



## CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

**Tuesday, April 20  
12:30 – 2:00pm**

### **IN ATTENDANCE:**

#### **Members:**

- Cliff Mitchell
- Christina Drushel-Williams
- Alicia Mezu
- Megan Latshaw
- Kristen Rawlett
- Laura Allen
- Kelly Love
- Devon Dodson
- Ben Gitterman
- Nse Witherspoon
- Eamon Flynn (staff)

#### **Guests:**

- Fred Mason
- Cassie Shirk
- Hannah Donart
- Veronika Carella
- Laura Stewart
- Theodora Scoratto

## MINUTES

- Reminder to members to file the financial disclosure with the State Ethics Commission
- Meeting Minutes (3/11/21)
  - Request for public comments to be attributed.
  - Motion to accept: Christina Drushel-Williams
  - Second: Kristin Rawlett
  - Vote: Approved unanimously
- Review of 2021 legislation session outcomes
  - HB 636 – School Buildings - Drinking Water Outlets - Elevated Level of Lead (Safe School Drinking Water Act) – passed
  - Discussion on whether/when bills are required to be passed by CEHPAC. State agencies that are developing regulations that affect children’s environmental health are required to send to CEHPAC, but there is not a statutory obligation to have CEHPAC evaluate bills during the drafting process. CEHPAC has the option to, and has on occasion, provided input on bills. Historically, CEHPAC has also developed a policy statement about a topic that may not be specific to one bill (e.g. tobacco).
  - HB 1207 - Environment - Commission on Environmental Justice and Sustainable Communities – Reform – LOI submitted by CEJSC – passed with alterations to commission recommended in annual report. Bill was amended to narrow the requirements to be consistent with the scope of CEJSC.
- The discussion on lead in drinking water in schools will be moved to June 10 due to scheduling conflicts with staff from MSDE.
- Update from COVID-19 Pediatric/Schools Ad-Hoc Group
  - Discussion of the drafted “motion #1”
    - Summary: Part of CEHPAC’s responsibilities to gather and disseminate information to the public, this motion would request MSDE to report on protocols in each school system regarding green cleaning policies, advise on if the policies have been updated regarding COVID-19 precautions, and disclose products used.
    - Motion to adopt “Motion #1 - Cleaning, Sanitizing and Disinfecting Protocols in Maryland Public Schools” as submitted: Megan Latshaw

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CEHPAC send a letter to Maryland Department of Education (MSDE) requesting an update to the 2015/2016 CEHPAC **Evaluation of Maryland School Green Cleaning Law** inquiry, and, in addition, include the following additional items:

- 1) Request MSDE to mandate school district-based transparent public and open data reporting of:
  - a. Protocols regarding existing cleaning, sanitizing, and disinfecting, including mandated policy, implementation plans, products used (including **Product Label** and **Safety Data Sheet (SDS)**], and staff training; and

b. Strategic measures taken to protect Indoor Air Quality (IAQ) by reducing aerosolization and exposure to respiratory irritants from chemicals used for cleaning, disinfecting, and sanitizing.

2) An update on each school district's compliance with, and implementation of, federal and state laws related to **Green Cleaning, including** as defined and required by §5-112 of the Maryland Code, including any modifications to the required written policies for both procurement and use of green product cleaning supplies, based on a review of the COVID-19 pandemic information and guidance provided by the Centers for Disease Control and Prevention (CDC), the U.S. Environmental Protection Agency (EPA), and the American Academy of Pediatrics (AAP).

3) Review limitations of the current laws regarding the protection of children in schools against potential harmful exposure to disinfectants which are registered pesticides, in light of the fact that disinfectants are specifically excluded from the ambit of §5-112 of the Maryland Code.

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- Seconded: Laura Allen
- Discussion: MSDE did conduct a survey of the school systems in 2016, and a second survey could be done. The statute places the responsibility on the local schools systems to comply with the relevant policies and report to MSDE if they are not procuring green cleaning products. Reporting of compliance is not required. Question to MSDE on what guidance has gone out to schools and child care regarding green cleaning products. Eamon will share results of the survey once received. Comment that schools are asking parents for donations of cleaning products, which may necessitate a public education plan as well. Comment that a green cleaning policy for Montgomery County schools is not readily available to the public.
- Vote: **Motion passed** with none opposed. Cliff Mitchell, Devon Dodson, Kelly Love, Alicia Mezu abstain. Chair will work with staff to compose and send a letter.
- Discussion of "motion #2 - Indoor Air Quality (IAQ) in Maryland Public Schools"
  - Motion to move as submitted: Megan Latshaw
  - Second: Kristen Rawlett

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CEHPAC send a letter to Maryland Department of Education (MSDE) and the Interagency Commission on School Construction (IAC) requesting:

1) Prompt school district-based ~~transparent~~ public information and open data reporting, itemized per school, of:

- a. District-specific measures taken to increase ventilation and filtration to reduce exposure to COVID-19 and other air-borne viruses;
- b. District- specific existing HVAC systems MERV filter ratings;
- c. effective air changes per hour (eACH) averages, verified by an independent third party IAQ expert or firm; and
- d. verification of effective mitigation strategies, such as CO2 monitoring, in high-risk spaces by an independent third party IAQ expert or firm.

2) Each school in Maryland to be provided with a **method of measuring CO2 that is recommended by the Environmental Protection Agency.** ~~one dual beam NDIR CO2 monitor, and the necessary training to allow teachers and staff to operate the monitor and verify that CO2 levels meet health and safety guidelines, in order to see the effects of improved ventilation and filtration measures taken.~~

3) Confirmation from each school district in Maryland that all portable air filters throughout the school district are HEPA only and do not have any other technologies that can impact the indoor air chemistry of the classroom. 1

4) Based on the COVID-19 pandemic information and guidance provided by the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), the Centers for Disease Control and Prevention (CDC), the U.S. Environmental Protection Agency (EPA) and the American Academy of Pediatrics (AAP):

- a. provide information regarding the proposed distribution of Maryland's portion of the Federal HR 1319 Elementary and Secondary School Emergency Relief Fund (and other available funds), including confirmation that school-level IAQ data i.e., CO2 levels etc., will be considered to ensure that schools with the greatest needs, including environmental justice disparities, are adequately addressed and prioritized;
- b. provide state-level guidance to Maryland school districts regarding prompt, transparent communication to parents/guardians and staff on the safety, health, and welfare of students, staff, and teachers, especially with respect to measures such as increased ventilation and filtration, COVID testing, surveillance and contact tracing protocols, science-based quarantining protocols, safer cleaner and disinfecting and water filtration, flushing and testing for contaminants such as lead and legionella; and
- c. provide state-level guidance to address the airborne transmission route of COVID-19, exposure risk as a function of time and concentration, by mandating policies that target maximizing time outdoors, such as breaks, gym, music classes and lunch, which help reduce and reset indoor air concentrations.

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- Discussion: Question about item #2 of motion. Members noted resistance to recommend requiring schools to purchase a CO2 monitor, when the methodology and research are not well understood. In general high CO2 levels may have negative health effects. However, there is a lack of research that a CO2 monitor itself is effective in improving indoor air quality. CO2 levels change due to occupancy, weather, ventilation. This is a very specific recommendation and not the only or most effective way to address air quality or ventilation, especially with limited budgets.
- Recommendation came from a parent with expertise on the topic who is working with a school district to implement national guidance on ventilation. CO2 monitors can be used to verify that other measures that have been taken are effective in improving indoor air quality.

- CO2 monitors do not show quality of the air or the impact of filtration. Comment that there are other simpler tools that can be used to show that there is ventilation. Question about generalizability of this topic.
- CO2 may be the best tool we have, but it may not be worth it from a cost-benefit perspective.
- Suggestion to change to recommending a CO2 monitor generically.
- Concerns noted that the Council is not familiar with this specific type of CO2 monitor and the Council should be familiar with the specific rationale. Council does not want to be seen as endorsing a specific product that the Council is not familiar with or cannot enumerate the qualities necessary for a CO2 monitor. Schools would still need additional guidance.
- Suggestion that it be amended to “Each school in Maryland to be provided with a method of measuring CO2 that is recommended by the Environmental Protection Agency.” Accepted as a friendly amendment.
- Suggestion to strike “transparent” in line one of item #1. Accepted as a friendly amendment.
- Discussion about 1(c) - each school would be required to hire outside experts to verify the average air changes per hour in a school. Question about potential overlap between 1(c) and 1(d).
- Schools vary significantly between districts in terms of infrastructure, funding, building age/condition. Council should consider where money should best be spent. These recommendations are mostly suited to schools with high-functioning HVAC systems and additional resources. Could the recommendations be generalized in order to be applicable to schools that don't have heating and ventilation systems. Low-resource schools may not be able to implement all these recommendations, and it is important that recommendations be useful to all schools in order to improve air quality for all students.
- Question about whether this would apply to public and private schools or just public schools. Question on availability of funding for filtration systems.
- Funding may be available for schools as a result of federal legislation. But if the recommendations are designed to capture data to determine how to spend money, these recommendations would need to be implemented prior to receipt of federal funding.
- Recommendations should be evidence-based. A letter was sent to the Montgomery County BOE by the MCCPTA Health and Wellness Committee that encapsulates many of these points with references. These recommendations are intended for all schools.

- Comment that open-data component is important to ensure parents that risk of COVID-19 transmission has been reduced and that schools could act on that data.
- Vote to pass as amended: Passed unanimously with none against. Cliff Mitchell, Alicia Mezu, and Kelly Love abstain.
- Discussion of “Motion #3 - COVID-19 and Integrated Pest Management in Maryland Public Schools”

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CEHPAC send a letter to Maryland Department of Agriculture (MDA) requesting a review of the **Maryland School IPM Law** to ensure that COVID-19 pandemic related actions are addressed in MDA Regulations, County Board of Education mandated IPM Policy, and County level IPM Plans. Specifically to address;

- 1) Prompt school-based transparent public and open data reporting of EPA registered pesticides
  - a. used for disinfecting protocols (including all product labels and SDS information)
  - b. verifiable strategic and regulatory measures taken to reduce exposure to any type of respiratory irritant used indoor for disinfecting as their use affects indoor air quality and therefore school occupants.

2) An update on each school districts’ compliance with and implementation of the **Maryland School IPM Law**, to include a mandated policy and update the regulations and the required written policies to include EPA registered pesticide products used to control pathogens, based on a review of the of COVID-19 pandemic information and guidance provided by the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), the Centers for Disease Control and Prevention (CDC), the U.S. Environmental Protection Agency (EPA) and the American Academy of Pediatrics (AAP).

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- Motion to move: Devon Dodson
- Seconded: Laura Allen
- Discussion:
  - None of the information requested in is IPM regulations. Disinfection is not part of the IPM protocol. MDA does not and can not ask for cleaning protocols. If a product is a pesticide, it must be used per label instructions by a pesticide applicator. Disinfection and cleaning/sanitation is not part of IPM law.
  - IPM law speaks to requirement for EPA/IPM policy. This motion requests the policy. Fogging/spraying is addressed by IMP policy.
  - If sent, MDA would have the prerogative to respond to CEHPAC with their legal interpretation about actions they may or may not be able to take that is requested by CEHPAC.
- Vote: Motion passed unanimously with none opposed. Cliff Mitchell, Alicia Mezu, Kelly Love abstained. Chair and staff will draft and send the letter.

Chair recognized Theodora Scorrato for public comment. Ms. Scorrato commented on the importance on limiting the exposure to WiFi radiation to children, including recent reports and research on the topic. Ms. Scorrato encouraged CEHPAC to continue to take action on this topic.

- Recommendation by member that WiFi radiation be added to the next meeting's agenda.

Other members of the public were permitted to comment and participate throughout the meeting. Motion to adjourn: Nse Witherspoon. Seconded by Devon Dodson. Meeting adjourned at 2:00pm.