental Enforcement:** Chair Norton requested an update be given to the Commission on the enforcement case, reported in The Baltimore Banner, regarding an assessor who issued fraudulent certificates. She emphasized the importance of this update in light of the Commission's previous discussions. Additionally, she noted that certain organizations are eager to support efforts in public education and awareness, particularly regarding banned individuals or entities, to ensure proper outreach and compliance. The article can be found here:
<https://www.thebaltimorebanner.com/community/climate-environment/nearly-100-baltimore-area-homes-deemed-lead-free-might-contain-lead-EU43MHSIV5BIHJPRKLUTUGRVJU/>

Old & New Business:

- **Legislation Update:**
 - [SB0250 - Department of the Environment - Fees, Penalties, Funding, and Regulation](#): This bill will increase rental property owner fees from \$30 per property to \$120 and extend the period of the annual registration to every two years versus annually. The Commission supported this bill by sending a Letter of Support to the General Assembly.
 - [SB321 / HB0352 - Budget Reconciliation and Financing Act of 2025](#): The language for SB0250 has been included in this budget bill.
 - [SB0238 / HB0127 - Department of Housing and Community Development - Maryland Housing Rehabilitation Program - Local Rehabilitation Program Administration](#): This is the Maryland Department of Housing and Community Development's (MD-DHCD) departmental bill that would expand the number of agencies and organizations eligible to provide services across the state for lead programs and other rehabilitation programs. MD-DHCD is seeking to amend the Special Loans Program to allow nonprofits to serve as subrecipients alongside local governments. This bill has been advancing.

- [HB1367 - Lead Testing and Inspections - Falsifying Information - Penalty](#): This is a bill that proposes additional penalties for industry professionals who falsify documentation, resulting in invalid certifications and potential safety hazards. Commissioner Naadiya Hutchinson, Lead Free Baltimore Community Organizer, Young Gifted and Green (YGG) made a motion that the Commission support this bill by sending a Letter of Support to the General Assembly. The motion was seconded by Commissioner Banks. Abstentions are listed below. The remaining Commissioners were in favor and the motion passed.
 - Commission Banks;
 - Commissioner Adam Skolnik, Executive Director for the Maryland Multi-Housing Association, Inc. (MMHA);
 - Commissioner Manjula Paul, Nurse Consultant for the Maryland State Department of Education's (MSDE) Division of Early Childhood/Office of Child Care (OCC);
 - Commissioner Nicole Hart from the Baltimore City Department of Housing and Community Development (BC-DHCD);
 - Commissioner Nicola Tran, Director of Housing and Building Energy Programs for the Maryland Department of Housing and Community Development (MD-DHCD);
 - Commissioner Dr. Cliff Mitchell, Health Bureau Director for the Maryland Department of Health (MDH); and
 - Commissioner Jacob Benzaquen, President of JBZ Management
- **Fraud Case for Green Environmental**: Commissioner Banks and Chris Corzine, Assistant Attorney General, Office of Attorney General (OAG) provided information to the Commission. Commissioner Hutchinson requested that information be given as to updates on the number of homes impacted in Baltimore City and notification of tenants.
 - Mr. Corzine reported that MDE investigated Rodney Barkley and his company, Green Environmental, for issuing fraudulent lead-free inspection certificates. The investigation revealed that Mr. Barkley operated with an unlicensed and non-functional X-ray Fluorescent (XRF) machine and failed to submit required project notification forms for oversight. Of 1,100 certificates reviewed, 808 lacked prior notification, and all 133 properties inspected failed reinspection, confirming the presence of lead-based paint. The department revoked Mr. Barkley's accreditation, impounded his XRF device, and filed an injunction against Green Environmental. Additionally, 1,500 advisory letters were sent to property owners and tenants warning that their lead-free certificates might be invalid. The department is pursuing legal action, including default judgment against Green Environmental, while working to serve Mr. Barkley. Kevin Stanley, Environmental Program Manager for MDE's LPPP provided a link to the Lead Rental Certification and Accreditation which can be accessed here: <https://mde-lrca.maryland.gov/Certificates.aspx#certificate>.
- **EPA Release on the Six Indicators of Environmental Health**: Wes Stewart, Senior Advisor and General Counsel/Maryland Programs Director for GHHI provided a link to the Environmental Protection Agency (EPA) article "EPA Administrator Lee Zeldin Announces EPA's "Powering the Great American Comeback" Initiative" The article discusses the Five Indicators of Environmental Health. The article can be found here: <https://www.epa.gov/newsreleases/epa-administrator-lee-zeldin-announces-epas-powering-great-american-comeback>
- **Healthy Homes Production Grant The Special Loans Programs (SLP)**: Commissioner Tran provided a presentation of all the repair programs at DHCD that can be relevant to lead and rehabilitation of older homes. A copy of the presentation was provided to the Commission prior to the

meeting. The SLP group, part of Maryland's Community Development Administration (CDA), provides financing to rehabilitate and improve single-family owner-occupied homes. Its goal is to preserve and expand affordable, safe, and code-compliant housing across the state. SLP loans are funded by state and federal appropriations and authorized under Maryland regulations. The programs are administered internally and in partnership with local governments. The presentation highlighted the following: Overview of the SLP; Sub-Programs; Maryland Housing Rehabilitation Program (MHRP); MHRP Addressable Items; Special Targeted Applicant Rehabilitation Program; Lead Hazard Reduction Grant and Loan Program; Healthy Homes for Healthy Kids (HH4K); How to Apply; and Anticipated New Programs.

- Strategic Planning Day: Chair Norton reported that progress is being made. Monday, March 10 at 11:00 A.M. has been set as the preliminary planning date. It was agreed that a facilitator will be hired to assist the group. The Commission will be receiving updates as progress is made. The preferred location will be at MDE.

Agency Hot Topics/Current Events

- **YGG** (Young Gifted & Green) Commissioner Hutchinson reported that YGG has restarted its door-to-door canvassing strategy for lead service line inventory work. The first canvassing effort took place two weeks ago in District 1, and the next round is scheduled for March 22nd. The current advocacy focus is to inform residents about the lead service line inventory, with YGG providing advance notification to all homes. During canvassing, YGG will conduct scratch tests and complete the inventory process for homes. This effort may also help identify properties affected by the lead fraud situation, providing an opportunity for additional support.
- **GHHI** (Green & Healthy Homes Initiative) Shadia Musa, Outreach and Education Manager for GHHI reported that April is healthy homes month. GHHI's new family advocacy or advocate lawyer, will be going to a bunch of different school sites, to talk about tenants rights, lead laws, etc. also GHHI has a presentation next week with Commissioner Moore and Mount Washington Pediatrics as well to really talk about tenant's rights laws. Laura Nugent, Family Advocate Attorney for GHHI is going to do a comprehensive presentation. GHHI also has a webinar on April 9 with the Baltimore Regional Housing Partnership for rental property owners. Chair Norton reported that GHHI will convene an advocacy meeting to discuss how the Commission can support over 1,500 families through MDE. A call will go out to all interested groups to join this effort. Additionally, GHHI will have a booth at the Baltimore Convention Center this weekend. If anyone has information to share—such as details on grant programs, outreach initiatives related to lead, or other resources—GHHI can distribute it to the public. The event attracts thousands of attendees, making it a valuable opportunity to spread awareness.

Commissioner Comments and Updates:

Commissioner Susan Kleinhammer, President of Leadtec Services, Inc. (LSI) reported that she met with Chris White, Program Manager for Arc Environmental, Inc. (ARC) to discuss old Lead-Free Certificates. They had a productive conversation, but Commissioner Banks was unable to participate. Commissioner Kleinhammer and Mr. White agreed that to provide the Commission with meaningful insights, they need data from the MDE on the number of children with elevated blood lead levels living in properties with old Lead-Free Certificates. They have outlined key discussion points and believe that before making any presentation, it is crucial for the 3 of them to meet and review these issues together. They plan to present at the April Commission meeting.

Future Meeting Date:

Next Meeting Reminder: Thursday, June 1, 2023, 9:30 a.m. – 11:35 a.m. which includes the Agenda items below:

- Legislation Outcomes and Next Steps
- Strategic Planning Day

CPSC Lead Paint Standard

1978

- ❖ Residential Paint

- ❖ Pb < 0.06% by weight in dried solid



DUST

August 1988 – Title 26.02.07.01 - SCOPE

- These regulations establish appropriate techniques for abatement of lead-containing substances from interior and certain exterior areas in group day care centers, in all residential properties, including owner-occupied residential properties and in buildings appurtenant to group day care centers and residential properties.

August 1988- COMAR – Title 26.02.07.02 - Definitions

- “Abate” or “abatement” means the elimination of exposure to lead-based substances
- “Lead-containing substances” means any paint, plaster or other surface coating material containing more than 0.50 percent lead by weight calculated as a lead metal in the dried solid or more than 0.7 milligrams per square centimeter by the X-ray fluorescence analyzer

APPROVED METHODS OF DETECTION

Paint chip samples - Laboratory analysis

XRF – x-ray fluorescence analyzer

- Spectrum analyzers –
 - Scitec Map Analyzer 3, Niton XL, etc
- Direct read analyzers
 - Princeton Gamma Tech – PGT
 - Warrington Microlead
 - RMD – LPA 1

APPROVED ABATEMENT METHODS

- Removal and/ or replacement of components
- Enclosure (regulations use the word “encapsulation”)
- Paint removal
 - Off-site paint removal – the use of an offsite stripping operation
 - On-site paint removal
 - Heat gun, 1100 degrees F
 - Chemicals
 - HEPA attached power tools

Non-traditional approved abatement methods

- Canvas backed vinyl wall coverings
- Reversal

Lead Safe Work Practices

- Occupant Protection
- Containment
- Approved methods
- Clean up
- Final Inspection – Clearance Dust Testing

Advantages vs. Disadvantages as shown in State sponsored pilot program

- Through the use of only approved methodologies and the use of lead safe work practices – created more long lasting “lead safe” housing stock
- Cost – the overall cost exceeded the value of what the property could be sold for
- Abatement was only required in response to a lead-poisoned child – reactionary. More children were identified as lead-poisoned in residential, rental properties than owner-occupied. Rental property owners threatened to board up housing because of costs

HUD Interim Guidelines for Abatement in Public and Indian Housing – September 1990

- Basically took the same approach to abatement as Maryland's abatement regulations
- Have the same advantages and disadvantages as Maryland's regulations

Federal Regulations

Residential Lead-Based Paint Hazard

Reduction Act

Title X October 1992

The mere existence of lead-based paint
does not constitute a hazard

- deteriorated
- excessive dust and/or soil
- friction/chewable/impact



Title X

Requirements

- EPA – real estate disclosure requirement
- EPA – training regulations for abatement
- EPA – study renovation activities to determine if remodelers need to be lead trained
- OSHA – issue an interim/final regulation for the construction industry
- HUD – develop guidelines for lead hazard controls in keeping with the focus on lead HAZARDS not just the presence of lead-based paint

November 1995-COMAR Title 26.16.01

SCOPE

This chapter establishes:

- A. Requirements and standards for the accreditation of contractors, supervisors, inspectors, project designers and trainers providing lead paint abatement services for residential, public or commercial buildings, bridges or other structures or superstructures;
- B. JOB PERFORMANCE STANDARDS for contractors, supervisors and other persons disturbing a lead-containing substance in residential, public and commercial buildings; and
- C. Training requirements for workers who perform lead paint abatement services

November 1995 –COMAR Title 26.16.01.02

Definitions

- “Abatement” means a set of measures designed to eliminate OR REDUCE lead-based HAZARDS in residential, public or commercial buildings, bridges or other structures or superstructures
- Lead paint abatement services shall be performed only by persons trained or accredited under this chapter

February 1996 - COMAR Title 26.16.02.01

SCOPE

- This chapter establishes requirements and standards for the maintenance and inspection of residential rental properties

Lead Risk Reduction Standards

- Residential, rental properties built pre-1978

Step 1. Register with MDE

Step 2. Tenant notification

EPA Pamphlet – “Protect Your Family From Lead in Your Home”

MDE Notice of Tenants Rights

Step 3. At time of turnover

Abatement inspection is required

A. Lead-free (permanent)- XRF- Lead-free OR

B. Full Risk Reduction (hazards) – visual review & dust sampling

May 2008 – COMAR Title 26.16.05

- Outlines the procedures for procedures for all lead inspections

HUD Guidelines for Lead Hazard Identification and Control for Housing – July 2012

- Required to be revised to be in keeping with Title X's focus of not just the presence of lead-based paint but lead-based paint HAZARDS
- Updated previous HUD Guidelines to include not only standards and procedures for abatement but for interim controls of lead hazards

Past vs. Present

- CDC definition of lead poisoned child in 1980s - 25ug/dl
 - CDC definition of “level of concern” in 1990s – 10 ug/dl
 - CDC definition of “reference level” in 2012 – 5 ug/dl
 - CDC present definition of “reference level” – 3.5 ug/dl
-
- Pre 2008 – lead paint inspection company submitted protocols for lead paint inspections to MDE for accreditation
 - Post 2008 – MDE regulations referenced HUD Guidelines for lead paint inspection procedures must be followed

Past vs. Present (continued)

- XRF technology

In a property with a lead free certificate issued years ago – the new XRF technology reads deeper than the old XRF technology. Paint chip sampling is the only way to determine if the lead paint is enclosed

Enclosures of lead-based paint are an allowable strategy but may not be maintained over time by the owner of the property

Testing for lead-based paint is required on coatings, i.e. paints, stains, varnishes, c.

Testing of a surface such as vinyl flooring or carpet is not a coating. If those coverings are removed at a later date they possibly could be exposing a lead painted surface

Paint removal – components that have paint removal completed with chemicals previously can still read positive for lead-based paint because of residue

- HUD Guidelines - lead inspection protocols are to gain a 95% confidence – not 100% therefore lead free inspections could be following the HUD Guidelines and yet lead could still be left exposed in a property that has been issued a lead-free certificate

Rethinking the Definition of Lead Free

- Inspection should be more detailed oriented – (more than one XRF reading under certain circumstances such as when you have high negatives)
- Different types of “lead free” certificates – (total removal vs.enclosure) – different follow up procedures
- Different requirements based upon age of property – (pre-1960 vs. 1960-1978)