



**HB1147: Environment - Playground Surfacing Materials - Prohibitions**  
**Senate Education, Energy and the Environment Committee**  
**March 26, 2024**  
**Position: Favorable**

**Submitting Organization: Environmental Working Group (EWG)**  
Submitted by Gianfranco Cesareo

EWG is strongly in favor of HB1147. EWG has spent over thirty years investigating the health and environmental impacts of toxic chemicals such as PFAS and lead and advocating for better protection and regulation of these chemicals. These chemicals have both been linked to serious health harms, which are particularly heightened for children. Neither PFAS nor lead should be present in playground surfaces.

### **PFAS**

PFAS are known as forever chemicals because they build up inside the human body and do not break down in the environment.<sup>1</sup> Studies have found that 99 percent of Americans have PFAS in their bodies.<sup>2</sup> It has been found that exposure to PFAS begins before children are even born.<sup>3</sup>

PFAS chemicals have been linked to a variety of serious health impacts, even at small doses. For example, PFAS have been linked to cancer, reproductive and developmental harm, hormone disruption, increased cholesterol, and decreased immune response in children.<sup>4</sup> Children are especially vulnerable to the risks of PFAS pollution due to factors including lower body weight, developing organ systems, and longer lifespans during

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<sup>1</sup> *What are PFAS Chemicals?*, ENV'TL WORKING GROUP, <https://www.ewg.org/what-are-pfas-chemicals> (last visited Mar. 25, 2024). For more information on PFAS and the PFAS contamination crisis, see *PFAS Resources*, ENV'TL WORKING GROUP, <https://www.ewg.org/pfas-resources> (last visited Mar. 25, 2024).

<sup>2</sup> Antonia M. Calafat et al., *Legacy and Alternative Per- and Polyfluoroalkyl Substances in the U.S. General Population: Paired Serum-Urine Data from the 2013–2014 National Health and Nutrition Examination Survey*, 131 ENV'T INT'L 105048 (2019).

<sup>3</sup> Olga Naidenko & Dave Andrews, *Children's Exposure to PFAS Chemicals Begins in the Womb*, ENV'TL WORKING GROUP (Feb. 5, 2019), <https://www.ewg.org/news-insights/news/childrens-exposure-pfas-chemicals-begins-womb>.

<sup>4</sup> *What are the Health Effects of PFAS?*, AGENCY FOR TOXIC SUBSTANCES & DISEASE REGISTRY (Jan. 18, 2024), <https://www.atsdr.cdc.gov/pfas/health-effects/index.html>.



which toxic effects might manifest.<sup>5</sup> Childrens' breathing space is also closer to the ground, making them more vulnerable to PFAS in playground surfacing.<sup>6</sup>

PFAS are found in a wide range of consumer and commercial products. Efforts like this bill to phase out these forever chemicals are urgently needed to protect our children from lifelong health risks.

## Lead

The risks of lead exposure are also serious and well documented. Lead is a potent neurotoxin that is particularly dangerous to children with the potential to cause long-term harm.<sup>7</sup> Lead can cause brain damage, slow growth and development, and lead to learning and behavioral problems.<sup>8</sup> According to the CDC, EPA, and World Health Organization, there is no safe lead exposure level for children.<sup>9</sup>

In recent years, studies have found actionable levels of lead in the same type of playground surfaces that contain PFAS.<sup>10</sup> Crucially, HB1147 would impose the same lead safety level on playgrounds that the Consumer Product Safety Commission requires for children's products.<sup>11</sup>

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<sup>5</sup> Alan D. Woolf & Lauren Zajac, *Report Outlines Health Effects of PFAS Chemicals in Children, Provides Recommendations for Testing*, AM. ACAD. PEDIATRICS (Sept. 13, 2022), <https://publications.aap.org/aapnews/news/22138/Report-outlines-health-effects-of-PFAS-chemicals?autologincheck=redirected>.

<sup>6</sup> *Id.*

<sup>7</sup> *Health Effects of Lead Exposure*, CDC (Sept. 2, 2022), <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*; *Basic Information about Lead in Drinking Water*, EPA (Jan. 25, 2024), <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>; *Lead Poisoning*, WORLD HEALTH ORG. (Aug. 11, 2023), [https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health#:~:text=There%20is%20no%20known%20safe,and%20learning%20problems%20\(1\)..](https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health#:~:text=There%20is%20no%20known%20safe,and%20learning%20problems%20(1)..)

<sup>10</sup> *High Lead Levels Found in Rubber Playground Surfaces*, HARVARD T.H. CHAN SCHOOL PUB. HEALTH (2019), <https://www.hsph.harvard.edu/news/hsph-in-the-news/high-lead-levels-found-in-rubber-playground-surfaces/>; Will Schick, *Many of DC's Playground Surfaces Contain Lead. How Dangerous is This, and What Should be Done?*, GREATER GREATER WASHINGTON (Oct. 31, 2019), <https://ggwash.org/view/74237/lead-in-playgrounds-and-soil-dc-council-washington-playground-children>.

<sup>11</sup> *Total Lead Content Business Guidance & Small Entity Compliance Guide*, U.S. CONSUMER PRODUCT SAFETY COMM'N, <https://www.cpsc.gov/Business--Manufacturing/Business-Education/Lead/Total-Lead-Content-Business-Guidance-and-Small-Entity-Compliance-Guide> (last visited Mar. 25, 2024).



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Playgrounds are no place for toxic chemicals. The science is clear—PFAS and lead have the potential to cause serious health harms. By phasing lead and PFAS out of playground surfaces, Maryland children will be better protected from health impacts that could harm their development and last their entire lives.

EWG reiterates its strong support for HB1147 and urges a favorable report from Committee.

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