



## CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

### Meeting Minutes

February 4, 2008  
James Senate Building  
Annapolis, MD

#### Attendees:

##### Members

Peyton Eggleston  
Ben Gitterman  
Del. Hubbard  
Judy Lakind  
Clifford Mitchell

Lorne Garrettson  
Phil Heard  
Sen. Jacobs  
Alicia Mezu

##### Guests

Ruth Quinn  
Lee Woods  
Ramona [REDACTED]

Madeleine Shea  
Karen Milman

##### Staff

Rachel Hess-Mutinda

#### Welcome and Introductions

Chairman Cliff Mitchell provided welcoming remarks at 2:30pm to Council members and guests. Dr. Mitchell gave an overview of the Council's mission and goals for the coming year. Members and guests introduced themselves. Dr. Mitchell also voiced the need to fill numerous vacancies on the Council.

#### Minutes

Minutes from the December 2007 meeting were distributed. Judy LaKind and Ben Gitterman stated that they had attended the December meeting but their names were not a part of the meeting minutes. Rachel will amend the minutes to reflect their attendance. Minutes were approved and adopted.

#### Legislative Review

##### ✓ HB 15 Task Force on Classroom Indoor Air Quality Standards

This Bill will be heard on February 5, 2008. Dr. Lakind began the discussion regarding this bill by highlighting that it would be very difficult to conduct a study of air quality of ALL classrooms in the State. Dr. Garrettson agreed that this would be difficult and costly and wondered if independent and private schools would be included. Dr. Garrettson suggested

it would be more useful if a statistical sampling of classroom air quality could be done. Dr. Mitchell highlighted issues surrounding lead responsibility of the cited Task Force. Sen. Jacobs suggested that money should be used for school maintenance rather than a study of indoor air quality. Discussion also included the idea of CEHPAC or another taskforce take responsibility for making recommendations, highlighting best practices and researching examples from other cities and states regarding improvement of indoor airquality of classrooms. Most CEHPAC members agreed with this idea. Del. Hubbard also suggested that standards for new school construction be developed, implemented and distributed throughout MSDE and other State agencies.

CEHPAC members supported a motion for Chairman Mitchell to draft a letter to Del. Rice regarding HB 15 with concerns and suggested action steps.

✓ **HB 56 – Phthalates and Bisphenol-A-Prohibitions-Toys and Child Care Articles**  
Senator Jacobs began the discussion by asking “How harmful are these chemicals?” Many members discussed the issues surrounding these items with the conclusion that there is a known risk to children and babies-though more research needs to be done. Dr. Lakind brought up issues related to woman who are pregnant—do these chemicals effect the child in utero? Discussion also focused on issues associated with alternative chemicals that may be used to replace phthalates and bisphenol A. Dr. Lakind voiced her concern that not enough information is available on the alternatives to know that they are safer than the present chemicals.

Chairman Mitchell asked for a vote to support or oppose the bill. Four members voted to support the bill, two members voted to oppose the bill; Dr. Mitchell will write a letter in support of the bill on behalf of CEHPAC.

✓ **HB 62 – Lead-Containing Products – Prohibition**  
Del. Hubbard gave overview of bill and reason for creation. Some members questioned specific language in the legislation. Del. Hubbard said he would take these suggestions back to his committee. Dr. Lakind asked if the list of lead products can be posted on the internet and available to the public. She also suggested that any item that is found with lead is actually destroyed, not just removed from a store.

Chairman Mitchell asked for a vote to support or oppose the bill. The bill was unanimously supported by Council members. Chairman Mitchell will write a letter in support of the bill on behalf of CEHPAC.

✓ **HB 438 Department of Health and Mental Hygiene – Birth Defects Research – Medical Information**  
This bill would allow for surveillance of birth defects recorded within Maryland. All regulations within the bill pass HIPAA laws. Numerous professional groups support the bill. Questions and discussion were raised regarding language indicating solely a mother’s medical record will be requested-excluding information of the father. Dr. Garrettson

pointed out that the feasibility of obtaining medical records of the mother is much easier than obtaining those of the father.

Chairman Mitchell asked for a vote to support or oppose the bill. The bill was unanimously supported by Council members. Chairman Mitchell will write a letter in support of the bill on behalf of CEHPAC.

### **Children's Environmental Health Indicators Report**

Dr. Mitchell discussed the status of the report. He has inserted a section on radon as a result of Sen. Jacob's feedback and suggestion. The most updated version will be circulated to Council members shortly.

### **Membership**

Dr. Mitchell discussed the need to fill vacant slot on the Council. Doug Bradham, health economist, has recently resigned due to relocation to Kansas. Del. Hubbard strongly voiced the need for a health economist on the Council as that knowledge is necessary to move numerous pieces of legislation and regulation in the right direction. Dr. Mitchell and Rachel will work on filling the open positions.

### **New Business**

Ramona [REDACTED] suggested the need for CEHPAC to be a voice for the children whose school environments are not adequately healthy-equating schools to a child's work environment that is unregulated. Ramona would like to let CEHPAC know more of what can be done in schools. Dr. Mitchell has invited her to speak at an upcoming CEHPAC meeting.

**The meeting was adjourned at 4:40pm.**

**The next CEHPAC meeting will take place on:  
April 7<sup>th</sup> 9am at the Maryland Department of the Environment**

**Minutes submitted by: Rachel Hess-Mutinda**

**Minutes: June 2, 2008**  
**Children's Environmental Health and Protection Advisory Council**  
**Maryland Department of Environment,**  
**1800 Washington Blvd., Baltimore, MD**

**Members Present:** Clifford Mitchell (DHMH), Phil Heard (MDE), Alicia Mezu (MSDE), Christopher Loffredo (Georgetown University)

**Guests:** Pamela Bauer, Maryland Healthy Schools  
Barbara Bice (MSDE)  
Veronika Carella (Howard County PTO)  
Dr. Cheryl DePinto (DHMH)  
Dr. Lorne Garrettson (Pediatric toxicologist)  
Lee Hurt (DHMH)  
Judith Ann Shinogle (University of Maryland)  
Romona Trovato US EPA (retired)

**Staff:** Nancy M. Servatius

The meeting was called to order by Dr. Clifford Mitchell at 9:40a.m.

**Welcome and Overview**

Members and guests introduced themselves.

**Approval of Minutes**

The minutes of the last meeting were approved by voice vote.

**Regulation Review**

- **DHMH Regulations**

Dr. Mitchell discussed pending regulations within the Department. The Environmental Health Protection Program is developing regulations to commercial tanning facilities to get custodial or parental consent before minors can use the facilities.

Dr. Shinogle recommended consultation with the skin cancer coalition. Dr. Garrettson recommended that the public announcement of the tanning regulations be accompanied by a peer review article from the American College of Dermatology or the backing of a professional renowned organization.

The Environmental Health Coordination Program of the Department of Health and Mental Hygiene is reviewing three regulations pertaining to child safety. These are:

- COMAR 10.19.02 Hazardous Substances
- COMAR 10.19.05 Flammable Articles
- COMAR 10.19.06 Poison Prevention Packaging

There was extensive discussion around the three regulations. Both the hazardous substances and poison prevention packaging regulations have been shown to be very effective; they are based on the corresponding regulations of the U.S. Consumer Product Safety Commission. There is, however, considerable controversy about the flammable articles regulation because of concern about the carcinogenicity and persistence of the poly-brominated compounds that are used by industry to impart flame resistance. Although there was a great deal of concern about the chemicals, no specific action or vote was taken regarding the regulation.

### **Maryland Healthy Schools**

Pamela Bauer and Ramona Trovato engaged in a discussion with members of CEHPAC regarding the indoor air quality within Maryland's public schools. The group they are forming is concerned that productivity and health of Maryland students and school employees can be linked to indoor environmental quality. They intend to affiliate with the Healthy Schools Network. They raised a number of issues related to school environments: indoor air, cleaning products, idling policies for school buses, lead in drinking water, use of pesticides, and other topics.

There was considerable discussion on this issue. Council members pointed out that some of these issues were already addressed, although incompletely. For example, pesticide notification is required, but only for registered pesticides. Massachusetts has banned pesticides in schools (according to Ms. Carrella), and some Maryland counties are more restrictive than the State. Members also pointed out that there is no systematic surveillance in schools for either environmental problems, or health effects related to them.

Maryland Healthy Schools is trying to push for a state law that would require school systems to maintain healthy school environments, using EPA's Tools for Schools or a similar product. They asked whether CEHPAC would support such an effort, noting that Minnesota has adopted such a law. Members of CEHPAC discussed the benefits and challenges of implementing such a comprehensive law and pointed out that such legislation could take years. It was suggested, that other alternatives, although less in statute, might accomplish more in the short term; i.e., concentrating on "small victories" such as turning off school bus engines while idling; the education of school boards about the proper environmental health maintenance of schools; as well as the possibilities of buying more local foods from the farming communities.

Barbara Bice (MSDE) noted that there is a group at MSDE that develops guidelines for new school construction. Private schools sometimes use the MSDE guidelines as well. The public school construction program (which is separate from MSDE) surveys 250 schools per year and reports back to MSDE and the Board of Public Works on how maintenance and other facilities issues. The interagency committee on school construction can withhold funds from schools if they grossly neglect maintenance (the group is made up of the Departments of Planning, Education, and General Services).

It was further discussed that educational support come through partnerships with other environmental health organizations, such as the Maryland Asthma Control Program, etc.

Barbara Bice delivered a brief report on the progress of the working group that is developing regulations pertaining to the purchase of new portable classrooms. Of the \$340 million in capital projects this year, about \$45 million is devoted to mechanical upgrades. The new codes will not apply to existing portables.

### **Legislative Update**

There were no specific legislative issues.

### **New Business**

Dr. DePinto reported that the Office of Child Care is redoing its regulations pertaining to lead in child care facilities. In the past, the physical facilities section required lead testing only when there was visible dust; Dr. DePinto recommends now that all facilities should be tested.

**The meeting ended at 11:50am.**

**The next CEHPAC meeting will take place am at MDE (Date to be determined).**

Submitted by: Clifford S. Mitchell



## CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

### Meeting Minutes

September 8, 2008

Maryland Department of the Environment

**Members present:** Cliff Mitchell, Lorne Garrettson, Peyton Eggleston, Alicia Mezu, Rich Eskin

**Guests:** Lee Hurt

**Staff:** Rachel Hess-Mutinda

**Membership:** Dr. Mitchell discussed the need for more members to be added to CEHPAC. Due to new job acquisitions, Judy LaKind and Phil Heard will no longer be a part of the Council. Currently, unfilled positions on the Council include: pediatrician, economist, industry, and toxicologist. A suggestion was made to contact local financial institutions (such as Legg Mason) for possible economist replacement. Sheila Rhodes from BGE was suggested for the "industry" slot, while Dr. Bernard Abbott was suggested for the pediatrician replacement.

**Children's Environmental Health report:** Discussion surrounding the release of the Children's Environmental Health report included launch details and next steps. Secretary Wilson of MDE, hopes the report will be used as a guide for next steps and concrete action. CEHPAC's role will be to give attention to issues that may not otherwise be addressed such as pesticides, childhood cancer, fish contaminants etc. CEHPAC's role will also be to continue highlighting issues surrounding the data gaps. Lorne Garrettson suggested the Council issue a brief on the top 5 action items to address issues raised in the report. The five items discussed include: 1-Improve surveillance; 2-IPM in schools; 3-Air particulates and respiratory disease in children; 4-Mercury removal in independent schools; and 5-Siting of schools.

The launch of the publication should include secretaries of DHMH, MDE, MSDE and MDA. CEHPAC members should also be present at the event. Dr. Mitchell is looking into a date and location for the event. "Green" schools in Montgomery, Baltimore or St. Mary's county were all suggested as an event location. The American Association of Pediatrics-Maryland chapter should also be invited.

**Regulations:** Fish advisory standards regulation will be reviewed by MDE soon. Tanning bed regulations will issued by DHMH shortly also.

**Next meeting:** October launch of the Children's Indicators report  
December 1, 2008; 9am; MDE