



CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

The Honorable Martin O'Malley
Governor
State of Maryland
Annapolis, MD 21401-1991

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, MD 21401-1991

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401-1991

Re: House Bill 313 (Ch. 585), Acts of 2000
2009 Legislative Report of the Children's Environmental Health and Protection Advisory
Council

Dear Governor O'Malley, President Miller and Speaker Busch:

Pursuant to Health-General Article, §13-1501—1506, Annotated Code of Maryland, the Department of Health and Mental Hygiene is directed to submit this annual legislative report on the activities of the Children's Environmental Health and Protection Advisory Council.

If you have any questions about this report, please contact Dr. Clifford Mitchell, Acting Director of Environmental Health and Food Protection, Infectious Disease and Environmental Health Administration, at 410-767-6234.

Sincerely,

Clifford S. Mitchell, M.S., M.D., M.P.H.

cc: John M. Colmers, DHMH Secretary
Shari T. Wilson, MDE Secretary
Frances B. Phillips, R.N., M.H.A.
Russell W. Moy, M.D., M.P.H.
Bonnie S. Birkel, C.R.N.P., M.P.H.
Jed Miller, M.D.
Heather Hauck, M.S.W.
Anne Hubbard, M.B.A.

**MARYLAND DEPARTMENT OF HEALTH & MENTAL HYGIENE
MARYLAND DEPARTMENT OF THE ENVIRONMENT**

CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

Health-General Article, §13-1501-1506, Annotated Code of Maryland

2009 ANNUAL REPORT

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

John M. Colmers
Secretary
Department of Health & Mental Hygiene

Shari T. Wilson
Secretary
Maryland Department of the Environment

The Children's Environmental Health and Protection Advisory Council (CEHPAC) was established in 2000 by Health-General Article, §13-1501-1506, Annotated Code of Maryland. CEHPAC advises the Governor and the General Assembly on environmental issues that may pose a threat to children. The growing knowledge that children are particularly vulnerable to environmental hazards was the impetus for establishing the CEHPAC. This statute places Maryland at the forefront of the broad issues related to children's environmental health.

Mission

CEHPAC seeks to identify environmental hazards that may affect children's health and to recommend solutions to those hazards through interdisciplinary problem solving and coalition building. CEHPAC's goals were developed in 2001 and are reaffirmed annually. They are to:

- Ensure that the rules, regulations, and standards of the State protect children from environmental hazards;
- Educate involved parties regarding the environmental hazards that impact children's health and the means to avoid those hazards; and
- Enable children in Maryland to grow up in a safe and healthy environment.

Membership

CEHPAC is composed of members from State agencies and private sector representatives with interest and expertise in the area of children's health and the environment. (See Appendix A. for CEHPAC Membership.) There are currently six unfilled positions on CEHPAC.

CEHPAC members also provide CEHPAC representation on the following Maryland Councils and related groups:

- ◆ Childhood Lead Poisoning Prevention Commission
- ◆ Maryland Asthma Control Program
- ◆ Maryland State School Health Council
- ◆ Maryland Pesticide Advisory Committee
- ◆ Maryland Council on Cancer Control
- ◆ Air Quality Control Advisory Council

CEHPAC Activities

CEHPAC has convened in public session six times within the last 12 months. CEHPAC meetings enabled CEHPAC to discuss pending legislation, review proposed regulations, and provide educational presentations for members. During the 2009 legislative session, CEHPAC monitored bills related to children's environmental health, including bills associated with indoor and outdoor air quality, classroom indoor air quality, and phthalates. CEHPAC received and reviewed the following regulations:

COMAR 26.11.01 Air Quality: General Administrative Provisions

- COMAR 26.11.06 Air Quality: General Emission Standards, Prohibitions, and Restrictions
- COMAR 26.11.09 Air Quality: Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations
- COMAR 26.04.10 Regulatory Water Supply, Sewage Disposal, and Solid Waste: Management of Coal Combustion Byproducts
- COMAR 10.52.06 Preventive Medicine: Use of Tanning Devices by Minors

CEHPAC also discussed proposed legislation on a number of environmental health issues. The legislation reviewed included:

- HB 14 and SB 184 - Environment – Brominated Flame Retardants – Decabrominated Diphenyl Ether - Prohibition
- HB 15 - Child Care Articles Containing Bisphenol - A - Prohibition
- HB 119 - Children's Products Containing Lead - Modifications
- HB 709 - Children's Environmental Health Protection Act
- HB 929 and SB 917 - Agriculture-Fertilizers and Pesticides – Release Reporting
- HB 189 and SB 319 - Respiratory Illness Prevention
- HB 876 - Healthy Homes Initiative

Letters of support for HB 14/SB 184, and HB 929/SB 917 were sent to the Chairs of the House Committee on Environmental Matters and Senate Committee on Education, Health, and Environmental Affairs. (See Appendix B for CEHPAC's letters of support).

To educate CEHPAC concerning the broad issues involved in children's environmental health, CEHPAC meetings included educational presentations. Topics and presenters this year included:

- *National Children's Study*
Laura Caulfield, Ph.D.
Professor
Johns Hopkins University Bloomberg School of Public Health
- *Unhealthy Homes and Communities: Children's Environmental Injustice in Baltimore*
Madeleine A. Shea, Ph.D.
Assistant Commissioner
Healthy Homes Division, Baltimore City Health Department

Accomplishments

A major event for CEHPAC was the first-ever joint meeting of CEHPAC and the Maryland Commission on Environmental Justice and Sustainable Communities (Commission).

This meeting was convened as part of the Commission's statutory mandate (although not part of CEHPAC's charge) yet covered a range of environmental topics of mutual interest. The agenda for the meeting included extensive discussion of potential areas of interest that both CEHPAC and the Commission could jointly pursue, including initiatives that would improve the knowledge base required for critical decision making by policy makers. The meeting was so successful that the two groups agreed to make it an annual event.

As noted last year, September 2008 saw the release of *Maryland's Children and the Environment*, a comprehensive report describing environmental hazards, exposures, and health effects of particular concern to children in Maryland. Since the release of the report, CEHPAC has been actively working with the Department of Health and Mental Hygiene (DHMH) and the Maryland Department of the Environment (MDE) to encourage the distribution of the report. The report, available at <http://eh.dhmh.md.gov/childrensEH.aspx>, discusses critical gaps in the State's current surveillance systems, and also describes the State's progress in improving children's environmental health.

In 2009, the Maryland Environmental Public Health Tracking Network was made available publicly. This CDC-sponsored project is a comprehensive system that integrates environmental and health data. It is a joint project of the DHMH and MDE. While the scope of the Maryland Environmental Public Health Tracking Network extends well beyond children's environmental health, a large component of the network does focus on children's environmental health and other aspects of child health. There was considerable discussion within CEHPAC about opportunities for improving surveillance of children's environmental health within the State, and the role of environmental public health tracking.

Recommendations and Future Priorities

In establishing CEHPAC, the General Assembly clearly identified children's environmental health as a priority for the State. In addition to complying with its mandate to review and comment on State regulations that may affect children's environmental health, CEHPAC has increasingly seen the need for effective surveillance of children's environmental health. The advent of the Environmental Public Health Tracking Network, and the continued interest in *Maryland's Children and the Environment*, demonstrates the continued need to improve surveillance for children's environmental health.

Based on the success of the joint meeting with the Maryland Commission on Environmental Justice and Sustainable Communities, CEHPAC has formulated two recommendations. The first is that CEHPAC's joint meeting with the Commission should be an annual event. The second, given the significance of pesticide exposures to children's health, is that CEHPAC initiate a discussion with the Maryland Pesticide Committee to plan a joint symposium on children and pesticides, to occur in 2010.

Conclusion

CEHPAC will continue to review proposed regulations and legislation to ensure that Maryland's children are protected from environmental hazards that detrimentally impact health. CEHPAC will also continue to educate its members and other interested parties regarding the growing body of knowledge related to children's environmental health.

APPENDIX A

Children's Environmental Health & Protection Advisory Council

MEMBERSHIP 2009

Maryland Senate The Honorable Nancy Jacobs Maryland Senate	Licensed Pediatrician Benjamin A. Gitterman, MD Children's National Medical Center
Maryland House of Delegates The Honorable James W. Hubbard Maryland House of Delegates	Allergy/Asthma Expert Peyton A. Eggleston, MD The Johns Hopkins Hospital
Department of Health and Mental Hygiene Clifford Mitchell, MD, MS, MPH Environmental Health Coordination & Public Health Residency Programs (Chair)	Parent or Guardian Veronika Carrella (Nominee) MD PTA Health & Environmental Issues Chair
Department of the Environment Jed Miller, MD Science Services Administration (Co-Chair)	Environmental Epidemiologist Christopher A. Loffredo, PhD Lombardi Cancer Center Georgetown University
Department of Agriculture Edward Crowe	Economist Vacant
Department of Education Alicia Mezu School Health Services	Environmental Toxicologist Vacant
Department of Human Resources Roosevelt Jordan Out-of-Home Services	Maryland Association of Counties Vacant
Department of Housing and Community Development Vacant	Private Industry Vacant

APPENDIX B

Letters of Support



CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

March 4, 2009

The Honorable Maggie McIntosh
Chair, House Committee on Environmental Matters
House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

The Honorable Katherine Klausmeier
Chair, Senate Committee on Rules
Calvert Room, The State House
Annapolis, Maryland 21401

Dear Delegate McIntosh and Senator Klausmeier:

The Children's Environmental Health & Protection Advisory Council (CEHPAC) respectfully submits this letter of support for House Bill 929 and Senate Bill 917, *Agriculture – Fertilizers and Pesticides – Release Reporting*. This bill would create a requirement that applicators of pesticides and fertilizers report to the Department of Agriculture the location, purpose, and amount of pesticide or fertilizer used, and other information required by the Secretary. It would also create a data repository for this information within the Department.

CEHPAC agrees with the findings of the Act, that the State currently lacks important information on the use of fertilizers and pesticides, information that is essential for the protection of human health, including the health of children. The Department of Health and Mental Hygiene and the Department of Environment selected pesticides as one of their indicators in their 2008 report, *Maryland's Children and the Environment*, but noted that, "Data about pesticide use, exposures and pesticide-related illnesses exist but are limited."¹ Most of the data that exist are based on agricultural chemical surveys done at infrequent intervals, or on inferences drawn from land use and crop acreage. This provides very limited data about agricultural uses, and no information about other types of pesticide application including usage in areas where children are more likely to be directly exposed.

CEHPAC has previously discussed the importance of environmental health surveillance, as a tool to understand the relationship between environmental hazards, body burdens of chemicals in children, and health effects. CEHPAC agrees with the bill's finding that, "It is justified and appropriate to require that certain information on the release of fertilizers and pesticides that are

¹ Maryland Department of Health and Mental Hygiene and Maryland Department of the Environment. *Maryland's Children and the Environment*. Baltimore, MD, August 2008: p. 30.

Web Site: WWW.FHA.STATE.MD.US/CEHPAC

Contact: Rachel Hess-Mutinda

410-767-2196 or rhessmutinda@dhmh.state.md.us

potentially harmful environmental contaminants be assembled for the purposes of assuring the protection of human and environmental health.” Further, CEHPAC believes that without this information, the State is severely limited in its ability to design cost-effective interventions for the protection of children from this class of chemical hazards.

CEHPAC notes one significant omission in the proposed legislation. While Section 14-206 directs the Department to develop rules regarding the release of information from individually submitted reports, there is relatively little direction to the Department as to the sharing of the information collected, even de-identified aggregate data. Specifically, CEHPAC would encourage the adoption of language that specifically identifies the Departments of Health and Mental Hygiene and the Environment as recipients of data collected under the Act, in order to ensure that the information is available for the protection of children’s health.

CEHPAC urges the committees and the General Assembly to act favorably on this proposed bill, and thanks you for your leadership on this important issue.

Sincerely,



Clifford S. Mitchell, MS, MD, MPH
Chair



CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

February 23, 2009

The Honorable Maggie McIntosh
Chair, House Committee on Environmental Matters
House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

The Honorable Joan Carter Conway
Chair, Senate Committee on Education, Health, and Environmental Affairs
Miller Senate Office Building, 2 West
Annapolis, Maryland 21401

Dear Delegate McIntosh and Senator Conway:

The Children's Environmental Health & Protection Advisory Council (CEHPAC) respectfully submits this letter on House Bill 14 and Senate Bill 184, *Environment - Brominated Flame Retardants - Decabrominated Diphenyl Ether - Prohibition*. This bill prohibits the manufacturing, processing, selling or distributing of products that contain more than a certain amount decabrominated diphenyl ether (DecaBDE), a flame retardant containing bromine.

Brominated flame retardant compounds, including DecaBDE, have been identified in the environment and in human tissue, including in Chesapeake Bay fish. These compounds are sufficiently similar to other compounds with demonstrated health impacts and are both persistent and bioaccumulative, that caution is warranted. The chief concern about these compounds, including DecaBDE relates to their potential effects as an endocrine disruptors for the thyroid and for reproductive effects, as well as potential liver effects. Two of three commonly used compounds have already been banned.

CEHPAC urges the legislature to act favorably on this issue. While CEHPAC notes that questions about the safety of alternatives exists for a few applications, in most cases there are either design or other alternatives available for most of the applications where DecaBDE is currently used. We thank you for your leadership on this issue.

Sincerely,

Clifford S. Mitchell, MS, MD, MPH
Chair

Web Site: WWW.FHA.STATE.MD.US/CEHPAC

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