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Joint Committee on Administrative,
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Testimony of Delegate Samuel I. Rosenberg

Before the House Environment and Transportation Committee In Support Of

House Bill 457

**Environment – Drinking Water Outlets in School Buildings –
Testing for Elevated Level of Lead**

Mister Chairman and Members of the Committee:

In one school district in America, an entire generation of children has grown up without once using the water fountains. The children have only ever known bottled water for fear of the poisonous lead in the pipes. This district isn't in Flint, Michigan – its right here in Maryland. Baltimore City Public Schools have kept the faucets turned off for over a decade for fear of poisoning their students.¹

The General Assembly has only recently begun acting on this crisis. Testing - required only since 2018 – revealed that the vast majority of schools in the state have reported lead levels over the federally suggested limit of 20 parts per billion in at least one fixture.²

The EPA estimates that 20% or more of a person's lifetime lead exposure comes from lead pipes. The EPA has found no safe level of lead exposure; exposure in youth is especially damaging.

In fact, a dose of lead that would have little effect on an adult can significantly affect a child. Even low levels of lead exposure have been linked to irreversible damage to the central and

¹ Liz Bowie, *Water from a fountain? Not in Baltimore city schools*, THE BALTIMORE SUN, April 9, 2016.

² See, e.g., Erika Butler, *Elevated lead levels in some Harford school water sources not a cause for concern, assistant superintendent says*, THE BALTIMORE SUN, Aug. 9, 2019; Talia Richman, *How many Baltimore public schools have water fountains that are safe to use*, THE BALTIMORE SUN, Sep. 7, 2018; Codey Boteler and Libby Solomon, *Hillcrest Elementary and Rodgers Forge Elementary among 14 schools testing positive for lead in water fixtures*, THE BALTIMORE SUN, Mar 14, 2019.

peripheral nervous system, decreased IQ, learning disabilities, behavior problems, speech development problems, shorter stature, impaired hearing, and anemia.³

These effects have a tangible real-world impact on our already under-resourced schools and juvenile justice systems. Children who are lead poisoned are more likely to drop out of school and be implicated in criminal activity.⁴

HB 457 amends existing law in two important ways. First, it changes the definition of “elevated level of lead” from “the standard recommended by EPA technical guidance” to a fixed 5 parts per billion.

The EPA standard is unclear, generally not intended to be used as a health-protective standard, and subject to fluctuation alongside agency leadership, which creates ambiguity in our current law. Improving the definition by making it explicit will ensure that our children will be protected by a rigorous, but achievable, standard.

Under current Maryland regulations, MDE prescribes testing every three years. If an old pipe were to crack and start leeching lead and other heavy metals into the water supply, children could be poisoned for years without state action. Such laxity could cause years of irreversible brain damage to our children. We can and must do better for them.

House Bill 457 would require the Maryland Department of the Environment to adopt regulations requiring lead testing in school buildings at least once every 18 months. Our children deserve at least this level of attention to their health.

I respectfully urge the Committee to give HB 457 a favorable report.

February 19, 2020

³ See Wes Moore and Mark Gunnerly, “A Toxic Legacy: Confronting Lead Poisoning in Baltimore” *WYPR* Oct. 16, 2019. Accessed online at <https://www.wypr.org/post/toxic-legacy-confronting-lead-poisoning-baltimore>; see also Kevin Drum, “Lead: America’s Real Criminal Element” *Mother Jones* January/February 2013. Accessed online at <https://www.motherjones.com/environment/2016/02/lead-exposure-gasoline-crime-increase-children-health/>.

⁴ See Herbert L. Needleman, et. al., *The Long-Term Effects of Exposure to Low Doses of Lead in Childhood — An 11-Year Follow-up Report*, *N. ENGL. J. MED.* (1990) <https://www.nejm.org/doi/full/10.1056/NEJM199001113220203>; Rick Nevin, *Understanding international crime trends: The legacy of preschool lead exposure*, *ENVIRONMENTAL RESEARCH*, Volume 104, Issue 3, July 2007, Pages 315-336.