



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 976
Mold Assessment and Remediation - Standards

Position: Support with Amendments
Committee: Education, Energy, and the Environment
Date: March 30, 2023
From: Gabrielle Leach

The Maryland Department of the Environment (MDE or the Department) **SUPPORTS WITH AMENDMENTS** House Bill 976.

House Bill 976 would require MDE, in consultation with the Maryland Department of Health, the Department of Housing and Community Development, and the Department of General Services, to adopt regulations that establish five standards for mold assessment and remediation, as well as a risk reduction standard for mold hazards.

MDE agrees that mold assessment, remediation, and risk reduction standards for mold hazards are important issues as mold can aggravate respiratory conditions including asthmas and allergies. These conditions are often more prevalent in low income communities and impact ER visits, hospitalization rates, school performance, and school absenteeism. MDE does not currently oversee or regulate indoor air quality, including mold, nor has it ever had such responsibilities. As such, MDE does not have staff with any applicable expertise in the indoor air arena. Federal agencies, including the United States EPA, have struggled with establishing appropriate mold standards and can provide little guidance to the Department.

Additionally, MDE has concerns that without Federal guidance the standards as described in the bill are so specific that they leave MDE with very little flexibility to consider this issue in any other context. House Bill 976 is also silent on what entity would conduct inspections and enforce the standards established under the regulations. Finally, other agencies and interested parties, whose input is key to addressing mold in a regulatory setting and are not named in the bill, need to be involved.

In order to move forward to develop a comprehensive approach among interested state agencies to address mold issues, MDE would like to suggest a Working Group, co-chaired by the Department of Health, and with additional membership from the Department of Housing and Community Development, the Department of General Services, the Department of Labor, and other stakeholders that may be impacted by mold issues in the course of their business. The Working Group's charge would be to have robust discussions on what standards, methods, legislative, or regulatory approaches are best to develop a mold assessment, remediation, and risk reduction comprehensive strategy.

Proposed Amendments:

Strike Sections 6-1701 and 6-1702 in their entirety and substitute the following:

AND BE IT FURTHER ENACTED, That:

(a) “Working Group” means the Working Group for addressing mold assessment, remediation and risk reduction.

(b) The Working Group shall include the following members:

(1) the Secretary of the Environment, or the Secretary’s designee;

(2) the Secretary of Health, or the Secretary’s designee;

(3) the Secretary of Labor, or the Secretary’s designee;

(4) the Secretary of Housing and Community Development, or the Secretary’s designee;

(5) the Secretary of General Services, or the Secretary’s designee;

(6) one representative of the Maryland Association of Counties;

(7) one representative of the Maryland Municipal League;

(8) one representative from an Environmental Justice Community or ;

(9) one member of a Maryland environmental or housing non-profit organization.

(10) one member of the Senate of Maryland, appointed by the President of the Senate; and

(11) one member of the House of Delegates, appointed by the Speaker of the House.

(c) The Secretary of the Environment and the Secretary of Health would Co-Chair the Working Group.

(d) The Department of the Environment shall provide staff for the Working Group.

(e) A member of the Working Group:

(1) may not receive compensation as a member of the Working Group; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Working Group shall develop recommendations to address mold assessment, remediation, and risk reduction.

(g) On or before October 01, 2024, the Working Group shall report its recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

For the reasons detailed above, MDE urges a **FAVORABLE WITH AMENDMENTS** report for HB 976.