



CHILDREN'S ENVIRONMENTAL HEALTH &
PROTECTION ADVISORY COUNCIL

August 19, 2024

Honorable Kevin M. Atticks, DCD
Maryland Department of Agriculture Secretary
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
kevin.atticks@maryland.gov

RE: Pesticide Use in Maryland Schools – DATA GAP

Dear Secretary Atticks:

The Children's Environmental Health & Protection Advisory Council (CEHPAC) respectfully submits this letter to the Maryland Department of Agriculture (MDA) regarding the implementation of the **Maryland School IPM Law and oversight responsibilities for all pesticides used in Maryland under the Pesticide Applicator's Law**. CEHPAC asks that MDA request the complete application records for any application of an EPA Registered Pesticide to a Maryland School (public or private) at any time during or beyond the academic year.

MDA taking possession of this information will close an existing data gap and ensure transparency when pesticides are used in places that children occupy. Additionally, this will facilitate actions addressed in MDA Regulations, county-board-of-education-mandated IPM Policy requirements, and county-level IPM Plans. Specifically, we request that MDA promptly implement a public and open data system for school-based reporting of EPA-registered pesticides so as to document and make available:

- a. any and all pesticides applied to public or private schools
- b. pesticides applied during and beyond the academic year
- a. EPA-registered pesticide used for disinfecting protocols

MDA regulations require that applicators record specific data whenever EPA-registered pesticides are applied by an MDA certified applicator and provide the data to MDA upon request (MDA Reg 15.05.01.12 Records). The issue is that MDA does not currently request the data. CEHPAC asks that MDA request all pesticide application records as MDA is the only entity allowed by statute to collect pesticide application records, thus making this information available for review and analysis by CEHPAC and the public.

CEHPAC is aware that Maryland Statute and Regulations address pest control, pesticide use, cleaning, sanitizing and disinfecting in public schools via:

- Education Article §5–112. Green Product Cleaning Supplies
- *MDA Regulations 15.05.01 (The Pesticide Applicator's Law)* and
- *MDA Regulations 15.05.02 (IPM and Notification of Pesticides Use in Public Schools)*.

We believe that MDA Reg 15.05.02.03(B)(6) Application Records could be modified to include the reporting of complete application records (i.e. workorder, product label, SDS, etc.) to MDA immediately following the application. For private schools, not covered by the 1997 IPM in Schools Law, we believe modifying the Pesticide Applicator's Regulations for "RECORDS" might be the easiest place to add the requirement to provide

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application records when pesticides are used in a Maryland private school as these records must already be made immediately available, on request, to the Department [MDA Regulations 15.05.01.12 Records]. Perhaps MDA can set up a unique email address where the records can be forwarded to MDA and thus be searchable and forward when MDA receives a PIA request.

In addition to requesting this information, there should be a transparent, publicly-accessible, master database of all EPA-registered pesticides' Product Label and SDS information for those chemicals used as pest control, cleaners, sanitizers, disinfectants, hand sanitizers, and hand soaps in Maryland Schools. Closing this data gap addresses data sharing concerns raised by CEHPAC in the **MD Health in All Policies (HiAP) Data Sharing**¹ initiatives.

When the General Assembly established **CEHPAC** it defined in statute (Md. Code Ann., Health-General §§ 13-1501 thru 1506) that CEHPAC must seek to ensure that the rules, regulations, and standards adequately protect the health of children from environmental hazards. CEHPAC's goal is to enable children in Maryland to grow up in a safe and healthy environment. Our statutory duties include:

- provide input to the General Assembly on legislation that may impact environmental hazards that affect the health of children;
- recommend guidelines for **State agencies** to follow to help reduce and eliminate children's exposure to environmental hazards; and
- educate others regarding environmental hazards that impact children's health, the means to avoid those hazards, and any other relevant information that will assist in protecting children's health.

In establishing CEHPAC, the Maryland General Assembly clearly identified children's environmental health as a priority for the State. Since you are also a CEHPAC Commissioner, Secretary Atticks, we think these duties become even more important when they relate to your own agency. We appreciate your past attendance at CEHPAC meetings and look forward to your continued participation as a commissioner.

Please feel free to contact us if we can be of any assistance. Thank you for your time and consideration of our request. We look forward to your prompt response.

Sincerely,



Megan Weil Latshaw, PhD MHS, Council Member
On Behalf of the Children's Environmental Health and Protection Advisory Council

¹ Maryland Health in All Policies (HiAP) September 2019 Final Report:
<https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/024600/024610/20200396e.pdf>