

**HB 976-MOLD ASSESMENT AND REMEDIATION
FAVORABLE WITH AMENDMENTS
March 3, 2023**

Regional Management, Inc. (RMI) is a property management company which has, for over 60 years, managed over 5,000 units of affordable, market rate, residential properties in Baltimore City and County. RMI is a founding member of the Maryland MultiHousing Association.

House Bill 976 requires relevant state departments to adopt regulations establishing uniform standards for mold assessment and remediation.

According to the U.S. Environmental Protection Agency, there is no practical way to eliminate all mold and mold spores in the indoor environment. Molds can be found almost anywhere, they can grow on virtually any substance, providing moisture is present. RMI strongly believes that this Legislature should convene a group of governmental and private sector experts in this field, as well as certified industrial hygienists and certified safety professionals to establish uniform standards for mold assessment and remediation as well as regulations related thereto.

RMI has also consulted with a Certified Industrial Hygienist/Certified Safety Professional who has thoroughly considered this Bill and has appended her suggestions to strengthen HB 976's provisions. Please see Letter from Julie Barth, CIH, CSP, LEED Green Associate, attached.

A synopsis of recommendations and proposed amendments to HB 976 are as follows:

- Mold Definition Pg.2 lines14-23 Pg. 3 Lines1-3:
 - a. The definition is confusing and incomplete.
 - b. The Bill uses the terms "fungi" and "mold" interchangeably.
 - c. The mold definition should include mold growing in soil not just plant and animal matter.
 - d. The mold list should say Mold includes **but is not limited to** the following fungal strains...
 - e. Five of the nine strains listed in the Bill are commonly found when doing spore sampling, Chaetomium should be added to the list.
 - f. Including a list of fungi in the Bill at a will confuse the effort especially if they appear to be precluding other fungal strains.

- Mold Hazard Definition Pg. 3. Lines 10-14:
 - a. “Mold Hazard” as written is awkward and confusing. It should be written as potential health effects of mold exposure and should be based upon EPA standards, for instance those provided in the Mold Remediation in Schools and Commercial Buildings publication ([Printable Version of Mold Remediation in Schools and Commercial Buildings | US EPA](#))
 - b. The Bill assumes that mold is the source of “health effects”; however, the health effects mentioned in the Bill and in the EPA, publication are not specific to mold exposure and can be caused by chemicals, other biological exposures, medications, food, and other types of exposures. All molds have the potential to cause health effects. Molds produce allergens, irritants, and in some cases, toxins that may cause reactions in humans. The types and severity of symptoms depend, in part, on:
 - The location, types, and extent of mold present
 - The extent of an individual's exposure
 - The ages of the individuals, and
 - Their existing sensitivities or allergies.
- Establishing Standards, Page 3, Lines 21-27 and Page 4, lines 1-27
 - a. All of the Departments listed in the Bill that that are to be consulted with regarding the establishment of standards in Maryland are excellent resources, however there should be a requirement for the following-
 - i. a consultation with the EPA
 - ii. the Group tasked to research and promulgate these standards and regulations should include industrial hygienists and other professionals who are actively involved in remediation of mold contamination, as they have expertise in the costs of remediation and the state of current practice.
 - iii. likewise, allergists would be able to provide valuable input into this process
 - iv. the Group should also look to other jurisdictions who have already completed this type of process, such as the State of Washington Department of Health standards. Their information on a variety of topics are felt to be well researched, thorough, and written for the general public.

Respectfully Submitted;

Katherine Kelly Howard, Esq., General Counsel



PO Box 286
Woodbine, MD 21797

Julie Barth, CIH, CSP, LEED Green Associate

RE: Review and Comment regarding HB 976-Mold Assessment and Remediation

Dear Ms. Howard;

Thank you for asking me to review and comment on the above proposed Legislative initiative regarding mold.

▪ **My Background**

I am a Certified Industrial Hygienist (CIHs) and a Certified Safety Professional (CSP) with a Master of Health Science degree in industrial hygiene, safety, and environmental health sciences from the Johns Hopkins University Bloomberg School of Public Health. I currently work as a consultant for a small firm, Aria Environmental, Inc. I have more than 20 years of training, experience, and education in this field. My certifications are renewed every 5 years, and I am required to take continuing education classes to keep my certification. I also have a certification as a LEED Green Associate that requires continuing education and/or project experience and is renewed every two years. It is noteworthy that in order to practice this profession we must also keep current in training, exams, and licensure in other environmental hazard areas including lead and asbestos.

▪ **A Short Description of "mold"**

- The EPA defines mold as follows: "Molds are a group of organisms that belong to the kingdom Fungi...There are over 20,000 species of mold. Fungi include molds, yeasts, mushrooms, and puffballs"
- Molds reproduce by making spores. Mold spores waft through the indoor and outdoor air continually. When mold spores land on a damp spot indoors, they may begin growing and digesting whatever they are growing on. Molds can grow on virtually any organic substance, providing moisture and oxygen are present. It is estimated that more than 1.5 million species of fungi exist."

▪ **HB 976 Review**

- Mold Definition Pg.2 lines14-23 Pg. 3 Lines1-3:
 - c. The definition is confusing and incomplete.
 - b. The Bill uses the terms “fungi” and “mold” interchangeably.
 - c. In my opinion the mold definition should include mold growing in soil not just plant and animal matter.
 - d. The mold list should say Mold includes **but is not limited to** the following fungal strains...
 - e. I see five of the nine strains listed in the Bill on a regular basis when doing spore sampling, however I would add Chaetomium. Further, I don’t think there should be a list of fungi in the Bill at all. It will confuse the effort especially if they appear to be precluding other fungal strains.
- Mold Hazard Definition Pg 3. Lines 10-14:
 - a. “Mold Hazard” as written is awkward and confusing in my opinion. It should be written as potential health effects of mold exposure and should be based upon EPA standards, for instance those provided in the Mold Remediation in Schools and Commercial Buildings publication ([Printable Version of Mold Remediation in Schools and Commercial Buildings | US EPA](#))
 - b. The Bill assumes that mold is the source of “health effects”; however, the health effects mentioned in the Bill and in the EPA publication are not specific to mold exposure and can be caused by chemicals, other biological exposures, medications, food, and other types of exposures. All molds have the potential to cause health effects. Molds produce allergens, irritants, and in some cases, toxins that may cause reactions in humans. The types and severity of symptoms depend, in part, on:
 - The location, types, and extent of mold present
 - The extent of an individual's exposure
 - The ages of the individuals, and
 - Their existing sensitivities or allergies.
- Establishing Standards, Page 3, Lines 21-27 and Page 4, lines 1-27
 - a. All of the Departments listed in the Bill that that are to be consulted with regarding the establishment of standards in Maryland are excellent resources.
 - b. I would also recommend that there be
 - i. a consultation with the EPA
 - ii. that the Group tasked to research and promulgate these standards and regulations include industrial hygienists and other professionals who are actively involved in remediation of mold contamination, as they have expertise in the costs of remediation and the state of current practice.

- iii. likewise, I believe that allergists would be able to provide valuable input into this process
- iv. the Group should also look to other jurisdictions who have already completed this type of process; I recommend the State of Washington Department of Health standards, they provide information on a variety of topics that are well researched, fairly thorough, and written for the general public.

Thank you for allowing me to provide you with some input into this process and I look forward to working with you and any other interested parties in this regard.

Sincerely,

Julie Barth, CIH, CSP, LEED Green Associate