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CENTERS FOR DISEASE CONTROL AND PREVENTION
LEAD EXPOSURE AND PREVENTION ADVISORY COMMITTEE
(LEPAC)
MEETING HELD AT THE CDC ROYBAL CAMPUS AND VIA ZOOM
VIDEO CONFERENCING
OCTOBER 16, 2023, 9 A.M.
PRESIDING OFFICER: PAUL ALLWOOD, Ph.D., M.P.H.,
DESIGNATED FEDERAL OFFICIAL, NCEH

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1 Transcript Legend
2 (ph) - Exact spelling unknown; spelled as sounded.
3 -- Break in speech continuity.

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1 P R O C E E D I N G S

2 **MS. KHAN:** My name is Samer Khan. I'm with
3 Ross Strategic, and I'm joined by my colleague
4 Tori Bahe. And we're on for any support with
5 Zoom.

6 Alexis, can I pass it over to Matt?

7 **MS. ALLEN:** Yes. Yes. Oh, to Paul, I'm
8 sorry. To Paul.

9 **MS. KHAN:** Oh, okay. All right.

10 **WELCOME**

11 **DR. ALLWOOD:** All right. Thank you, Samer.

12 Good morning, everybody. My name is Paul
13 Allwood and I am the designated federal official
14 of LEPAC.

15 It is my great pleasure to welcome everybody
16 that's attending the meeting in person. We've
17 got a room that's -- it's almost full here. It's
18 really good to see that. This is the first time
19 since the LEPAC was established a few years ago
20 that we have had the opportunity to meet in
21 person, and I think that's very -- that's a
22 special milestone. And, you know, I -- you know,
23 I give thanks to the very many people who helped
24 to make that possible and for continuing to, you
25 know, support and assist in ways that will ensure

1 that we have a successful meeting.

2 For those of you that are attending online,
3 we are going to have you muted throughout the
4 meeting as we have a full schedule and we will,
5 you know, do our very best to stick to the agenda
6 and the times as best as we possibly can.

7 We're going to be recording the meeting and
8 also a transcript will be prepared and made
9 available sometime after the meeting. It's going
10 to be posted on our website. With that, I'm
11 going to -- in a second I'll introduce our chair,
12 but let me just say apologies for a slightly
13 later start than we anticipated.

14 I think I'm hearing some feedback. You guys
15 hearing me okay? Oh, yeah, this is live TV as
16 they say. So, you know, we got off to a little
17 bit of a later start than we had planned but, you
18 know, we're certainly going to do our best to
19 kind of keep on track the rest of the way
20 through.

21 And now I'm going to pass the microphone
22 over to the chair of the LEPAC. Matt Ammon has
23 been the chair since the LEPAC was established.

24 And, Matt, I'll pass it on to you.

25 (Recording in progress announced.)

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UNIDENTIFIED SPEAKER: It's on.

REVIEW CHARGE/PURPOSE

MR. AMMON: Oh, you do? Oh, sorry about that. I guess I should put on my glasses.

Well, thank you very much, Paul, and thank you, everyone, for being here. It is -- first of all, it's a pleasure to be here in person. I put on my glasses to see everybody. There we go. Nice to see everybody in person.

And it is very exciting that we are here in person for the first meeting we've had as this group. And I very much appreciate everybody being here. Very much appreciate all of CDC's assistance with the agenda. It's a great two-day agenda.

And I very much look forward to a lot of things that we're going to be discussing over the next two days: a lot of current activities, a lot of information related to what all of us have been doing, some very pertinent information on our current activities and things going on in our sphere.

But with that, let me just remind people of our charge and purpose with just a reminder of our description of duties within our authorizing

1 statute. The LEPAC at a minimum will, one,
2 review the federal programs and services
3 available to individuals and communities exposed
4 to lead; second thing is review current research
5 on lead exposure to identify additional research
6 needs; third duty is review and identify best
7 practices, or the need for best practices
8 regarding lead screening and the prevention of
9 lead poisoning; and the fourth one is to identify
10 effective services, including services relating
11 to healthcare, education, and nutrition for
12 individuals and communities affected by lead
13 exposure and lead poisoning. All very important
14 aspects of our work that we've done over the last
15 couple of years. And we've made a tremendous
16 amount of progress and a lot of knowledge-sharing
17 in that, so -- but just a reminder from kind of
18 where we started.

19 Again, I thank everybody for being here.

20 And with that, I'll turn it over to Perri.

21 **INTRODUCTIONS**

22 **DR. RUCKART:** Good morning, everyone. I'm
23 Perri Ruckart. I am with CDC and I serve as a
24 deputy DFO for the LEPAC.

25 And I'm going to call on all of the members.

1 When I call on you, if you would please briefly
2 introduce yourself. And I'll start with those in
3 the room.

4 Nathan Graber, let's start with you.

5 **DR. GRABER:** Good morning, I'm Nathan
6 Graber. I'm a pediatrician and a clinical
7 associate professor of pediatrics at Albany
8 Medical College in New York.

9 **DR. RUCKART:** Kristina.

10 **DR. HATLELID:** Thank you, Perri. I'm
11 Kristina Hatlelid. I'm a -- was trained as a
12 toxicologist and I'm now the director of the
13 Division of Toxicology and Risk Assessment at the
14 Consumer Product Safety Commission.

15 **DR. RUCKART:** Erika? I'm going in
16 alphabetical order in case you're wondering.

17 **DR. MARQUEZ:** Dr. Erika Marquez, UNLV School
18 of Public Health and I oversee the
19 (indiscernible).

20 **DR. RUCKART:** Grace Robiou?

21 **MS. ROBIOU:** Good morning. Grace Robiou.
22 I'm the director of the Office of Children's
23 Health Protection at the Environmental Protection
24 Agency.

25 **DR. RUCKART:** We do have a few other LEPAC

1 members who will be joining us shortly in person.
2 And so while we're waiting for them, I will go to
3 those who are doing it virtually.

4 Tammy Barnhill-Proctor?

5 **MS. BARNHILL-PROCTOR:** Good morning,
6 everyone. My name is Tammy Barnhill-Proctor, I'm
7 from the U.S. Department of Education in the
8 Office of Elementary and Secondary Education.
9 Welcome.

10 **DR. RUCKART:** Rebecca Fry, are you on?

11 **DR. FRY:** Morning. Yes, I am. Rebecca Fry,
12 UNC Chapel Hill, Department of Environmental
13 Sciences and Engineering. So pleased to be here.

14 **DR. RUCKART:** Mary Beth Hance?

15 **MS. HANCE:** Good morning. I'm Mary Beth
16 Hance. I'm the deputy director of the Division
17 of Quality and Health Outcomes at the Centers for
18 Medicare and Medicaid services.

19 **DR. RUCKART:** Great. Tina Hanes?

20 **MS. HANES:** Good morning, everyone. I'm
21 Tina Hanes. I work for the U.S. Department of
22 Agriculture Food and Nutrition Service,
23 specifically in the food safety and nutrition
24 division.

25 **DR. RUCKART:** Aaron Lopata, are you on?

1 (No response.)

2 **DR. RUCKART:** Okay. I will go to our
3 liaison members. Patrick Parsons?

4 **DR. PARSONS:** Good morning, everyone. My
5 name is Patrick Parsons. I am the director of
6 the Division of Environmental Health Sciences at
7 the Wadsworth Center in New York State Department
8 of Health and professor of environmental
9 chemistry at the State University of New York.

10 **DR. RUCKART:** Okay. I will go to our
11 virtual liaison members. Abraham Kulungara?

12 **MR. KULUNGARA:** Good morning, everyone. Abe
13 Kulungara, senior director for Environmental
14 Health at the Association of State and
15 Territorial Health Officials.

16 **DR. RUCKART:** Ruth Ann Norton?

17 **MS. NORTON:** Hey, good morning, everybody.
18 Ruth Ann Norton, calling in from Baltimore. I am
19 the president and CEO of the Green & Healthy
20 Homes Initiative. So sorry not to be able to be
21 with you today but thank you for allowing me to
22 join virtually.

23 **DR. RUCKART:** Anytime. Thank you.

24 Amanda Reddy?

25 **MS. REDDY:** Good morning, everyone. Amanda

1 Reddy, executive director of the National Center
2 for Healthy Housing.

3 **DR. RUCKART:** Stephanie Yendell?

4 (No response.)

5 **DR. RUCKART:** Lauren Zajac?

6 **DR. ZAJAC:** Hi, good morning. I'm Lauren
7 and I'm a pediatrician and associate professor at
8 Mount Sinai in New York City. And I'm currently
9 serving as the liaison to LEPAC from the American
10 Academy of Pediatrics.

11 **DR. RUCKART:** Thank you, everyone. Karla
12 Johnson, one of our LEPAC members, is unable to
13 join us today. And we will introduce the other
14 members when we get an appropriate moment when
15 they enter the room. So thank you all. Really
16 glad to have you joining us in person and
17 virtually. And I will turn it back over to Paul.

18 **DR. ALLWOOD:** Thanks, Perri.

19 Good to see that we've got so many people,
20 you know, attending the meetings. And the
21 committee members. And, as Perri said, we are
22 waiting to welcome some additional members who
23 are going to be joining in person.

24 The last time the LEPAC met was December 8,
25 2022, and we had almost 200 people attending that

1 one. So it's really awesome. The focus back
2 then was on lead in schools and childcare
3 facilities. And we have prepared some additional
4 details about the presentations and discussions
5 that took place at that meeting and also prepared
6 a transcript that can be found on the CDC's LEPAC
7 website. So encourage everybody to, you know,
8 take a moment to go online and check all those
9 materials.

10 Today's meeting we will be discussing
11 several items, you know, we will be providing an
12 update on blood lead testing instrumentation.
13 We're going to be hearing from our EPA and
14 surveillance team, an update on the Data
15 Modernization Initiative that's taking place
16 across CDC.

17 We're also going to be hearing about the
18 Lead-Free Communities Initiative. We're also
19 going to be getting an update on the various
20 state policy actions related to the update of the
21 blood lead reference values that took place in
22 2021.

23 We're also going to be hearing about the
24 aligning HUD inspection protocols for assisted
25 housing. And we're going to be also getting some

1 updates from the new LEPAC workgroup which is
2 known as the Preventing Lead Exposure in Adults
3 workgroup or the PLEA.

4 And EPA will give us some information about
5 the lead dust hazard standards updates. We're
6 going to be discussing lead service line
7 replacements, hearing information about the
8 grants and other opportunities that are available
9 for work with communities.

10 And also we'll be getting some very
11 important information about increasing rates of
12 testing, blood lead testing in children that are
13 enrolled in Medicaid. And several of our LEPAC
14 members will be giving us and sharing information
15 with us throughout the -- today and tomorrow.

16 Then we have a public comment. We are
17 prepared to listen to Dr. Diana Zuckerman who's
18 indicated an interest in providing some public
19 comments.

20 And we ask everybody to please listen, take
21 notes, ask questions, and be prepared to share
22 your thoughts about, you know, various agenda
23 topics as they -- as they come up.

24 So a few additional updates about activities
25 that are taking place within CDC's blood lead

1 prevention project, lead poisoning prevention and
2 surveillance branch: We are partnering with EPA
3 and HUD for the 2023 National Lead Poisoning
4 Prevention Week activities which will begin
5 October 22nd and go through October the 28th this
6 year. The theme for NLPPW '23 is "Together we
7 can prevent lead exposure". And the key messages
8 are get the facts, get your child tested, and get
9 your home tested. We invite all of you to join
10 us on Thursday, October 26th from 2 to 3 p.m.
11 eastern for our webinar titled "Children and Lead
12 Exposure, Current Issues".

13 We have subject matter experts from the CDC
14 that will discuss CDC's lead poisoning prevention
15 program efforts, discuss recent news stories
16 regarding lead exposure, and also discuss some
17 information related to recent lead-related
18 recalls. For more information about National
19 Lead Poisoning Prevention Week and to register to
20 attend the webinar, please visit CDC's website.

21 **CDC UPDATES**

22 **DR. ALLWOOD:** CDC is partnering with NASA
23 and FDA to accelerate the development of
24 next-generation point-of-care blood lead testing
25 technology. We've worked with -- we are working

1 with a vendor, Luminary Labs, which was selected
2 through an RFTP. And Luminary Labs is going to
3 be working with us on designing a challenge
4 contest that will be publicly announced soon.
5 I'll tell a little bit more about the challenge,
6 you know, in a few minutes.

7 But another big development that I'd like to
8 share with everyone is that CDC is funding eleven
9 new community-based organizations under a new
10 notice of funding opportunity called Supporting
11 Communities to Reduce Lead Poisoning. This is a
12 three-year community-based notice of funding
13 opportunity which has a period of performance
14 from September 30th of 2023 to September 29th of
15 2026. Little bit more on the challenge and what
16 can be expected in the next -- near future.

17 Everybody knows that there's no safe level
18 of lead exposure and that lead poisoning remains
19 a significant public health issue across the
20 United States.

21 Everyone also knows that lead poisoning
22 disproportionately impacts children in
23 disadvantaged communities. Because clinical
24 symptoms of lead exposure can be subtle and on --
25 and may not be detectable by a clinical exam, the

1 best way to determine if a person is exposed is
2 to collect and test a blood sample. And through
3 experience we have determined that collecting
4 that sampling and testing at point of care,
5 there's just some distinct advantages. There is
6 only -- currently there's only one FDA cleared
7 point-of-care test for lead.

8 However, new methods and emerging
9 technologies, we believe, could provide
10 alternative diagnostic tools. New tools would
11 open up opportunities to address this crisis.
12 And we believe that we could -- such new tools
13 could be very highly effective and reliable and
14 would also be cost-effective.

15 There is an urgent need for such new
16 technology for blood lead testing at point of
17 care. And in partnership with NASA and the FDA,
18 we are proposing a -- we're working on developing
19 a contest that would invite solutions from
20 individuals and organizations and other entities
21 across the entire globe.

22 The challenge will seek to develop a simple
23 to use and affordable system or systems that can
24 detect very low concentrations in whole blood at
25 the point of care. This technology will be used

1 by healthcare providers who will -- or it would
2 be usable by healthcare providers that are not
3 trained in laboratories and hence CLIA waiver
4 would be an important component of the solution.

5 We are anticipating a launch of this
6 challenge contest in mid-November and we ask
7 everyone to stay tuned as we finalize. All of
8 the details of the contest will be published
9 relatively soon.

10 All right. And I think with that, I turn it
11 back to Matt to introduce our first speaker.

12 **DR. RUCKART:** Yeah, I'm going to jump in
13 real quick. I forgot to give you all some very
14 important information. Where are the restrooms
15 and where is the cafeteria? So if you go out
16 this back door here and just turn the corner to
17 the left, you will see the restrooms on your
18 right.

19 And this is building 24 and the cafeteria is
20 in 21. So you head back toward the way you came.
21 And I also saw that there are vending machines
22 along the hallway. But we have some snacks in
23 the back as well. So just wanted to make sure
24 everyone was aware of that information.

25 And also when people get a moment, just to

1 make sure you sign in because we need to keep a
2 record of who's attending our meeting.

3 **MR. AMMON:** Just a point of order for the
4 CDC updates --

5 **DR. RUCKART:** Right.

6 **MR. AMMON:** -- to make sure that we didn't
7 skip any of the updates (indiscernible) --

8 **DR. RUCKART:** We -- we didn't skip. I think
9 we went a little bit ahead of schedule.

10 **MR. AMMON:** Okay.

11 **DR. RUCKART:** So --

12 **MR. AMMON:** I just wanted to make sure --

13 **DR. RUCKART:** -- Paul gave his already. So
14 we can go to Audrey --

15 **MR. AMMON:** Okay.

16 **DR. RUCKART:** -- because -- I mean, we're a
17 little bit ahead of schedule but we'll just run
18 with it.

19 **MR. AMMON:** Perfect.

20 **BLOOD LEAD SURVEILLANCE UPDATE/DATA MODERNIZATION**

21 **INITIATIVE**

22 **MS. PENNINGTON:** Good morning. My name is
23 Audrey Pennington. I'm an epidemiologist here in
24 the lead branch. And today I'll be presenting
25 with Qaiyim Harris, my colleague, who is a

1 project manager.

2 We'll be giving you an update on our blood
3 lead surveillance work and the data modernization
4 initiative. Next slide.

5 Okay. Starting with blood lead
6 surveillance, as we know, CDC runs the childhood
7 blood lead surveillance system, which we call
8 CBLS. Next slide.

9 This is a child-specific database of blood
10 lead testing data. And it includes data from all
11 CDC-funded childhood lead poisoning prevention
12 programs. These are located in 48 states, the
13 District of Columbia, and Puerto Rico.

14 CBLS integrates clinical information and
15 laboratory reporting, and it also has information
16 from environmental investigations of sources of
17 lead exposure among affected children. Next
18 slide.

19 Our team is currently processing and
20 analyzing the recent years of submitted CBLS
21 data. This is a really large undertaking that's
22 being led by Stella Chuke and Qaiyim Harris. So
23 in May 2023, CDC provided 2017 through 2021 data
24 tables to states for their approval of the
25 numbers to be published online.

1 And we're now in the process of resolving
2 any discrepancies between the numbers that we
3 have and the number that states have to make sure
4 that they're comfortable with our numbers before
5 we publish them. We're also processing the 2022
6 and the early 2023 data.

7 Various challenges have delayed the final
8 publication of these data. So first, there are
9 complexities of the data sets and the data
10 formatting in the submission processes. There
11 have been some delays in states adapting to and
12 adopting the new data elements and systems that
13 we're using just based on the unique
14 organizational and policy infrastructures that
15 different states are working within.

16 And then also there's differences between
17 state surveillance systems and the way that they
18 count and produce data. So, for example, at CDC
19 we have one set definition we use for what counts
20 as a confirmed blood lead test above the blood
21 reference value. And that same definition isn't
22 used across all states. That just means that
23 there's some additional processing on our end
24 before we publish data to make sure that there's
25 consistency in the data that we're putting out

1 there.

2 So we're making a lot of progress on this
3 and we're looking forward to sharing these data
4 soon. Next slide.

5 Our team lead, Dr. Joseph Courtney, explored
6 the impact of the COVID-19 pandemic and the
7 LeadCare II recall on blood lead testing among
8 children. This graph shows -- I apologize, the
9 formatting is a little off on the x-axis, but
10 hopefully you can still read it.

11 This graph shows blood lead tests per
12 quarter in 25 states and for this analysis used
13 the states that consistently provided data across
14 this time period which goes from the beginning of
15 2018 through the third quarter of 2022.

16 On the y-axis is blood lead tests reported
17 to CDC. So you can see that there is a dip in
18 blood lead tests after the COVID-19 pandemic
19 started and then another dip after the
20 LeadCare II recall. We do see some recovery in
21 numbers in 2022 but they did not return to the
22 levels prepandemic. Next slide.

23 Our team is assessing new data sources for
24 blood lead surveillance to both complement and
25 validate CBLIS data. So a lot of this work is

1 being led by Cheryl Cornwell who's an
2 epidemiologist on our team.

3 So, first, we now have access to a large
4 clinical lab database that provides national
5 near-real-time testing data from adults and
6 children. And with these data, we're -- our goal
7 is to be able to identify trends more quickly
8 than we can with CBLS because CBLS data are
9 submitted quarterly.

10 Next, we recently obtained data from Centers
11 for Medicare and Medicaid Services on blood lead
12 testing among children enrolled in Medicaid. And
13 with these, we're looking to identify gaps in
14 screening among children.

15 And then, lastly is the lead exposure risk
16 index which we call the LERI. This is a new tool
17 to map community level risk for lead exposure
18 among children. This tool is planned to be
19 pilot-tested this year and will be released after
20 that.

21 We're really excited about these new data
22 sources and the way that they will be able to
23 augment our current surveillance work. Next
24 slide.

25 I will now turn it over to Q to discuss the

1 data modernization initiative.

2 **MR. HARRIS:** Audrey.

3 Good morning and thanks. As previous --
4 next slide.

5 As previously mentioned, we've leveraged
6 CBLS or childhood blood lead surveillance system
7 to record and aggregate the data that we collect
8 from state and local health departments. The
9 system provides the functionality to aggregate
10 and validate this data and apply a nationally
11 consistent standard. The data can be leveraged
12 to support policy decisions, what is primarily
13 track -- it primarily tracks progress towards the
14 elimination of childhood blood lead poisoning.

15 There are several issues that have made data
16 management with CBLS particularly
17 labor-intensive. The data model and the system
18 was designed prior to the implementation of many
19 cloud (indiscernible) technologies. So we
20 struggle with the inability to track the
21 resubmission of previously rejected records,
22 manual data reviews prior to import processing,
23 manual generation of static Excel reports that
24 require the manual linkage of census data and
25 other updates prior to our publications. And we

1 also have state and local partners with varying
2 capabilities with regard to IT and data
3 management.

4 And the overall system design has left us
5 with a silo, a data silo, from which our program
6 is able to operate for some time. Next slide.

7 To address and resolve some of these issues,
8 the program is leveraging CDC enterprise data
9 analytics and visualization resources or EDAP to
10 facilitate standardized data collection and
11 reporting within our agency cloud infrastructure
12 using agency standardized services and agency
13 standardized tools. Where applicable and
14 necessary, CBLIS will leverage and integrate with
15 other CDC cloud platforms at scale.

16 These updates will position CBLIS and our
17 branch to take a leadership role in planning and
18 developing the tools and data sets that will
19 support our partner programs in CDC's shared
20 analytic zone.

21 The shared analytic zone will provide state,
22 tribal, territorial, and local partners access to
23 data and analytical tool sets that foster
24 collaboration and lead to improved public health
25 inside and out. Next slide.

1 So finally to address the previously stated
2 challenges, we plan to make several key changes.
3 Specifically we'll leverage unified cloud
4 storage. This will address our data silo issue,
5 provide scalable storage and computing resources,
6 will increase the level of automation in our data
7 and reporting pipelines. This will provide for
8 an adequate amount of human intervention as
9 necessary but increase our overall system and
10 staff efficiency when utilizing more efficient
11 and flexible reporting tools. With Power BI our
12 team has already created better data quality
13 reports and reduced the amount of manual
14 intervention necessary to create our reports for
15 publications.

16 We're also preparing the pipelines and
17 platforms necessary to securely and efficiently
18 integrate with our partner resources once they're
19 deployed within our shared analytic zone.

20 The modernization of CBLIS addresses the
21 issues from the past and the legacy system while
22 providing a fully integrated, more robust, and
23 more powerful system. And we'd be happy to
24 answer any questions. Thank you. Next slide.

25 **MR. AMMON:** Any questions from this? A very

1 popular data set as you can imagine.

2 **MR. HARRIS:** Yes.

3 **MS. PENNINGTON:** Yes.

4 **MR. AMMON:** Because people always ask, When
5 can we see it; when is it coming out?

6 When is it coming out?

7 **MR. HARRIS:** So right now we -- we've
8 released the data and its been processed and
9 aggregated to our partners. And we're deferring
10 to them in some of their issues and some of their
11 reticence because, as Audrey mentioned, not all
12 of our counts align. And some of it is due to
13 the definitions, some are due to processing
14 issues that we've seen.

15 So as we align those through either
16 reprocessing or resubmissions, we'll be preparing
17 the package for publication. I would say we
18 probably have about 40-or-so percent ready to go.
19 We want to see that number rise to at least 60 to
20 70 percent of our programs before we push the
21 entire package. We don't want to have half
22 omitted. So that's really why we're doing it
23 that way.

24 **MR. AMMON:** No, that's -- I think that's
25 very smart because you end up getting more

1 questions that you need.

2 But I appreciate that. You know, this is
3 obviously a very critical part of all of our
4 work. You know, that data set is -- and
5 especially for HUD, you know -- key to much of
6 our strategic planning and our activities. So we
7 really appreciate this work being done, the way
8 you do it too; right? I mean, I think that's
9 important that you -- that it takes a lot of time
10 to get it together. We respect that. But it is
11 a very critical part of every (inaudible). So I
12 appreciate that.

13 Yes.

14 **MS. ROBIOU:** For those on the phone, this is
15 Grace Robiou from the Environmental Protection
16 Agency.

17 We've been having some discussions
18 internally at the EPA because there's a big
19 emphasis right now on community level engagements
20 on a host number of environmental health issues
21 including bed. And I'm hearing reports of not a
22 lot of people showing up for the testing in
23 particular. And I just wanted to bring -- I
24 don't know if this is the right place or moment
25 in the agenda, but I wanted to see what is being

1 done about this at the CDC?

2 I mean, this is, of course, very super
3 important what you presented here, but in terms
4 of, like, the social element of getting people to
5 get tested, what exactly is happening? If
6 somebody could summarize that for me, that would
7 be helpful.

8 **MR. HARRIS:** So probably wouldn't be the best
9 of our team representatives to answer this, but I
10 know in terms of outreach, our programs are
11 working to recover from the pandemic and some of
12 the issues that we saw with the LeadCare recalls.

13 So with that there's always outreach
14 activities to increase testing. And I don't know
15 that there has been sort of a concerted effort to
16 address specific -- the specific drop off because
17 I think we're just starting to understand that
18 ourselves.

19 And I don't know, Audrey, you want to add
20 some context to that? Or Paul?

21 **DR. ALLWOOD:** Yeah. Thanks for the
22 question, Grace. And just while I'm speaking, so
23 there's a session tomorrow where we will -- we'll
24 be speaking a little bit about some of the work
25 that we're doing to try to address this testing

1 challenge. You know, a part of that is -- so
2 what I shared about, you know, the -- trying to
3 get some new instrumentation that will also
4 increase accessibility, lower the bar,
5 speaking like -- having (indiscernible) with the
6 (indiscernible). So there should be more on
7 that, Grace.

8 **MR. AMMON:** Patrick.

9 **DR. PARSONS:** Hey, I'm Patrick Parsons. I
10 forgot to mention I'm the liaison for the
11 Association of Public Health Laboratories. So I
12 have a question about your CBLIS system. Does it
13 record the method by which blood lead was
14 measured?

15 **MR. HARRIS:** Yeah. So we do vocabulary
16 around method. It was recently added. So one of
17 the things Audrey mentioned was some of our
18 programs have struggled to adopt some of our new
19 data points and that's one of them. So we do --
20 are now asking for information about the
21 analyzing laboratory in a specific method.

22 **DR. PARSONS:** And I assume that you also
23 capture information about the type of blood
24 specimen, if it was capillary or -- or venous?

25 **MR. HARRIS:** Yes, sir.

1 **DR. PARSONS:** And so are you able to give us
2 a snapshot of how the methods break down between,
3 you know, the major comprehensive methods and --
4 versus the CLIA-waived LeadCare?

5 **MR. HARRIS:** As I mentioned, this is more of
6 a new data point. So we've been collecting this
7 since 2019. So we really haven't done a lot of
8 analysis in terms of grouping or really validated
9 how much of it is being collected correctly
10 across the data sets. So we're just starting to
11 get a sense of the data quality and hope to have
12 that type of analysis soon.

13 **DR. PARSONS:** Thank you.

14 **MS. KHAN:** And this is Samer on Zoom. We
15 have a question from a member in the chat, from
16 Stephanie Yendell.

17 Stephanie, I don't know if you want to come
18 off mute.

19 **DR. YENDELL:** Sure. Yeah. I'm just
20 wondering. We've really struggled to get replies
21 because in the state that I work for our numbers
22 are not aligning with the data that CDC has been
23 sending us. And we've sent that feedback and not
24 heard anything back. Is there a timeline in
25 which we can expect to see those data get

1 resolved?

2 **MR. HARRIS:** Yeah. So we're working through
3 that pipeline of discrepancies and we're going to
4 provide a diversified message. In some cases the
5 discrepancies are very unique to a program. In
6 some they are more systematic and apply to a
7 group. So we're categorizing each of the types
8 of discrepancies so that we can report them
9 uniformly. I'm not familiar with the specific
10 issue in Minnesota, but in many cases I would
11 expect programs to hear from us in the upcoming
12 weeks with some specifics.

13 We're hoping to produce or release this
14 publication in advance of the end of the year,
15 assuming that we get, obviously, the buy-in from
16 the programs. So we're working to follow this as
17 soon as possible.

18 **MR. AMMON:** Question from Nathan Graber.

19 **DR. GRABER:** Hi, it's -- for those online,
20 this is Nathan Graber. So I want to first of all
21 commend you. This is a monumental task. I have
22 some specific questions about the data and how
23 the data is analyzed. You mentioned very briefly
24 that you use CMS data. And I'm -- I'm wondering
25 if you could elaborate on that a bit. Is that

1 just member data? Is it claims data? Is that
2 matched with children in the -- in the, like,
3 testing database? Like, how is -- how are
4 those -- how is that used to enhance the CBLS
5 data?

6 **MS. PENNINGTON:** Yeah, so we just received
7 that data. So we have not been able to analyze
8 it yet. So -- and we will not be linking it to
9 CBLS data. We'll -- we're using that as a
10 separate data set that we'll be analyzing to try
11 look at screening rates and things like that.
12 And we're not planning to look at the CBLS data.
13 And if you can -- I'd be happy to follow up with
14 you with more specifics about the types of the
15 data in there.

16 **DR. RUCKART:** Hi, this is Perri. I just
17 want to say I see some comments coming in to the
18 chat from our LEPAC members. And since some of
19 us are in person, we're not seeing all of the
20 comments necessarily. If you would just please
21 verbalize your comments because also that would
22 make them captured on the transcript. Thank you.

23 **DR. GRABER:** Yes, thank you. Yeah, I'd like
24 to know a little bit more about those data and
25 the challenges that you have with CBLS. CBLS, in

1 matching it with state data, I'm wondering, you
2 know. Also you're probably having the same --
3 going to have the same issues with those CMS data
4 as well. So be interesting to talk more about
5 that.

6 **MS. PENNINGTON:** Yes, definitely. And I can
7 put you in touch with Cheryl Cornwell who's
8 leading that analysis. And I'm sure she'd be
9 happy to talk you about the specifics.

10 **DR. GRABER:** Oh, terrific, yeah. Really
11 back also -- I saw you also mentioned use of a
12 lead exposure risk index. And maybe you could
13 talk a little bit more about that, how that's
14 used, and if that's associated with any
15 population estimate data about how many kids in
16 those -- in those communities that have high --
17 that come out high on the index or at higher risk
18 on the index.

19 **MS. PENNINGTON:** Yeah. So that index is
20 being pilot-tested right now, and I know it is
21 being compared to NHANES data. And the -- the
22 exposure index is available for the whole U.S.
23 and we're looking forward to being able to share
24 those results when we have them.

25 **DR. RUCKART:** I'll just say a little bit

1 more about the LERI, the index that we're talking
2 about. It's based on environmental and
3 socio-demographic risk factors and then it's
4 com -- to identify areas that are at higher risk
5 based on these variables. And then to see how
6 good of a job it does, it's being validated
7 against the NHANES data. So it doesn't include
8 blood lead data. It's to compare against that
9 and just to identify potential hotspots where
10 state health departments and others might want to
11 look so they can take action.

12 **MR. HARRIS:** And I am aware of many of our
13 program -- partner programs doing linkages
14 against Medicaid data to validate their screening
15 rate. So the CMS data being Medicaid specific,
16 CBLS is trying to capture a much broader sense of
17 the population. So I think it's integrated in a
18 sense that programs are submitting data for
19 Medicaid systems. But that data set is not going
20 to be linked specifically with CBLS.

21 **DR. RUCKART:** And Stephanie is one of the
22 LEPAC liaisons. She has her hand raised.

23 **DR. YENDELL:** Yeah. This was in reference
24 to the Patrick Parsons question about testing
25 type. I just wanted to point out that, yes, CDC

1 has been asking for laboratory method. But
2 laboratories use LOINC and SNOMED codes to report
3 laboratory methods to the state. And the LOINC
4 and SNOMED codes don't align with the specific
5 type of test being performed. And so therefore
6 it's very difficult for states to collect that
7 information in a systematic manner as far as
8 whether it was on a point-of-care test or an ICP
9 mass spec or a different method because the LOINC
10 and SNOMED codes are not specific to those
11 methodologies.

12 **MR. AMMON:** All right. Any other questions
13 in the room? Online? I try -- I can't see
14 any -- everybody. No? Very good.

15 Thank you all very much.

16 **DR. ALLWOOD:** So, Matt, if I could just make
17 a quick comment. You know, so I'm really pleased
18 to see the -- the kind of interest --

19 Thank you, Nathan, for raising that
20 question.

21 You know, everyone understands that the
22 Medicaid population of children enrolled in
23 Medicaid services are a high-risk group for a
24 lead exposure. And it's any multitude of why
25 they're doing that blood lead testing for this

1 population is that, you know, not what anyone
2 would like it to be, you know. So looking at --
3 at a new data set that, you know, will provide us
4 some -- some better understanding of how blood
5 lead testing is taking place among this very
6 special population and, you know, analyzing those
7 data to try to identify, you know, actionable
8 things that we might be able to pursue. It's,
9 you know, kind of -- an important priority for a
10 program. So we're really pleased that, you know,
11 we not only have Mary Beth and she's with CMS,
12 that, you know, she's now a part of LEPAC, but,
13 you know -- but we're working at looking at
14 different -- newer data set that will -- sets
15 that will help us to get a better understanding
16 of what are the opportunities for us to -- rates
17 of testing and ultimately, you know, preventing
18 more -- more lead exposure. Medicaid kids.

19 **MR. AMMON:** Thank you for that input.

20 Scanning one more time before we go to our next
21 presentation online. All right.

22 Next we would hear about the Lead Free
23 Communities Initiative.

24 **LEAD-FREE COMMUNITIES INITIATIVE**

25 **MS. BROOKS-GRIFFIN:** Hi. Good morning,

1 everyone. My name is Quanza Brooks-Griffin. I'm
2 a public health advisor in the lead branch. I
3 was sharing with my colleagues earlier this
4 morning that I fell down the stairs rushing to
5 get here because I'm not used to driving in. I
6 did not hurt myself but I also forgot my readers.
7 So it may be a little bit difficult for me to see
8 my notes. So please bear with me.

9 So, yes, I am here to present on the
10 Lead-Free Communities Initiative. And sometimes
11 when people hear lead-free communities, they look
12 at me funny, like, well, what do you mean?
13 That's an oxymoron. It's not possible to have a
14 lead-free community. And we are aware of that.
15 But with this initiative, our focus is on
16 eliminating exposure to lead, specifically to
17 children who are at higher risk for adverse
18 health effects. Next slide.

19 So what is LFC? It is a national initiative
20 that offers a unique comprehensive, multisectoral
21 approach for encouraging and supporting
22 communities to develop and implement a customized
23 plan to become lead-free.

24 We have three tools that we provide to
25 the -- provide to the support to make meaningful

1 progress on the rolls to eventually become lead
2 free. And again when I say lead free, we're
3 talking about exposure to lead sources in the
4 community, strategies to build comprehensive,
5 multisectoral, locally driven movement as well as
6 advancement toward environmental justice and
7 health equity. Next slide.

8 So LFC has a focus on primary prevention.
9 So we want to prevent lead exposure before it
10 occurs. And we strive to limit it in major
11 sources of lead in the community; provide
12 targeted intervention efforts where children
13 live, play, and learn. And we want to leverage
14 current ongoing efforts in a given community with
15 new initiatives to create a comprehensive
16 approach. So next slide.

17 So there are four building block to the LFC
18 initiative. And in the next few slides, I will
19 go into more detail about each one of these. So
20 we have the LFC tool kit. That was just recently
21 cleared this year in March. We have the National
22 Leadership Academy for the Public's Health, also
23 known as NLAPH. We have two pilot sites --
24 Washington D.C. and Louisville, Kentucky -- and
25 then also the creation of a national network.

1 Next slide.

2 So a little bit more details on the LFC tool
3 kit. It was cleared March of this year. So
4 currently it is a Word document of about 70
5 pages. Great resource as we do have some
6 communities that are currently utilizing it. It
7 addresses primary sources of lead exposure to
8 children. So that includes lead in water, lead
9 in paint, lead in soil, and other sources. We
10 have contracted with an organization to format
11 the tool kit. So it is my goal to have it ready
12 and on our website by December. That's an
13 ambitious goal. It may be early January. So
14 hopefully soon each of you will have a copy of
15 the tool kit in your e-mail boxes. Next slide.

16 The National Leadership Academy for the
17 Public's Health, also known as NLAPH, is a
18 program provided by one of our partners, the
19 Public Health Institute. It's a one-year applied
20 leadership development program that's offered to
21 organizations. We have partnered with PHI to
22 offer the NLAPH program to certain jurisdictions
23 to focus specifically on lead poisoning
24 prevention. These organizations are hand
25 selected. So we work with our program services

1 team and we say, well, Do you have a jurisdiction
2 that could benefit from leadership coaching that
3 has a project but just needs some guidance and
4 some tools to get over that challenge or to help
5 in implementing that project in their community?

6 So part of the NLAPH program is formation of
7 a collaborative multisectoral team. So that's
8 four to six individuals, including the health
9 department which typically would lead the group
10 into their intervention. And that also provides
11 some group coaching and training. I tell many
12 people that this is my favorite piece of the
13 NLAPH program. Each jurisdiction has access to a
14 leadership coach in which they can meet with them
15 on a monthly basis as well as every other month
16 they meet with all -- the entire team -- so other
17 jurisdictions -- to collaborate, share successes
18 and challenges.

19 And so with group coaching, yes, they're
20 helping them to create their action plan.
21 However, if there's other challenges -- so they
22 say, well, Quanza -- or a leadership coach, We're
23 having some challenges with working together.
24 You know, we have some ideas but we're a new team
25 and we're not sure on how to kind of come

1 together. Well, your leadership coach can help
2 you with that. They can provide personality
3 assessments, such as disks and other things.

4 I know in Puerto Rico they were working on
5 building a coalition and they had this huge
6 coalition meeting and they just wanted some help
7 and some prep on what should our agenda be, what
8 should our speaker notes be? So their leadership
9 coach is able to schedule an in-person site visit
10 to provide them guidance and hands-on assistance
11 with that.

12 So the lead-free communities teams, we've
13 had three cohorts over the years. The first
14 cohort started in 2020 and that included
15 Washington D.C. and Louisville, Kentucky. The
16 next cohort was a cohort of one, that's Madison
17 County from Missouri. And then currently we have
18 a four-team cohort which includes Baltimore,
19 Philadelphia, Puerto Rico, and Marion County out
20 of Indianapolis. And next slide.

21 So -- keep going, I'm sorry. I think you
22 have -- yeah, right here. Thank you. So I
23 mentioned pilot sites. So we're currently pilot
24 testing the tool kit. As I mentioned, it has
25 been cleared. Some of you in this audience may

1 have reviewed the tool kit, and if you did, thank
2 you very much. But we wanted to actually see how
3 useful is it in the actual community.

4 So we hand selected Washington D.C. and
5 Kentucky -- Louisville, Kentucky because they
6 were a part of the LFC initiative initially. So
7 they were the first cohort. And they're using
8 it -- the tool kit to work on some interventions
9 within their community. They're wrapping up
10 their plans. I think this is the last month of
11 their interventions. They're wrapping doing
12 their final reports. We're also working with an
13 evaluator who will work with them directly to
14 really get feedback and input on how -- the
15 usefulness of the tool kit, if there's things
16 that we should update. We also to collect some
17 case study data to include it into a kit as well
18 as on our website. And next slide.

19 And then the final building block of LFC
20 would be the LFC national networks. Our ultimate
21 goal is to create this national network where
22 organizations of communities can collaborate and
23 have discussions and share their successes and
24 challenges, so a one-stop shop where they can go
25 and say, Hey, you know, I've trying to reach out

1 to HUD, I can't reach anyone, it's very difficult
2 to manage this, or I want to add this part into
3 my table, or I'm not sure how to find these
4 additional resources to implement this program.
5 We're hoping we'll have a place where they can go
6 and have that one-stop shop to share with each
7 other and provide each other with technical
8 assistance as well as reach out to some federal
9 partners; have access to tools, webinars, and
10 other things. And ultimately we want to build
11 that momentum toward a national effort for lead
12 elimination. Next slide.

13 So what's next for us? I didn't mention
14 this but this initiative came to our branch in
15 March. So it's a new initiative to our branch,
16 not necessarily to CDC, and it had already had
17 many accomplishments such as creating a tool kit,
18 such as having these cohorts.

19 So we want to continue the momentum,
20 continue the wonderful that was started, but we
21 also want to enhance as we're moving forward. So
22 we're going to, as I mentioned, format, promote
23 the tool kit, get it in the hands of communities
24 that need it.

25 Wanted more strategy and vision -- vision

1 planning. So we want to make sure that LFC is
2 aligned with other initiatives within our branch,
3 working with a contractor to develop a work plan,
4 evaluation plan.

5 So what are our goals? In a year -- we
6 would want to see LFC in five years as well as we
7 want to evaluate. So next time we meet at the
8 LEPAC meeting, I can share or hear some
9 accomplishments, hear some data of the LFC
10 initiative.

11 And then lastly want to continue and share
12 LFC with communities. Hopefully you all will
13 receive more information as we move forward as
14 the tool kit is formatted and published on our
15 website. I hope to have continuous dialogue and
16 updates for each and every one of you. And next
17 slide.

18 Are there any questions?

19 **MR. AMMON:** I'm going to start with two if
20 that's okay.

21 **MS. BROOKS-GRIFFIN:** Yeah.

22 **MR. AMMON:** I think the tool kit would be
23 helpful in partnership with our brand-new
24 program. We have a Lead Hazard Control Capacity
25 Buildings grant. These are, you know, smaller

1 grants to communities who, you know, aren't able
2 to take on -- a couple things, either aren't able
3 to take on the full-blown, you know, nine, ten
4 million dollar grant program that we have.

5 **MS. BROOKS-GRIFFIN:** Is that a TCTAC? No?
6 TCTAC funding?

7 **MR. AMMON:** TCTAC?

8 **MS. BROOKS-GRIFFIN:** No, never mind. It's
9 another similar one. Okay. Go ahead.

10 **MR. AMMON:** I need a cool name like that
11 though.

12 But the other thing is jurisdictions --
13 smaller jurisdictions that really don't have a
14 lot of the infrastructure pieces at all, right?
15 Really necessary to fully -- not only fully take
16 on a larger program but just how things work,
17 right? Like the planning pieces and the
18 partnership-building, all those pieces that are
19 necessary. So I do see a good alignment with the
20 tool kit and working with our brand-new capacity
21 building grantees around the country.

22 The other thing is more of a reality
23 on-the-ground type issue -- and I know we have
24 grantees online. I know Ruth Ann is one too --
25 is, you know, how does the tool kit address

1 contractor capacity because, you know, in many
2 cases the targeting and the testing and things of
3 that nature kind of hit a wall -- Right? -- when
4 you're at the point of, well, I need someone to
5 do this work now, right? And the contractor
6 capacity around the country has been pretty
7 limiting in terms of us being able to scale up in
8 terms of the number of units that we know need to
9 be done.

10 So that was just one question in terms of
11 how does the tool kit address working toward
12 building your contractor base in terms of the
13 intervention work that needs to be done.

14 **MS. BROOKS-GRIFFIN:** That's a great
15 question, Matt. And I will say one of the
16 communities that is currently utilizing the tool
17 kit stated the same thing: Hey, this is missing
18 the contractor piece.

19 So we've heard that from communities and I
20 think ultimately once we finish or finalize our
21 evaluation, that's something that we'll be able
22 to add. So I mentioned we are formatting the
23 tool kit in a PDF, but it's not a static PDF. So
24 it's something that hopefully we'll be able to
25 easily update and provide that information. So,

1 yes, we are aware of that -- I'll say that gap in
2 the tool kit and we're working to include that.

3 **MR. AMMON:** Thank you. I see Ruth Ann has a
4 question.

5 **MS. NORTON:** Hey, I couldn't see who was
6 talking, but it sounded like Matt Ammon. Am I
7 right about that?

8 **MS. BROOKS-GRIFFIN:** Yes.

9 **MS. NORTON:** The -- and good morning, Matt
10 and everyone.

11 So as we are concluding the work on the D.C.
12 tool kit, this is a big part of that look of how
13 we're going to do contractor scaling, not just in
14 D.C., but across the board. And part of what we
15 are recommending is this live kind of living
16 document -- Right? -- that is continually running
17 on an asset and gap analysis basis so that we can
18 think about this. But I do think there ought to
19 be some sort of meeting in each of these cities
20 around who's getting Justice40 money, who's
21 getting other kinds of scaling money for
22 workforce and connect -- and I'm happy to work
23 with you to get the NLAPH grantees connected to
24 who's doing workforce development on greenhouse
25 gas emission work that is looking at whole-house

1 approach.

2 And in most of the -- for example,
3 greenhouse gas applications that went in, there's
4 a healthy housing element. There's a whole-house
5 approach element for the low income -- lowest
6 income housing. But I do want to just underscore
7 contractor capacity is the ballgame here because
8 the rest of it doesn't -- we never get to where
9 we need to go unless we do that. So if you
10 wanted to set up a cross kind of awardee
11 workgroup on that, I'd be happy to volunteer to
12 work with others on it because I think it's so
13 amazingly critical. And I just wanted to say
14 that.

15 **MR. AMMON:** Thanks, Ruth Ann.

16 **MS. BROOKS-GRIFFIN:** Awesome, thank you.

17 **MR. AMMON:** And just adding -- adding to
18 that, you know, our money within our grant
19 programs can be used for that very thing. So it
20 is supposed to be used in terms of building
21 contractor base, helping out with training and
22 licensure and all those other things that we know
23 are important elements.

24 **MS. NORTON:** Yeah. And I -- I actually
25 think, Matt, that across the board there ought to

1 be -- I'd like us to get sort of a university of
2 learning going back on lead because -- I've got
3 to hop to a meeting, I'll be back, but we've also
4 seen and we can talk -- take this in a different
5 place, but one of the things we've seen in
6 Baltimore is this spate of high lead's come up
7 because it -- post-COVID people are getting
8 tested, but there's been a delay.

9 There's a lot of infrastructure capacity at
10 city and state government that's needed too, not
11 just contractor capacity. So we've got to have
12 capacity in the ecosystem, but we -- you know,
13 I'm happy to talk more about how do we kind of
14 utilize this network across the country to really
15 get lead back top of mind on the realities of not
16 backsliding where there's massive success and how
17 we use the moment of other funding.

18 So anyhow, really appreciate the NLAPH
19 program and all the good that you're doing.

20 **MS. BROOKS-GRIFFIN:** Thank you.

21 **MR. AMMON:** And good points. Not -- I'm not
22 trying to commandeer the conversation but just
23 one or maybe -- I'm sure it won't be the last
24 additional thing. But, you know, in our grant
25 programs -- you know, obviously we run hundreds

1 of grantees or have hundreds of grantees around
2 the country -- we've seen a lot of turnover too,
3 a lot of turnover from COVID.

4 You know, obviously there was a shifting of
5 priorities in terms of lead work during that
6 time. And even -- even legacy grantees that
7 we've had forever, since the beginning of our
8 program 30 years ago, we've seen huge shifts in
9 turnover where something like what you're talking
10 about, this tool kit, really helpful because to
11 reorient a whole set of new folks who may have
12 been doing very different things, you know,
13 throughout their tenure and not really
14 understanding what needs to happen and all the
15 different pieces that you need to have in place
16 to have a functional, successful lead hazard
17 control program that includes, obviously,
18 evaluation and remediation.

19 **MS. BROOKS-GRIFFIN:** Uh-huh. And
20 sustainability as well.

21 **MR. AMMON:** Yeah. Yeah, yeah, exactly.
22 Exactly. Sustainability beyond grants, if you
23 will. But that whole continuum is -- we were not
24 expecting that, that we would see such turnover
25 in programs. And we've had a lot of retirements

1 that -- for folks that we've known forever.

2 So, you know, I almost feel like in many
3 ways we're at square one and these are things
4 that Congress asked the whole time, you know, in
5 terms of where are you in the program and what we
6 need to do and, you know, scaling up this type of
7 work combined with the work that we're doing at,
8 you know, HHI and others. We really, really need
9 to get back to that because we've made such
10 progress and I feel like we can't lose that --
11 that continuum and that progress that we've made
12 over all these years, you know, for something
13 that we have readily available now, both in terms
14 of funding, both in terms of knowledge base and
15 all of us kind of share in that, that we're in a
16 very unique opportunity now to bring a lot of
17 communities -- continue a lot of the work of
18 communities and then raise up and elevate
19 brand-new communities. There's a need all around
20 the country. We know that.

21 **MS. BROOKS-GRIFFIN:** Right.

22 **MR. AMMON:** But it's just matching all of
23 the things that we all have collectively into
24 those areas to make it -- to make it work.

25 So I know that was very long. Sorry about

1 that.

2 **MS. NORTON:** Can I say one last thing before
3 I hop off to my other call. The -- Matt, I think
4 in this you've just hit on a really big issue --
5 Right? -- the underlying infrastructure in
6 government as well as nonprofits where there's
7 been a lot of swirl. But in government people
8 who just made lots of life changes after having
9 to be so focused on COVID -- Right? -- they
10 either went to other programs, retired. We lost
11 massive capacity there.

12 I do think we ought to have some focus on
13 that reteaching, rebuilding whether it's in a
14 national meeting or a series of learning
15 webinars. And spot-on that we should use the
16 opportunity in these toolkits as one way to do
17 that. But I do think there has to be some online
18 training, support here to get there and the
19 opportunities that are coming up.

20 So look forward to talking more about it,
21 but that's what we are seeing, program after
22 program after program just -- Detroit's
23 rethinking today, it's a whole way of looking at
24 lead simply around the capacity to be able to
25 enforce across a city -- Right? -- given where we

1 are in different aspects.

2 So there's lots of this happening and the
3 points are extremely -- extremely well made by
4 Matt.

5 **MS. BROOKS-GRIFFIN:** And that's great. And
6 I'll add that that's part of the purpose of
7 building the LFC network. So having that place
8 where people can go and get some of that baseline
9 of builder capacity if needed. We're not here
10 yet. We're still doing planning, but this is me,
11 Hey, Paul, can we have a face-to-face meeting
12 this summer? I don't know but we are working on
13 strategizing to figure out how to address some of
14 those concerns and questions that you've raised.

15 Paul.

16 **MR. AMMON:** Well, let me switch to Grace
17 since she was -- had her hand up first, from EPA.
18 Sorry.

19 **MS. ROBIU:** No problem.

20 Hi, Ruth Ann. I'm happy that you intervened
21 with that comment. I was -- I had my hand raised
22 precisely to encourage us to map what different
23 agencies are doing in this space. EPA has been
24 given a ton of money under both the Bilateral
25 Infrastructure Law and the Inflation Reduction

1 Act.

2 In particular the funding for environmental
3 justice communities, we're putting out a notice
4 of funding availability later this fall for
5 \$3 billion going to communities that -- to
6 address a host of issues including what we're
7 talking about here. And I would want to make
8 sure that the tool kit is reaching in your
9 national network attempts, you know, different
10 places.

11 I also want to make sure that there's
12 awareness on a few other things. First, that
13 within EPA we have a FACA, as you know, called
14 the Children's Health Protection Advisory
15 Committee. We just charged the CHPAC, as we call
16 it, two weeks ago with a charge which means a
17 lot -- you know, lot of questions that they come
18 back with recommendations for us on -- on lead
19 and community engagement. So this is exactly
20 what we're talking about here. And there's some
21 questions in there about participatory science,
22 about the degree to which participatory science
23 can play a role in better integration of this at
24 the community level. So I would encourage us to
25 stay in touch on that.

1 We typically get recommendations back within
2 eight months. So count from a month ago eight
3 months forward, that's when we'll hear back and
4 we're happy to come brief you on that.

5 Secondly, I want to make sure people are --
6 people here are aware of this, but I want to put
7 it on the transcript. The President's Task Force
8 and the lead subcommittee is another way to make
9 sure that we connect with other agencies. We
10 have over 17 agencies represented under the
11 President's Task Force that can be leveraged for
12 this purpose.

13 Last point, then I'll be quiet. I want to
14 make sure that when -- we're not there yet, but
15 EPA is analyzing all the data from
16 telecommunication companies on this issue that
17 has been raised recently in the media regarding
18 the potential for cabling -- telecommunication
19 cabling to be a source of exposure of lead.
20 We're still analyzing that data. But if there is
21 a point at which we at EPA would just -- you
22 know, we would conclude that there's an important
23 risk there, then we might want to discuss
24 inclusion of that pathway in your tool kit.

25 **MS. BROOKS-GRIFFIN:** Uh-huh. Thank you.

1 **MR. AMMON:** Thanks, Grace.

2 **DR. ALLWOOD:** Yeah, thanks, Matt. So I just
3 wanted to just express my appreciation for the
4 good comments, you know, you Matt, others,
5 regarding the LFC. And just to, you know, just
6 kind of share that, you know, the discussion just
7 reinforced for me that, you know, lead poisoning
8 is a -- is, you know, one of the proverbial
9 (indiscernible) problems, right? There are many
10 dimensions to it. There are many seeming causes.

11 It's not static. It changes and it morphs
12 and it's influenced by, you know, events in the
13 wider world, right? And so, you know, this
14 strategy, really, which is rooted in, you know,
15 kind of three parts, really: First, you know,
16 there's a tool kit which, you know, of course,
17 people will be able to use and access and have
18 some kind of, you know, guidance on how to
19 establish and take actions that will get to
20 lead-free status.

21 There's also the National Leadership Academy
22 because, you know, we know, I think, you know,
23 it's very widely accepted that, you know,
24 communities have to be a part, have to engage to
25 conduct policy systems and environmental change.

1 And so that's a part of that -- the whole, you
2 know, mix here. That's really -- really
3 (indiscernible).

4 So, you know, we're hoping that through the
5 work of the National Leadership Academy, the
6 availability of a tool kit that's user-friendly
7 and accessible to all and also building that
8 national network you can go on, you know, learn
9 about best practices, share your successes or any
10 specific concerns that we will build and
11 strengthen this movement which really ought to be
12 (indiscernible), you know, at a very core level,
13 you know, in the communities. Communities are
14 taking ownership, being invested moving towards
15 that next step.

16 **MR. AMMON:** Thank you very much, Paul. Any
17 other follow-up before we move on?

18 **MS. BROOKS-GRIFFIN:** Matt, can I say one --

19 **MR. AMMON:** Yes, yep.

20 **MS. BROOKS-GRIFFIN:** I just wanted to make
21 one quick comment that Paul reminded me of. So
22 the tool kit, we do have some strategies and
23 guidance on how to build your action plan, build
24 out your budget, but it's not intended to be
25 prescriptive. So we're going to get you started.

1 We're going to connect you with resources, the
2 resources that you all mentioned here in the
3 room. But it won't necessarily have every single
4 topic, every single step a community will need to
5 take. But it's more of a guidance on here's what
6 you can do, here are some worksheets on how to
7 complete your -- your action plan, how to
8 complete your budget, what partners to have at
9 the table. But more to come on that.

10 **DR. CHAMBERS:** (indiscernible) --

11 **DR. RUCKART:** Excuse me, Wallace. Before
12 you jump in -- I'm sorry -- I wanted to take the
13 opportunity to let you and Anshu introduce
14 yourselves.

15 So maybe go to Anshu and then Wallace, you
16 and then your question. Thank you.

17 **DR. CHAMBERS:** Wallace Chambers, Cleveland
18 Department of Public Health.

19 **DR. MOHLLAJEE:** Hi. Anshu Mohllajee, I'm
20 from the California Department of Public Health.

21 **DR. CHAMBERS:** So when you talked about
22 contractor capacity, I just was wondering for
23 clarification are you using WDA contractors or
24 RRP contractors?

25 **MS. BROOKS-GRIFFIN:** So that's not -- that's

1 a gap in our tool kit. So that's something that
2 once we get feedback from the communities that's
3 currently utilizing the tool kit, we'll determine
4 what information we want to conclude as well as
5 connect to other sources of -- other federal
6 sources that might be able to explain those
7 details more.

8 So maybe it's going to be both. We're just
9 not sure just yet. Once we finish the
10 evaluation, we'll reassess and then include some
11 information.

12 **DR. CHAMBERS:** Okay. And another question
13 if I could. Are you focusing on rural
14 communities or inner-city communities?

15 **MS. BROOKS-GRIFFIN:** So it's across the --
16 across the gamut. So communities in general
17 which would include rural. And we're hoping that
18 tribes as well as territories would be able to
19 use this resource.

20 **DR. ALLWOOD:** Right so, you know, great --
21 great questions, Wallace. So, you know, we -- we
22 want to be careful not to sort of overpromise in
23 terms of, like, you know, giving, like,
24 prescriptive kind of remedies for some things
25 which are system -- like, you know, the idea of

1 lack of specific capacity within a certain part
2 of the country. And that's one of the reasons
3 why the whole approach is kind of rooted in the
4 idea of in par with the communities, to work
5 together, build those networks and those
6 collaborations locally, identifying the resource
7 needs and resource opportunities.

8 And so what, you know, part of the education
9 through the NLAPH program is to kind of teach
10 communities how to do that part also, you know,
11 and then the tool kit also will need people to
12 identify what resources are needed, what
13 potential resources are needed.

14 You know, so that's all strategy that we're
15 hoping that all of the, you know, sustained
16 effort with the lead-free communities,
17 communities will be empowered to start
18 identifying and taking, you know, deliberate
19 steps to address their specific needs.

20 **MR. AMMON:** Anybody else? I will say
21 there's a big difference between RRP and
22 certification.

23 **DR. ALLWOOD:** Right.

24 **MR. AMMON:** Right. Big, big difference.

25 Any other follow-ups?

1 **DR. CHAMBERS:** I just wonder based on Paul's
2 comments, is there going to be a workforce
3 development component to this?

4 **MS. BROOKS-GRIFFIN:** There is some
5 information on workforce development, yes.

6 **MS. ROBIU:** I have one last question. Is
7 there, like, coordination between you and the
8 previous presenters to map the interventions
9 vis-a-vis the data?

10 **UNIDENTIFIED SPEAKER:** Hi, Aaron.

11 **MS. BROOKS-GRIFFIN:** Not currently. And so
12 as I mentioned, we are -- this is a brand-new
13 initiative to our branch, so we are working and
14 planning on how we're going to align LFC with
15 other initiatives within our branch.

16 **MS. ROBIU:** Okay.

17 **MS. BROOKS-GRIFFIN:** So, yes, hopefully we
18 will, but right now we're in the planning phases
19 for that.

20 **MR. AMMON:** Good. Thank you very much.

21 **MS. BROOKS-GRIFFIN:** Thank you.

22 **MR. AMMON:** Next we will hear an update on
23 state policy action related to the blood lead
24 reference value.

25 Just loading up the presentation, getting

1 things ready, having technical issues.

2 **DR. RUCKART:** Well, why don't -- yeah.

3 **MR. AMMON:** Why don't we -- in the meantime,
4 we'll switch the agenda items now that we have
5 the director of NCHH here, Dr. Aaron Bernstein,
6 to give us some comments and remarks, if you
7 don't mind.

8 **DR. BERNSTEIN:** (inaudible)

9 **MR. AMMON:** Absolutely.

10 **REMARKS FROM NCEH/ATSDR DIRECTOR**

11 **DR. BERNSTEIN:** Thanks so much, Matt.

12 Good morning, everybody. Great to be with
13 you. Feel sad for you all sitting behind me. I
14 guess you can see me on the screen.

15 So I'm Ari Bernstein. I started here at NCH
16 in late May. I came here having had a long
17 career as a pediatrician which I still do in
18 working on children's environmental health. I
19 know a fair amount as a provider in the realm of
20 blood issues in children. And I want to thank
21 you all for taking the abundant spare time you
22 have in your various schedules to be here with
23 us.

24 I say that because I know how important your
25 expertise is to getting us to the finish line in

1 the last mile of ending lead poisoning in
2 children in this county which is, as I don't need
3 to tell you, no small task.

4 One of the first people who told me about
5 lead issues in children in the United States was
6 Michael Shannon. Michael is a person that many
7 of you may know. He was among the first of full
8 professors at Harvard Medical School who's a
9 Black American. He was, I believe, the first
10 lead of the region one PEHSU in New England
11 and an extraordinary mentor to any number of
12 people whom I have gotten to know.

13 But he was very clear with me that lead,
14 while seen as a sort of, you know, generic toxin
15 in the world is in -- as he said, it's really no
16 different than TB. The existence of TB in a
17 society in today's world was a sign of a lack of
18 resources, the sign of health inequity, a sign of
19 lack of attention to those who are most in need.
20 And lead is the same challenge. Of course, he
21 then cited other research among colleagues whom I
22 got to know that showed that lead, unlike
23 tuberculosis, is not only a current source of
24 dramatic health inequity but also
25 intergenerational health inequity and

1 disparities.

2 So you don't need to convince me how
3 important this group is. You don't need to
4 convince me how hard it is to do what we need to
5 do. I will say you all know far more than I ever
6 will about what we need to do and that's why this
7 group is so important. I do think this is a last
8 mile problem. And let me give a little more
9 about what I mean by that.

10 When I was born, pretty much every kid in
11 this country had a lead level over five. Today
12 the estimates are that's probably about
13 2 percent. And the problem is that 2 percent is
14 not a random sample of our country's children as
15 you all know. And with the limited resources we
16 have, with the challenges of dealing with all of
17 the broader social determinants that result in
18 that 2 percent of kids still being exposed, we
19 have obstacles that while large I do not think
20 are insurmountable.

21 So I want us all to, you know, make sure
22 that -- I want you all to know that whatever idea
23 you have, whatever resource you think we need to
24 bring to bear, whatever outlandish radical
25 rethinking way to get to those 2 percent of

1 children and whatever the percentage is you get
2 the point, I'm all ears. I'm willing to go to
3 bat because I see this -- you know, if any of us
4 in this room can make even a dent in this last
5 mile, I don't know about the rest of you but I
6 will certainly die a happier man.

7 So with that I don't know if I get to take
8 questions. Paul? Matt? I'd be happy to.

9 **DR. GRABER:** Nice to meet you. I'm Nathan
10 Graber. Just want you to elaborate a little bit
11 on what you were discussing or that you mentioned
12 earlier in the Mike Shannon analogy about how
13 it's a -- you know, intergenerational health
14 equity issue and if you're -- you know, how maybe
15 CDC is reframing the way we talk about lead
16 exposure in that context.

17 **DR. BERNSTEIN:** I don't know -- Paul,
18 correct me -- I don't know that that's reframing.
19 I think we do talk about it already in that way.
20 But nonetheless. So this started with research
21 as best I know that Howard Hu conducted in the
22 90s. I don't know if you know Howard.

23 But he -- he's showing that lead could be
24 really stored in bone, particularly in women who
25 were pregnant and that during pregnancy that lead

1 gets mobilized. So that woman was exposed in her
2 childhood. That lead then ^ the developing
3 fetus to lead, creating an intergenerational
4 exposure even if that child never gets exposed
5 outside of you. So that is one way.

6 And then, of course, the other thing, of
7 course, is that children who are exposed to lead
8 grow up to adults who have impulse inhibition
9 problems, intensely higher rates of impulsive
10 behaviors of all kinds which can be a major
11 source of ACEs for children if they have
12 children. It's another way that lead can be an
13 intergenerational health equity problem.

14 And there are others, but those are two of
15 the primary pathways.

16 **DR. GRABER:** Thanks. Yeah. I mean, I want
17 to hear more about it because health equity is
18 such a priority for so many different health
19 initiatives now. And lead, we've always thought
20 of it in the lead world as a proxy for much
21 bigger issues as well. So -- and a proxy for the
22 need to do so much more for communities that are
23 impacted by lead.

24 So the more you talk about it that way, the
25 more I think the message gets across that -- just

1 how important this issue is and keeps it on the
2 priority list. So thank you.

3 **DR. BERNSTEIN:** Yeah.

4 **DR. ALLWOOD:** So if I could just chime in
5 one point because, you know, I think it's just a,
6 you know, perfect set up for, you know, something
7 on a -- you know, I'd really like to say -- I
8 mean, I wish I didn't have to say it so much, but
9 it's that lead is both the result of social
10 economic disadvantages, it also is the cause of
11 it. So, I mean, it's just that pernicious and
12 it's very, you know, good for us to recognize
13 that this impacts certain pop -- like Ari said it
14 is intergenerational.

15 **MR. AMMON:** Thank you very much.

16 **DR. BERNSTEIN:** Glad that was so clear.
17 You'll have to forgive me but I have, it turns
18 out, a relatively short leash and so think I can
19 hang out -- I think I can hang out for a while.

20 **MR. AMMON:** We appreciate you being here and
21 your leadership.

22 And to all of us radical freethinking
23 people -- I'm pretty sure that was my nickname in
24 college, but I'm glad it's a good charge because
25 big ideas are an important thing in continuing

1 that.

2 So we very much appreciate your words. So
3 thank you and with that we'll transition back to
4 where we started, from Alexis on state policy
5 action related to the blood lead reference value.

6 **STATE POLICY ACTION RELATED TO THE BLRV**

7 **MS. ALLEN:** Thank you, Matt.

8 So hi. I'm Alexis Allen. I work here at
9 CDC in the National Center of Environmental
10 Health in the lead department. So I will just be
11 giving some high -- highlights about the updated
12 BLRV which is our blood lead reference value.

13 So the purpose of this research was to
14 evaluate the state's progress on implementing the
15 CDC's updated BLRV. Some of the methods used to
16 conduct this research included gathering from all
17 50 states -- that also included Washington D.C.
18 and Puerto Rico -- visiting their websites
19 regarding the implementation of the CDC's update
20 of the BLRV.

21 The information was gathered and we
22 categorized them into three different categories
23 which is the status, the mechanism, and the date
24 of implementation.

25 The status was labeled as updated or unknown

1 and no change.

2 Mechanisms of implementation was categorized
3 as automatic when CDC's recommendation was made
4 by law, meaning that the state made changes to
5 their laws and by guidance where the state
6 recognized the recommendation and it follows it
7 if resources are available.

8 The eight -- I'm sorry, the date of
9 implementation, once a recommendation was updated
10 by CDC in October of 2021, which states used the
11 recommendation when it went into effect.

12 It also involves comparing known risk
13 factors for lead. These risk factors was
14 collected and they were categorized by race,
15 homes built before 1980, foreign-born, children
16 under six with Medicaid, and persons under 25
17 with less than a high school diploma.

18 So, again, I mentioned that we did include
19 52 which included Washington D.C. and Puerto
20 Rico. So out of the 52 states, 37 of those
21 states were in updated status, 4 were unknown,
22 and 11 had no change. Again, the unknown states
23 that did not have any -- they didn't have any
24 information on their websites, I'm sorry, about
25 the updated BLRV and may be in the process of

1 updating it. And no change includes the states,
2 again, as we acknowledge, that CDC has updated
3 the BLRV but no change was given to their state
4 laws.

5 The methods of the state implementation, we
6 divide into those three categories of automatic,
7 law, and guidance. Out of those 37, I'm just
8 going to break it down into different categories.
9 So two of the states automatically updated their
10 law according to the CDC. Eleven changed into
11 the law -- into their laws, into their state
12 laws, and then 24 are using the updated BLRV as a
13 guidance for data collection and providing
14 additional services.

15 So I'm just going to talk about the number
16 of states who updated the BLRV recommendation
17 since October of 2021 when CDC made the
18 announcement. So information on the month and
19 the year of implementation status were available
20 for 32 of the 37 states. The highest number of
21 states that were -- six were between the months
22 of January and July of 2022.

23 We also looked at several known risk factors
24 for lead exposure and we compared the median
25 percentages by implementation status. States

1 where the implementation status were unknown had
2 one -- about 1.5 times the median percentage of
3 black population than the states who updated.
4 Distribution of those known risk factors of lead
5 poisoning did not appear to influence states'
6 decisions on implementing the new updated BLRV.

7 And some limitations that we had I kind of
8 already mentioned before, that although some
9 states implemented the updated BLRV, the
10 information on the month and the year of
11 implementation was unknown for some states. The
12 available data did not allow for the assessment
13 of the implementation status for four of those
14 states.

15 And this analysis only considers progress
16 through March of 2023. So being that it's now
17 been two years, probably should've had more
18 states have implemented the CDC's updated BLRV.

19 So overall, out of the 50 states that
20 include Washington, D.C. and Puerto Rico, again,
21 37 of those 50 -- 52 states have implemented the
22 updated BLRV recommendation, which is about
23 two-third of the states that have implemented the
24 updated BLRV when it was announced in October of
25 2021 through March of 2023 when this analysis was

1 conducted.

2 And additionally a majority of those states
3 applied to revise their BLRV between January and
4 July of 2022. By reviewing states' websites, we
5 found that a majority of the states implemented
6 the recommendation by using it as a guide for
7 case management. And the states who implemented
8 the revised BLRV were not more likely to have
9 higher median percentages of risk factors to lead
10 poisoning as states -- I'm sorry, as states that
11 did not implement the updated BLRV.

12 Which states -- I'm sorry, with states not
13 fully implementing the BLRV recommendation, we
14 hope that more states will implement. Again this
15 has now been a difference of six months when I
16 did the analysis. They will implement and use
17 this as a reference value to provide services in
18 case management and environmental investigations
19 for children with lead exposure.

20 Any questions?

21 **MR. AMMON:** All right, thank you.

22 Any questions from the group? Wallace?

23 **DR. CHAMBERS:** How you doing? So did you
24 get any feedback on the impact that the changes
25 in the 3.5 had on the capacity of health

1 departments to do their work far as
2 investigations?

3 **MS. ALLEN:** I will just say that was not a
4 part of our investigation and the research
5 conducted, but that's something we can definitely
6 look into when we do an updated analysis.

7 **DR. RUCKART:** So, yeah, thank you for that
8 question.

9 First of all, I want to say this wasn't
10 research. Just to be clear, this was just an
11 analysis of information that we could easily find
12 on the websites because of OMB requirements.

13 So we did not get any information about that
14 formally, Wallace. But informally and
15 anecdotally we have heard some of the programs
16 talking about the impact and how it is taking
17 more resources. So I don't know if any of the
18 state partners would like to share more
19 information about more boots on the ground.

20 Erika? Thank you.

21 **DR. MARQUEZ:** Actually had a similar
22 question because I think in the state of Nevada
23 at least we have -- it's complicated because not
24 all of our health districts actually have the
25 capacity to respond currently anyways, but we

1 have some ARPA funding to help fix some of that.

2 But even when we lower -- when the blood
3 level reference value was lowered to 3.5, even
4 though it was adopted statewide because we had
5 written our laws to be able to do that so that
6 we -- because we only have a legislative session
7 every two years -- every other year. So we
8 wanted to make sure if there was any changes it
9 was written into the laws so that we didn't have
10 to go back to the board and try to rally for an
11 update.

12 But on the ground level, some of our health
13 districts, even though acknowledged the 3.5
14 reference value, they don't activate case
15 management services or environmental inspections
16 until 10 micrograms per deciliter. And that's in
17 some of our jurisdictions. In other
18 jurisdictions, they just don't have the capacity
19 to do it.

20 **DR. MOHLLAJEE:** Hi, this is Anshu. And in
21 California it took us about two years to get to
22 the point where we had adequate funding to give
23 to our local health jurisdictions to provide
24 basic case management to the 3.5 level. And it
25 was needed because there's been really a doubling

1 of what we call basic cases, which means 4 or 4.5
2 to 9.4. But now including the 3.5s to 4.4s, it's
3 a doubling. And so the jurisdictions are really
4 feeling the toll of having to do so much more
5 case management work for those cases.

6 So it's definitely having an effect and it
7 does take a while for us to, you know, make sure
8 that the funding goes along with the BLRV value.
9 So even though we wanted to adopt it as quickly
10 as possible, there's definitely a time line in
11 order for it to really happen.

12 **DR. RUCKART:** But I do want to add that we send
out a

13 survey yearly to our recipients and it's called
14 the ALPA, the Annual Lead Profile Assessment. So
15 the one that was sent out for 2023 earlier in the
16 summer, it collected information asking at what
17 level states and programs perform various public
18 health actions related to childhood blood lead
19 poisoning.

20 And so we will begin to analyze that very
21 soon and we'll have more information and there's
22 also questions in there about what is the state
23 mandate and what are the practices, realizing
24 that there can be sometimes these differences for
25 the reasons that you're speaking of.

1 And also we have submitted a publication on
2 a little bit more detail about the BLRV update
3 that Alexis spoke about in our ALPA from 2022,
4 which did not include the category of BLLs less
5 than 3.5 just because of the timing and the
6 length of time to get the ALPA changed, given
7 when the BLRV was updated. So that would be sort
8 of like a baseline ALPA data. And going forward
9 you'll be able to see changes in what states are
10 able to do and programs are able to do once
11 they've lowered the BLRV.

12 So more to come. This is just a little bit
13 of a sneak peek, I guess.

14 **DR. MARQUEZ:** And it would be also really
15 great to show those results of the analysis that
16 you're planning to do with that yearly survey to
17 all the grantees. So that would be great as
18 well, to just hear what other states are doing so
19 we can learn from that. So just wanted to add
20 that.

21 **UNIDENTIFIED SPEAKER:** Whatever you want, no
22 rush.

23 **DR. ALLWOOD:** So I just wanted to just, you
24 know, first acknowledge that, you know, we've
25 made a lot of progress in a relative short amount

1 of time since we updated the blood lead reference
2 value.

3 I think if we look back to the last time we
4 did that, you know, we probably saw a little bit
5 of a flat adoption curve. So, you know, I'd say,
6 you know, most everybody at, you know, all of the
7 states, you know, we heard it, you know, very
8 soon after we announced the updated blood lead
9 reference value, that this would really mean more
10 work, you know, more expenses, more cases. You
11 know, we got that right. That's one of the
12 reasons why, you know, this year we're, you know,
13 providing additional resources, you know, as much
14 as our budget authority will allow. We're saying
15 we're supporting the states more because we
16 understand, recognize that this has led to more
17 work, more (indiscernible).

18 Honestly it's that, you know, we do --
19 that's not the final solution because, you know,
20 lead is a, you know -- addressing lead --
21 childhood lead poisoning is a very expensive
22 proposition. Part of the reason why we're moving
23 to (indiscernible) like the LFC, we're saying
24 we've got to get more -- more partners, you know,
25 to the table. We've got to start building and

1 strengthening that community capacity and, you
2 know, developing, you know, the tools and
3 resources to help be able to do that.

4 But, you know, I'm very interested in
5 hearing from this body, you know, if there are
6 ideas. And like, you know, Dr. Bernstein said
7 earlier, this is one of those areas where there
8 is a -- you know, a bit of a challenge as
9 (indiscernible), you know, the cost to states,
10 you know, has increased and, you know, we have to
11 somehow find places for them to be able to get
12 the work done.

13 I also would like to just say -- and this is
14 a -- you know, perhaps something that really
15 struck me right after we -- you know, CDC
16 announced the upgrade of the blood lead reference
17 value. Despite the, you know, obvious
18 additional, you know, effort that would be
19 required by states, not one single state said
20 you -- you know, you shouldn't have done it.
21 Everyone, you know, immediately accepted that was
22 the right thing to do and, as you heard from
23 Alexis, many states have moved forward with some
24 phases that are allowing adopting the
25 (indiscernible). Very, very important, as she

1 mentioned.

2 **MR. AMMON:** Thank you very much, Paul. Any
3 other -- yes.

4 **DR. PARSONS:** Yes, this is Patrick Parsons.
5 I'd like to offer a couple comments from a lab
6 perspective. All clinical test reports for blood
7 lead must include a reference range. And so when
8 the blood lead reference value was changed, all
9 of the laboratories were faced with the question,
10 Well, what would you do on our test reports? The
11 reference range -- and in the case of lead is the
12 upper limit of the reference interval -- is based
13 upon solid data.

14 And so because this was based upon the
15 NHANES 97.5th percentile, it was, you know,
16 relatively straightforward to say the test report
17 should change. What we ran into is our state
18 lead poisoning programs were, well, that's going
19 to put us in a position where we have to now
20 redefine.

21 And because New York, for example, the
22 definition of elevated is in regulation, that's
23 not so easy to change. I don't know about other
24 states, but in New York it takes a long time to
25 change regulations.

1 From a lab perspective, there are some
2 issues that the labs face as a result of that
3 change, one of which is, you know, what do you do
4 about contamination. And New York is unique in
5 as much that we have prescribed standards for
6 laboratories that measure lead in blood, trying
7 to level the playing field so that, you know, all
8 labs try to, you know, adhere to a common set of
9 standards. And so the level of contamination was
10 set at a half microgram per deciliter back in the
11 early '90s when the level was changed from 25
12 down to 10. Clearly that has to change.

13 And so, you know, what should that new level
14 be? It has to be feasible and doable. And so
15 there are some things that need to be done at the
16 lab level in order to improve the reliability of
17 measurements at 3.5. What you do from a public
18 health perspective when you have a confirmed case
19 of 3.5 and above is another matter.

20 And I guess we have lots of experts here to
21 help guide us, but, you know, I think that most
22 laboratories have adopted this as the upper limit
23 of the reference interval for reporting clinical
24 blood lead test results.

25 **MR. AMMON:** Thank you, Patrick.

1 Any other questions before we move on to our
2 next presentation? Great.

3 **DR. RUCKART:** I'm sorry. I'm remiss. I
4 didn't introduce Alexis Allen and Nick Hatch
5 before when we were going through with the
6 introductions.

7 Alexis is our committee management
8 specialist and Nick is our deputy committee
9 management specialist in case you were wondering
10 who they are.

11 **VOTE ON ANNUAL REPORT**

12 **MR. AMMON:** Thank you. And as Tara
13 Radosevich is getting set up, there is one point
14 of order that we need to make, that we needed to
15 make earlier, which is voting on our annual
16 report. We sent out the annual report. It was
17 e-mailed August 24th to everybody with an
18 expectation that we would be voting on it here.

19 And so with that, I am going to call a point
20 of order for us to vote on the annual report.
21 And all those -- I'll make it easy. All those in
22 favor in the room here of approving the annual
23 report, please raise your hand. LEPAC members,
24 thank you.

25 And I need online -- I need Tammy and Tina

1 to signify their vote as well. Tammy? Thank
2 you. I guess that's a hand. Perfect. So as a
3 point of order, it's been unanimously approved
4 for the record, the annual report.

5 Thank you all very much for that.

6 **HUD: ALIGNMENT OF INSPECTION PROTOCOL FOR ASSISTED**
7 **HOUSING FOR THE LAST 20 YEARS**

8 **MR. AMMON:** And next we will turn to a topic
9 that is near and dear to my world: HUD. I guess
10 people don't recognize what a big deal this is.
11 And we have my friend and colleague, Tara
12 Radosevich, to talk about this. We've been
13 colleagues for many years and also Johns Hopkins
14 alum.

15 But HUD, for many years, had, you know --
16 I'm not sure if I should even tell people this --
17 two different standards in the way we looked at
18 our housing stock, right? We have a lot of
19 housing stock: product-based rental assistance;
20 tenant-based rental assistance; public housing;
21 quality -- health and quality standards. You've
22 probably heard of HQS before.

23 And then uniform physical condition
24 standards, right? UPCS. And those are
25 different. Those are very different. And HUD

1 did a great thing over the last couple years and
2 rolled it out this year which is aligned those
3 inspection protocols into one consistent
4 inspection protocol.

5 And that's what Tara is going to talk about.
6 It's called NSPIRE, which I love. And it stands
7 for the National Standards for the Physical
8 Inspection of Real Estate. And I'm very proud on
9 behalf of HUD to talk about this. And with that,
10 I'll turn it over to Tara.

11 **MS. RADOSEVICH:** Thanks so much, Matt. I am
12 honored to be here. I really appreciate the
13 invitation. Thank you, Matt. Thank you to the
14 broader group.

15 What Matt said is true. It really was -- it
16 is big that we finally updated our standards.
17 I'm actually a little embarrassed to admit that.
18 About 20 years ago, we were -- next slide, we
19 were the -- you know, we were on the cutting edge
20 of establishing national standards for housing
21 and what we want to look at on a regular basis
22 through regular physical inspections. But we've
23 had two standards and actually we had even
24 variations of those standards in some of our
25 other rental assistance programs. Back.

1 So what's big about it is codes evolved over
2 time, our public health understanding evolved
3 over time. Would you go back one slide. That
4 evolved over time. HUD didn't -- we made -- we
5 had some tweaks around the edges. We also
6 couldn't tell you if a family living in a unit
7 assisted with a tenant-based voucher in the
8 Housing Choice Voucher Program was any safer than
9 a resident living in, say, public housing where
10 there was the most HUD investment. And some
11 cases made to the public housing units were
12 actually in worse shape and we had more public
13 health issues there. Another huge gap in our
14 voucher program, our standards didn't even
15 mention mold. We had a vague standard for indoor
16 air quality and at the local level, the local
17 housing authority with their local staff
18 inspector could interpret that in many ways.

19 So a big goal of updating our physical
20 condition standards was to align them across all
21 of our rental assistance programs. That gets us
22 into over five million units. It also touched on
23 some of our homeless programs, our emergency
24 solution grants, continuum of care. HOPWA
25 housing is with persons with AIDS. Those, in

1 very different ways, kind of had their own set of
2 operating parameters and some of that is because
3 of the nature of the housing stock.

4 But under NSPIRE we're aligning them all
5 under one regulatory standard. Next slide.

6 So we had to do this through rulemaking.
7 HUD's physical condition standards were in part 5
8 of the Code of Federal Regulations. We had to go
9 through significant comment for a proposed rule
10 on comments with comments proposed standards, the
11 individual standards that apply that we would
12 follow. And then also how we score certain
13 properties. In our public housing and
14 multifamily rental housing portfolio, we actually
15 issue a score on a scale of zero to a hundred.

16 Some of the big changes interestingly --
17 this is why it's been such a big sea change, a
18 lot of our housing condition standards were about
19 the property, the asset, the building, and its
20 appearance in the community unfortunately. And
21 so we had a lot of things that were more
22 cosmetic.

23 I think there was always a concern that, you
24 know, HUD was going to drag the neighborhood down
25 if people know that that's HUD housing and that

1 it looks worse. We had standards for overgrown
2 vegetation, cracks in sidewalks. The entire site
3 was assessed by our inspectors. But the more
4 time and energy that went into those cosmetic
5 things, the less time and energy was spent in the
6 units where we know the residents were exposed to
7 significant hazards. So we lined it all.

8 And we also added more around if it's a
9 certain level of a health and safety condition.
10 We made the expectations clear for what we expect
11 for a correction. A lot of those went to a
12 24-hour correction. That's not ideal and I'll
13 explain a little bit more about what we've done
14 to work around that because we don't want quick
15 fixes. We don't want you just to, you know, slap
16 masking tape over it because that's not a
17 permanent correction. So we've done some work
18 within our rulemaking to address what we expect
19 in certain time frames and what evidence we
20 expect to show that you truly corrected the
21 hazard.

22 We added in more self-inspection. So HUD
23 can't be everywhere all the time. We added more
24 expectations for public housing authorities and
25 our project-based owners to do annual

1 self-inspections of every single unit. We
2 specified that because we haven't said that
3 before. We brought in -- so we had a law called
4 HOTMA, the Housing Opportunities Through
5 Modernization Act. That had some different
6 tweaks in there.

7 I'll be honest that Congress was fed up with
8 HUD, fed up with HUD for hitting the news, mold,
9 pests, terrible conditions without there being
10 clear responses by our landlords and our housing
11 authorities and then HUD to do enforcement of our
12 housing conditions. I'll be honest with you, we
13 hit the news every day. In January we hit it for
14 failed heating. Over the summer we hit it for
15 mold. Every single day there is some story about
16 a HUD-assisted unit with deplorable conditions
17 unfortunately.

18 We added a little bit more about -- so we
19 added more on our appeals, but we enhanced some
20 enforcement mechanisms. In the public housing
21 world, these are our public housing authorities.
22 They are set up under state statute. Think of
23 them like your local school board. They have a
24 board of commissioners. They're a public
25 authority. They're kind of quasi-governmental.

1 We treated those -- we currently treat those
2 housing authorities a little bit differently than
3 we treat, say, a private landlord with HUD
4 subsidy or a HUD-backed loan on a property. And
5 some of our housing authorities have enjoyed a
6 bit of flexibility in terms of enforcement of
7 their housing conditions. There were -- there
8 have been cases where HUD maybe didn't intervene
9 until there was other financial and management
10 issues with that housing authority. And we blend
11 it all together and score and we decided we were
12 troubled. Well, what happened with that is we
13 had high performing housing authorities but maybe
14 they had one development that was very old, not
15 being well-managed, not being kept up but
16 there's -- it averaged out across the property.
17 And so that development across all of the
18 properties, so that development score was sort of
19 lost in the noise of the other performance
20 metrics that were decent.

21 And so there -- we had a really tragic case
22 actually in Philadelphia. Philadelphia is a
23 pretty good housing authority. They're part of
24 our Moving-to-Work program. They had a very
25 tragic fire a few years ago, and in that

1 particular building, they had overcrowding. They
2 had -- smoked detectors were there but they had
3 been taken down, batteries popped out, put in
4 drawers. And the child in the unit was playing
5 with a lighter, lit the Christmas tree on fire,
6 and we had multiple fatalities.

7 Turns out that that development that that
8 unit was part of was one of their worse
9 scoring -- we call them AMPs, asset management
10 projects. It was one of their worst scoring
11 developments. But all of the other properties
12 were in pretty good condition. And so we hadn't
13 been taking action against the housing authority
14 for that particularly bad development. And
15 NSPIRE is going to change that.

16 And then our scoring changed. So with less
17 emphasis on curb appeal and cosmetic fixes and --
18 sometimes they call them the industry standards
19 for corrections and repairs, with less emphasis
20 on that and more emphasis on health and safety,
21 we changed the way we score. And I'll get into
22 that in a minute. Next slide.

23 All right. So the other thing we decided in
24 this final rule, we set a deadline for ourselves.
25 We're not going to wait another 20 years to

1 update our housing inspection criteria. We're
2 going to take a look at them every three years
3 and we're going to open it up again to public
4 comment.

5 So you might've missed the window to comment
6 on our standards now. That's okay. Check back
7 with us in two, two and a half years. We're
8 going to put all of our standards back out for
9 public comment. We'll do that for the Federal
10 Register and we'll consider those in revising our
11 standards.

12 We also built some more things into our
13 regulations. On the voucher side, we actually
14 had some good habitability things: adequate space
15 to store and prepare food, flushable toilets. We
16 beefed up those regulations so that if you are a
17 unit coming into a HUD-assisted program, you have
18 to meet all of these criteria by regulation. And
19 it really emphasized that we're not going to
20 change those regs very often. Those are the --
21 the solid -- every unit must meet. We added in
22 safe drinking water which is a big win -- and I
23 have some slides on that -- GFCI outlets,
24 permanent heating source -- and permanent heating
25 source means your unit can't just have a

1 fireplace or a space heater. We need an HVAC
2 system or a more permanent heating source for
3 that family -- and lighting and -- permanent
4 lighting in the kitchen and bathrooms and
5 adequate outlets.

6 We see fires from not enough outlets,
7 residents stretching extension cords across the
8 unit. That's a safety hazard as well.

9 We did take out -- so this is -- this is
10 kind of a mixed bag. We took out certain
11 neighborhood requirements for our voucher
12 program. They were actually in reg and it was
13 some strange things like risk of mudslides,
14 graffiti, noise, air pollution. We took those
15 out because it was challenging for our housing
16 authorities and families to actually find units
17 that met all of the criteria. So we pulled them
18 out, but it still -- so we allow a little bit
19 more flexibility because we have to always
20 balance.

21 So in the public housing world, we have a
22 set stock. That housing is there and we can tell
23 you what you need for that housing. The voucher
24 program is a little trickier because your family
25 gets a voucher and they've got to look around the

1 neighbor -- or look around their town in the area
2 where they can use the voucher and find a unit
3 that meets the basic health and safety when it
4 gets inspected.

5 We still have challenges with residents
6 being able to find landlords that will take their
7 voucher in a unit that meets our criteria and
8 then be able to move into it if -- like, once the
9 landlord goes through the inspections. So we had
10 to balance housing availability with HUD
11 standards.

12 And I should note that in the tenant-based
13 voucher program, those landlord don't get any
14 money from HUD to improve their units. They've
15 got to do all of the work and fund it themselves.
16 We added a new nomenclature for how we refer to
17 health and safety deficiencies. We've ranked
18 them into life threatening, severe, moderate, and
19 low. We have definitions for those category
20 levels. We added correction requirements.

21 If it's a life-threatening or severe
22 condition, we require a response by the owner of
23 the housing authority within 24 hours. In 24
24 hours they have to block the hazard and then they
25 have to give us their plan for a more permanent

1 correction if they can't complete that in 24
2 hours.

3 We added self-inspections, as I mentioned,
4 and we beefed up our enforcement for both
5 multifamily and public housing units. Next
6 slide.

7 All right, so standards. When -- to
8 implement NSPIRE -- so we have the final rule,
9 posted final. We also put out a notice in the
10 Federal Register of how we plan to revise our
11 standards. So these will be -- we've got a
12 standard for doors, a standard for your kitchen,
13 standard for electricity, for your HVAC system.
14 They're all individual standards. We put those
15 out for comment in 2022. We finalized them in
16 the summer of '23. They are all connected to
17 that Federal Register but we also have them on
18 the HUD REAC site. And REAC is the Real Estate
19 Assessment Center.

20 In there we also pulled out what things are
21 life threatening and we defined and took comment
22 on how we define those category levels. Next
23 slide.

24 I'm just going to touch on these because
25 I've said a few of them and it goes way beyond

1 lead. We really had to do some work on our smoke
2 detectors, carbon monoxide alarms, and room
3 temperatures, guardrails, handrails, just general
4 health and safety things.

5 I haven't mentioned lead yet because we
6 already had a lot of lead-based paint
7 requirements for our housing, but we did add with
8 NSPIRE an additional check. So that check is all
9 of our housing under the Lead Safe Housing Rule
10 and under -- these are statutory requirements on
11 HUD, we have requirements for inspection and
12 abatement for public housing and then risk
13 assessment and hazard control in project-based --
14 it kind of depends on the level of HUD assistance
15 or really the level of money you're getting from
16 HUD. We have the highest level of expectations
17 for public housing down to the voucher level
18 which is just a visual assessment from
19 deteriorated paint.

20 So all of that law is still in place.
21 NSPIRE didn't change it, but what we did add to
22 NSPIRE was an additional visual assessment. And
23 this might shock you, but HUD inspectors were not
24 looking at paint for lead-based paint risk when
25 they did their physical inspection. They would

1 cite you for peeling paint if it went beyond a
2 certain amount of space. But they weren't
3 looking -- they didn't have the definition of
4 deteriorated paint. They weren't looking at
5 friction impact surfaces. And with NSPIRE we now
6 have a requirement standard for our inspectors to
7 look at deteriorated paint.

8 The other reason I'm saying this in a very
9 dramatic way is we were called out by Congress
10 for many, many years. And so it's -- it finally
11 is great to get that added in. But again it's
12 just an add-on to the existing Lead Safe Housing
13 Rule requirements.

14 And so then we'll do -- with each
15 inspection, they're taking the healthy homes --
16 Lead Healthy Homes Visual Assessment course. All
17 of our inspectors will take that. And they will
18 cite deteriorated paint in the units if it's over
19 the de minimis level. Next slide.

20 These are our hazard levels:
21 life-threatening, severe, moderate, and low.
22 Lead-based paint, if there is enough deteriorated
23 paint in the areas where -- like in the units and
24 the areas in the building where children can
25 frequent, we put that at the severe level.

1 Remember I mentioned life-threatening and severe
2 is a 24-hour correction. We know you can't
3 correct lead-based paint safely in 24 hours. And
4 so with that, we expect to hear back from the
5 owner or the housing authority on what their plan
6 is, have they identified a certified risk
7 assessor if that's the testing they need to do or
8 a certified RRP?

9 So we put a little bit of guidance out on
10 that in the notice. That's another one that
11 we're still taking feedback on if we can improve
12 what we are expecting from our properties in 24
13 hours. But the regs still outline. We have
14 timelines in our Lead Safe Housing Rule that
15 already dictate if the unit has a child under age
16 six, they have to correct the hazard in 90 days.
17 And then if it's an adult family, they can take a
18 year.

19 So these are our definitions. These were
20 finalized in the NSPIRE standards notice. When
21 we put these back out in three years, we would
22 receive more comments on them. And these are the
23 major core health and safety areas that we --
24 that we touch on. It was big to get lead paint
25 in there because for many years HUD's physical

1 inspection inspectors thought, Oh, lead paint,
2 that's the Healthy Homes Office's job. But now
3 it is part of our overall assessment.

4 And so water safety. What's big about water
5 safety here is that we had two different
6 definitions for drinking water in HUD's regs. In
7 the public housing program, public housing and
8 project-based rental system assistance or UPCS,
9 we just had a requirement that the water be
10 potable. We've never defined potable. We joked
11 that it was like your campsite water, and that's
12 fine, maybe that's the standard. But in the
13 voucher program, we actually had a standard for
14 free from all contamination. And we had to
15 define what that meant.

16 We all know that your water can have some
17 trace levels of contamination. And when we had a
18 crisis, water crisis in Flint, it really laid
19 open the differences in our requirements in what
20 we -- what were we, HUD, supposed to tell our
21 landlords.

22 If you were following the voucher program
23 standard, free from all contamination, it
24 would've meant that all of those units in Flint
25 where families had vouchers couldn't be funded by

1 HUD and all of those families that the landlord
2 couldn't do something about it could have to
3 move. And we didn't want to see mass
4 displacement from Flint. And so with the NSPIRE
5 rule, we clarified in our regulations if you were
6 in a HUD-assisted unit, you must have access to
7 safe water. If these events come up in the
8 future, we will still have to work with our
9 housing authorities to say what that means. We
10 will follow EPA guidance. Will a filter be
11 enough? Or a filter pitcher? Or do they have to
12 get bottled water?

13 And so we'll have to issue individual
14 guidance for those communities as these events
15 come up. But we at least have a better
16 regulatory framework for reminding owners and
17 housing authorities what our requirements are.

18 We're also going to add another check. When
19 our inspectors are in the field, we're going to
20 ask them if they can see the lead service line
21 coming in. There's a protocol that EPA has out
22 for a visual assessment, maybe like a copper
23 penny test. We're going to have our inspectors
24 take a look at the service line coming in if they
25 can see it. We're going to collect that

1 information. If it looks like a potential lead
2 service line, it's just information gathering.

3 We're also going to gather from our housing
4 authorities whether there are very many water
5 alerts and who their public water authority is.
6 We didn't have this information. So when water
7 events arise in the news, we try to figure out
8 what housing authorities or units are served by
9 that water authority. We don't know. There's no
10 map that lines up our housing authorities and all
11 of the water service providers.

12 And so we'll continue to gather these
13 questions. We just implemented this July 1 for
14 public housing and October 1 for our multifamily
15 assistance programs. So this information is just
16 coming in. We'll probably have more to share in
17 about year of what we're seeing. Next slide.

18 So as I mentioned, with lead-based paint we
19 are adding in a visual assessment standard.
20 We'll do this for housing built before '78. If
21 they have evidence that it should be exempt, they
22 can potentially upload that evidence.

23 But we're also -- this is another big thing
24 we're adding. We're going to collect all of
25 their lead-based paint reports. So one of the

1 other challenges, especially in public housing is
2 that HUD doesn't have -- if you asked us today,
3 Does that development have lead-based paint? we
4 may or may not be able to tell you. And that's
5 because so much of our testing was done in the --
6 or our inspections were done in the '90s and
7 the early 2000s. All of those records are still
8 at the housing authority. And while HUD can
9 always check them -- we have 3,000 housing
10 authorities, 900,000 public housing units -- we
11 don't have all of that information for all of the
12 units available at HUD. It's still in
13 paper-based form at our housing authorities.

14 So with NSPIRE we will collect for every
15 property built before '78 -- we are going to
16 collect the lead -- lead inspection report, the
17 summary, and upload that to our system. We're
18 still going to have to do a lot of work to
19 process those reports, pull out whether they had
20 lead-based paint. We're not going to have all of
21 those records of the abatement they completed and
22 whether they met clearance. But we're slowly
23 starting to build up our information internally
24 or at headquarters for what we know about these
25 properties. It's going to take a very long time,

1 but we're gearing up for it. Next slide.

2 As I mentioned, our NSPIRE standards, they
3 are on a webpage. I'll admit I just Google it
4 every time I need it: REAC NSPIRE standards. So
5 we have individual standards for the items in
6 there, what we expect, what we're going to
7 inspect when we're in the field. Next slide.

8 As I mentioned, scoring. This is where --
9 so for public housing and multifamily properties,
10 we have changed the scoring to focus on where we
11 see the life-threatening and severe conditions.
12 If you go to the next slide, I think we have a
13 good -- yeah.

14 So it depends on what the severity of the
15 hazard is and its location. So because we are
16 emphasizing health and safety and we are looking
17 at where residents spend the most time in their
18 building -- that would be their units and in
19 certain common areas -- that's where our
20 inspection will focus. That helps, we'll go
21 back. There we go. And that's where we'll see
22 the severity levels.

23 So if you take life-threatening and severe
24 deficiencies and you see life-threatening
25 deficiencies in a unit or in a lot of units, that

1 property is likely to fail. And that's where we
2 do our defects waiting. This all too was put out
3 for public comment. It was finalized in the
4 Federal Register.

5 There are some items -- so you would think
6 that our units have a lot of these basic health
7 and safety things, like GFCI outlets and
8 permanent lighting in the kitchen and bathroom.
9 We're not sure yet. We think there are a lot of
10 gaps. We think there's going to be gaps in, say,
11 rural communities, especially in our voucher
12 program. We're already hearing about -- we're
13 hearing about, you know, some units where a
14 family has a voucher, this may be a trailer and
15 they've got a fuel-burning heat source that may
16 be unvented. We're still hearing about these
17 things and we're trying to address them as we
18 hear about them. But I think there's -- there
19 may be some change in the housing that families
20 can actually rent. We hope this isn't a huge
21 impact, but we absolutely don't want families
22 renting dangerous units with unvented
23 fuel-burning space heaters.

24 And so -- but some of these elements because
25 they're new in the public housing and multifamily

1 world, we won't be scoring them the first year.
2 But those housing authorities, they still have to
3 correct those deficiencies and they still have to
4 meet the timelines for correction to get that
5 done. They just won't be scored. So we're
6 giving them some transition time. Next slide.

7 Here's some examples of defects. The
8 darkest red over there on the right, that would
9 be a life-threatening condition that you would --
10 you're going to see the largest point deductions
11 there. I want to note on mold -- so if you can
12 go back a little bit -- on mold, we previously
13 were citing anything that looked like mold in the
14 public housing and multifamily world. We weren't
15 citing anything in the voucher world. It was not
16 even a fail. And fortunately we have fixed that.
17 But we have ranked different severity levels.
18 There are now some mold levels -- mold you see is
19 a low if it's in the unit. That presence level
20 visually observed, that would probably be, like,
21 mold on your bathroom caulk. But if there's mold
22 throughout the unit and its over a certain
23 amount, we would cite that as a severe condition.
24 And a very severe condition in some cases in the
25 voucher program, the family can't move in until

1 it's corrected or they find another unit. Next
2 slide. Next slide. This one you guys don't need
3 the numbers.

4 All right, so administrative notice. This
5 is where -- we're still taking comments on this
6 too. This was not in the Federal Register. It
7 was in a -- it's -- we call them a -- a PIH
8 notice, Public Indian Housing notice. That is
9 where we added some requirements around if lead
10 is cited, here's what we expect. For correction
11 we want you to find a licensed contractor. We
12 wrote this also for mold and pest infestation
13 because, again, these are things that you can't
14 fix in 24 hours. We especially didn't want
15 housing authorities and owners just supplying
16 tons of pesticide to kill a pest problem and
17 think that they could just be done with that.

18 So we wrote more guidance on integrative
19 pest management in that notice. Again, please
20 send us comments if you find these -- you see
21 that and you want to comment. Next slide.

22 So we did a demonstration to test a lot of
23 our standards. I usually mention that upfront
24 but I'll add it here. We looked at what things
25 are we seeing? So if you take the NSPIRE

1 standards and you test them with volunteer
2 properties, what are the things that we are
3 citing most often? Go back. And this is what
4 we're seeing.

5 We still -- you know, HUD still focuses very
6 much on your smoke detectors and electrical
7 hazards but we are finding other things, like we
8 did find mold under our standards. Entry doors,
9 fire doors, we weren't fully inspecting fire
10 doors. And now that we have changed our
11 criteria, we're finding more fire door
12 deficiencies. Next slide. We're going to get to
13 questions.

14 So what's coming next? We're going to
15 continue to collect that information, including
16 their lead reports. We're bringing on more staff
17 to assist. There's actually now -- so REAC had
18 no lead-based paint, no persons with lead-based
19 paint expertise. They always relied on Healthy
20 Homes. We now have two. That's me and another
21 lady. So, again, big change we're very excited
22 about.

23 We're still bringing in our field staff. So
24 HUD has field offices. They're the ones that
25 oversee these corrections and deficiencies and

1 the information coming in. We still have a lot
2 of internal training to do. We've got to do some
3 more on our enforcement.

4 Enforcement is the biggest thing that our
5 residents ask about. We'll share the found
6 hazards. Yes, this property got a 30 but why is
7 nothing changing? What's HUD's enforcement? Can
8 I move? We've got to do some more around that.

9 And then we've got to do a little bit more
10 work on our inspectors, how they are trained,
11 what we expect for their qualifications and how
12 they are certified. We were doing it just
13 through public notice previously. And based on
14 the advisory council, we should put that into
15 rulemaking. So we'll be working on that this
16 year.

17 And then we're going to continue to collect
18 information and then update our standards in the
19 next round in three years. Next slide. I think
20 that's the questions slide.

21 This is a little on residents. I'm not
22 going to go into this, but we do recognize that
23 they have not -- they should be an important part
24 of our program. We were simply sending out
25 surveys and they were these little bubble sheets.

1 And if someone can imagine their grandmother
2 filling out one of those bubble sheets. They
3 were not an effective tool to gather information.
4 So we're changing the way we gather resident
5 feedback. We going to our resident councils and
6 we're going to -- a lot of resident groups asked,
7 If I want to have my unit inspected by REAC, can
8 I get that done? And the answer is yes. We're
9 going to add up to five units that residents
10 nominate to our inspection.

11 The next slide is for questions. There we
12 go. Happy to take questions.

13 **MR. AMMON:** That's good. We're right at
14 time too. At 11:15 for a break.

15 **MS. RADOSEVICH:** (indiscernible)

16 **MR. AMMON:** But I think we'll have time for
17 if we have a question. I do want to quickly say
18 one thing just on behalf of HUD. Inspectors are
19 our contractors plus employees. I do think it's
20 important as the nation's housing agency that
21 we're focused on health. It's part of our
22 strategic plan. I do think that focusing on the
23 defect -- the effect of the defect is something
24 very new that we had never done before because
25 otherwise it was, Does it work? not the effect of

1 the defect.

2 And finally it's a level of care. So you
3 don't find these things in similar nonassisted
4 low income housing. Just like for lead -- Right?
5 -- our standard of care. And that's why we find
6 less EBLs in our public housing than we do in
7 similar nonassisted low-income housing.

8 With that, is there a question? Patrick.

9 **DR. PARSONS:** No.

10 **UNIDENTIFIED SPEAKER:** I just want to say
11 thank you. That was a tremendous amount of work
12 and we're very grateful.

13 **MS. RADOSEVICH:** Thank you. Thank
14 (indiscernible). They had great comments in
15 (indiscernible).

16 **MR. AMMON:** Paul.

17 **DR. ALLWOOD:** Yeah, thanks. This was really
18 very informative. And it's really good to see
19 that HUD is working so hard to protect people in
20 assisted housing.

21 So I'm curious about inspections. Do
22 families -- how are they kind of informed about
23 the findings and what --

24 **MS. RADOSEVICH:** Oh, that's a great
25 question. So we have that in regulation that

1 once we issued a report to the property, they
2 have to make it available to residents. I think
3 there's been a gap in that happening. And when
4 we go and we talk to residents, we -- that's
5 their first question, Why can't I see what the
6 inspection result said? And our answer is, well,
7 you're supposed to.

8 So we do need to -- while we already have it
9 in reg, we need to get it -- we need to get the
10 word out that these reports must be made
11 available to the residents.

12 We also want to enhance -- and I think we'll
13 slip this into our rulemaking on inspector
14 administration. We want to enhance the
15 notification they get in advance. Sometimes they
16 have been told a couple days before. Sometimes
17 it's a week before. We'd like to make sure that
18 they get at least -- I think we're looking at at
19 least two weeks' notice before we come out and
20 that they're aware of when the inspectors will be
21 at their units.

22 And these are -- as much as we want to know
23 how healthy their housing is, it's disruptive to
24 them to have people going in and out of their
25 units all the time. They have their housing

1 authority going in and out, then REAC coming.
2 And we don't go to every unit but we go to enough
3 that it's -- it feels disruptive to the community
4 because they often want to stay home and be there
5 and watch the inspector in their unit.

6 **MR. AMMON:** Thank you very much. Before we
7 go to break, I want to turn it over to Perri.

8 **DR. CHAMBERS:** I had a quick question. Oh
9 --

10 **MR. AMMON:** Sorry. No, that --

11 **DR. CHAMBERS:** I just wanted to piggyback on
12 Paul's question. So when you have a landlord
13 who's a repeat violator, is there any action
14 taken against them as well?

15 **MS. RADOSEVICH:** So landlords in our voucher
16 program, if -- if there are violations that
17 they're not correcting, HUD terminates half.
18 What that means is HUD will stop paying rent on
19 that unit which means that unfortunately the
20 family has to move.

21 So that's the quickest enforcement
22 mechanism. Usually they get notices, you know,
23 cure this deficiency, you've got 30 days to fix
24 this, and they usually do it. But if a landlord
25 truly doesn't want to fix those things, they can

1 walk away from the program. That's just the
2 voucher program. In the public housing world, it
3 is more of a -- like, we've got to look at the
4 property and then we work with the housing
5 authority to cure deficiencies. But it's very
6 different depending on the type of assistance.
7 Did I hit your question for you?

8 **DR. CHAMBERS:** Yes.

9 **MS. RADOSEVICH:** Okay.

10 **DR. RUCKART:** As we go into the break, I
11 just want to remind everyone and for the people
12 who joined us late where the restrooms are. If
13 you exit back on this door and follow around to
14 the left, it'll be on your right. And also
15 there's some refreshments for you to enjoy during
16 the break.

17 **MR. AMMON:** Thank you, Perri. And with
18 that, we will be on break till 11:30.

19 (Break taken)

20 **MR. AMMON:** If everybody in the room here
21 can find your seats.

22 **UNIDENTIFIED SPEAKER:** We're about to get
23 started.

24 **MR. AMMON:** We're about to get started,
25 everybody.

1 **MS. KHAN:** And this is Samer from Ross. It
2 would be helpful if folks in the room could just
3 state their name when they speak so that the
4 transcriber knows who is speaking. Thank you.

5 **MR. AMMON:** Thank you for that.

6 This is Matt Ammon, saying that we're going
7 to be started up in one second, as soon as Anshu
8 is ready.

9 **DR. MOHLLAJEE:** Ready.

10 **MR. AMMON:** I was going to give the
11 background on this. I know you have the
12 background.

13 **DR. MOHLLAJEE:** I have the background.

14 **MR. AMMON:** And I won't steal your thunder.
15 So I'll wait till you are loading up.

16 **DR. MOHLLAJEE:** Are we ready?

17 **UNIDENTIFIED SPEAKER:** Yeah.

18 **DR. MOHLLAJEE:** Okay. Okay. Are we ready
19 to start?

20 **UPDATES FROM THE PLEA WORKGROUP**

21 **MR. AMMON:** Yep. So thank you all for
22 coming back and we're going to get an update from
23 the Preventing Lead Exposure Adults workgroup.

24 **DR. MOHLLAJEE:** Yes. Hi, everyone. Once
25 again my name is Anshu Mohllajee. I am the chief

1 of the EPI unit at the California Department of
2 Public Health Childhood Lead Poisoning Prevention
3 branch. I'm a LEPAC member and also a chair of
4 this group.

5 So today I'm just going to be giving you an
6 overview and update. Next slide, please.

7 And I want to start off with going over our
8 work routine, including the members and the
9 support team. And so I'm going to be looking at
10 my notes so I get everybody right.

11 So Remy is there with her cute dog. She's
12 an epidemiologist and program manager at the
13 Pennsylvania Department of Health. And then
14 Rebecca is a project manager of Adult Blood Lead
15 Epidemiology and Surveillance at CDC NIOSH.
16 Alicia Fletcher is an epidemiologist at the New
17 York State Health Department in the Bureau of
18 Occupational Health and Injury Prevention. And
19 she's also a principal investigator of an
20 occupation health surveillance grant through
21 NIOSH. Erika is here in the room. She is also a
22 LEPAC member, and she's the assistant professor
23 at the University of Nevada, Las Vegas, School of
24 Public Health. And then Michael is a medical
25 toxicologist and occupational environmental

1 health medicine physician. And he has clinical
2 faculty appointments at the University of
3 Colorado School of Medicine and the School of
4 Public Health. So we're a small and mighty
5 group.

6 And then also we cannot do the work that
7 needs to be done as part of the group and as part
8 of the final deliverables without our great
9 support team. So Perri is our designated federal
10 officer and then the rest of this team as seen
11 here: Alexis, Melissa, and Alexis Brown. And
12 then two people who are not on here who are very
13 vital to the work that we're doing is Nicholas
14 Hatch who is right here in the room and then also
15 Wen Hsu. So I want to thank them for all of
16 their help and support. Next slide, please.

17 So I'm not sure if Matthew -- because I was
18 waiting in line to get in, so I don't know if you
19 went over LEPAC's charges, but here we are.
20 This -- as we know why we're here, meeting as a
21 group. And since I've been a LEPAC member, in
22 2019 our focus really has been more on childhood
23 lead exposure. And so May of 2022, the LEPAC
24 members suggested that a workgroup needed to be
25 created to actually focus more on adults with

1 occupational lead exposures.

2 And if you see the LEPAC, what the charge
3 is, that totally makes sense. It definitely fits
4 in that when we're looking at lead prevention and
5 how to deal with the effects of lead poisoning,
6 we don't need to just focus on children. We can
7 also include adults. And then also our
8 discussions today with the director, also talking
9 about intergenerational. And so it really makes
10 sense that we are also going to be spending some
11 time looking at what's occurring with adult lead
12 exposure. So next slide, please.

13 So our number one goal is -- it is to review
14 the literature, think about the lead exposures,
15 think about recommendations, gaps in knowledge so
16 that way we can eventually provide
17 recommendations to public health agencies to take
18 action to prevent exposures and mitigate
19 lead-related adverse effects. And as we started
20 to meet as a group, we were given a list of
21 topics to think about: so epidemiology with adult
22 lead exposures; take home lead exposures from
23 jobs and hobbies; effects of long-term exposures,
24 including exposures during childhood on
25 cardiovascular and other diseases; best practices

1 for preventing lead exposure in adults; social
2 justice, health equity implications of lead
3 exposure in adults; and then communication
4 strategies regarding adult lead exposure and
5 long-term health effects.

6 And so our number one objective is to
7 generate a final report that will be due in 2024,
8 based on several or all of these topics and we'll
9 talk about that more in a second and provide that
10 report to present at a LEPAC meeting for
11 consideration, deliberation, and any additional
12 recommendations. And then eventually that report
13 will be on the CDC website just like the BLV
14 report is on the website as well. And really our
15 hope is that the recommendations that we will be
16 providing will be actual items that CDC and ATSDR
17 can use to really promote lead poisoning
18 prevention in adults. Next slide.

19 So we actually haven't had a meeting since
20 July which is actually shocking that it's been
21 that long. It doesn't feel like that. And, you
22 know, kind of meet once a month or every other
23 week based on everybody's schedules. And also
24 once again really grateful to the team for
25 creating a SharePoint cite for us for our

1 presentations, summaries, draft documents, things
2 of that nature.

3 When we initially met, we looked at all of
4 those six topics that I showed you previously and
5 we realized that they were incredibly
6 comprehensive. And so it did not make sense to
7 us to add any additional topics. We also felt
8 that all six topics were really necessary. And
9 so therefore we've decided that we're going to
10 focus on all six of those. And the process that
11 we're going through is working together, having
12 leads for each topic where we go over the data,
13 we go over the present research that's available,
14 identify data gaps, and then finally have
15 recommendations for each topic.

16 And so we're about halfway through those six
17 topics. And we're -- hopefully by the end of
18 this year we'll be having a final draft -- sorry,
19 is everything okay? Okay. And so -- oh, oh,
20 okay, thank you so much. And while the draft
21 will hopefully be done by the end of 2023,
22 looking into 2024, unfortunately Erika and I,
23 this is our last time going to be at a LEPAC
24 meeting. And so we will need to have two new
25 members to come in in 2024, one of which will

1 need to be the chair. And the main goal for
2 those members -- even though Erika and I can
3 still continue in any capacity we want to on the
4 group, we do need to have LEPAC members
5 officially on the team and the main goal will be
6 to finalize a report in 2024 and present it at a
7 LEPAC meeting.

8 And that's it. Does anybody have any
9 questions? Please let us know, Perri or myself,
10 if you're interested in being part of the group
11 and if you have any suggestions on any of the
12 topics.

13 **MR. AMMON:** If I may?

14 **UNIDENTIFIED SPEAKER:** Sure.

15 **MR. AMMON:** So is this going to be a --
16 excuse me if I -- you already went over this
17 mixture of both exposures and recommendations.
18 You know, there's two different -- two different
19 ways, right? Industry, workplace, but then also
20 take home.

21 **DR. MOHLLAJEE:** Yep.

22 **MR. AMMON:** So it's going to be a balance of
23 the take home but then, you know, on the industry
24 side -- I mean, I think it can be a mix of both
25 indirect and direct, right? And then any

1 recommendations based on possible changes to the
2 regulations --

3 **DR. MOHLLAJEE:** Yeah. So it's going to be a
4 gamut of what those action items are going to be.
5 So there are going to be some things that are
6 much more easy low-hanging fruit. But to be
7 honest, most of our action items so far are a
8 little bit long term, requiring an
9 infrastructure, requiring that agencies and also
10 work occurring at the federal and the state and
11 the local level all coming together.

12 So it really is going to be a gamut of
13 everything. At least that's so far what we're
14 thinking.

15 **MR. AMMON:** No, I think that's good. I
16 think I see this leading into a lot of -- not
17 only a set of recommendations because I think
18 last time the industry side recommendations were
19 updated was quite a long time ago, right? So
20 that, I think, is going to be very, very helpful.

21 But then also, I think the -- the set of
22 recommendations, the soft recommendations on the
23 take-home side where, you know, we haven't really
24 focused so much, you know, in our world on the
25 take-home exposures and things of that nature

1 versus just focusing on in home -- Right? --
2 things of that nature. So I think there's going
3 to have to be obviously a communication strategy
4 around how do we communicate that as well, what
5 does that look like, and how does that fold into
6 kind of the existing world that we've gone in --
7 that we already have in terms of pathways; right?
8 In terms of pathways and communication and things
9 of that nature.

10 So I think, you know, as Dr. Allwood said
11 early on, there's no safe level -- Right? -- of
12 exposure. And we're trying to infuse more
13 knowledge, certainly in terms of the soft take
14 home but also in -- again helping to help guide
15 on the industry side I think is going to be
16 helpful as well. I know that's a much bigger
17 lift. We know that based on regulations and, you
18 know, things of that nature. But, you know,
19 obviously it's been overlooked for many years but
20 I think -- because it hasn't been -- I know
21 probably somebody has a number last time it was
22 updated. But I guarantee you it was a lot longer
23 than anything else we've done on the regulatory
24 side, that EPA has done, or the policy side, or
25 things of that nature.

1 **DR. RUCKART:** I just wanted to add that
2 another focus of the PLEA is on thinking about
3 surveillance and more integrated surveillance
4 too. So that will definitely help.

5 **MR. AMMON:** I imagine there's a big gap in
6 the data on the adult side around data
7 surveillance. You've got a huge gap?

8 **DR. MOHLLAJEE:** Yeah. Rebecca could go
9 on and on about the gaps. Oh, yes. Yes.

10 **MR. AMMON:** Yeah. So I think in many ways
11 in going through this exercise, it's going to
12 show a lot more information we don't have --

13 **DR. MOHLLAJEE:** Right.

14 **MR. AMMON:** -- than what we have. And I
15 think that there's obviously been a lot of data
16 discussions, even in the morning, around work the
17 CDC's doing and EPA is doing and, you know,
18 trying to bring all that together. And I think,
19 you know, this is just another -- another way to
20 continue the conversation about -- about lead and
21 exposure to lead, which again -- I've said this a
22 million times, that I think has been somewhat
23 trailing off but no less important because its --
24 you know, its toxicity and things of that nature
25 hasn't waned. So that's important.

1 So that's just me kind of framing up just to
2 make sure I'm in the right headspace, you know,
3 about what you are looking at and everything
4 else.

5 So let me turn it over -- and I didn't mean
6 to commandeer the conversation, but Patrick has a
7 question.

8 **DR. PARSONS:** Hi. Patrick Parson as a
9 liaison for APHL. One of the issues that comes
10 up -- and this may be a topic that your workgroup
11 can address is that some laboratories have been
12 reporting a different elevated reference value
13 for adults compared with children. And some of
14 those values are in the stratosphere relatively
15 speaking.

16 I know that Dr. Kosnett, who is a member of
17 your group is very passionate about this issue.
18 It would be, I think, really helpful to have a
19 recommendation that addresses that so that
20 laboratories are under no illusions that a
21 defensible reference value for adult exposure
22 should be updated and it should be on the report.

23 **DR. MOHLLAJEE:** Excellent. Thank you so
24 much for bringing that up. And we will include
25 it and then we might also reach out to you for --

1 for more guidance. But, yes, Michael is
2 definitely very passionate about this.

3 **MR. AMMON:** Nathan?

4 **DR. GRABER:** Well, thank you for taking on
5 this monumental task. I think one of the biggest
6 challenges I have visioning working on a project
7 like this is how to keep it manageable and
8 limited because that's a very big topic. But
9 along -- to follow up, I guess, with what
10 Dr. Parsons was saying is it's -- you know, I --
11 I'd like to know a little bit more about all of
12 the different categories or groups you're making
13 recommendations for. I am particularly
14 interested in the clinical side and what
15 recommendations have you made towards clinicians?
16 And when Michael Kosnett -- and I spoke to him 20
17 years ago, we were working on lead in pregnancy
18 guidelines, he said just -- you just have to --
19 you have to tell the doctors to ask people where
20 they work.

21 And so there is -- should be a
22 recommendation around that in the guidelines,
23 particularly now as -- as we're moved into the
24 era of electronic health records and -- and we're
25 looking more now at the social care, social needs

1 of patients in the clinical setting. This might
2 be a real opportunity to finally get that
3 question asked. And then that can help a lot
4 with understanding risk factors around lead
5 exposure as well.

6 **DR. MOHLLAJEE:** Yes. I think we have put
7 that on the wish list. I can't remember if it's
8 on the clinician side or with the laboratory
9 reporting. But I will bring that back to the
10 group. And then also if you're open to it, I
11 would love to be able -- you know, the group can
12 interact with you as well. And, you know, you
13 can -- you know, we can figure out, you know, how
14 we can collaborate together to kind of go over
15 the topics.

16 **DR. GRABER:** Well, Alicia Fletcher works two
17 buildings down from me.

18 **DR. MOHLLAJEE:** Oh, well, cool. Then
19 present it to Alicia. So -- we can also -- we've
20 talked about having people actually participate
21 in informational interviews and the sort. So
22 we're very open to that.

23 **MR. AMMON:** Nathan.

24 Any other questions from inside here, in
25 person before I move to members online?

1 I know we have extra time. And there's no
2 harm in giving extra time for lunch. But before
3 I do that, is there anything else
4 administratively and anything else that we need
5 to talk about, Paul or Perri?

6 **DR. RUCKART:** I do want to recognize that
7 Aaron Lopata, a LEPAC member, has joined. He had
8 some technical difficulties earlier. Does he
9 have audio capability, Samer?

10 **MS. KHAN:** He actually lost connection. So
11 we're still working on getting him back in.

12 **DR. RUCKART:** Well, we hope he can join us
13 later. So we could just break a little early for
14 lunch. I do want to mention that if you ordered
15 a box lunch, it's available behind me. Outside
16 this door, there's a table. There's also some
17 vendors in the CDC cafeteria in building 21.
18 Just go that way (indicating).

19 And we will start back up promptly at 1:30
20 with our public comments here. So thank you.

21 **MR. AMMON:** Thank you.

22 (Break taken)

23 **MR. AMMON:** Thank you all for coming back.
24 Right now this is our public comment period. And
25 we're going to hear from Dr. Diana Zuckerman on

1 lead and playground surfaces, rubber tires, and
2 mulch, and artificial turf.

3 Dr. Zuckerman, if you can hear me, go ahead
4 and begin your public comment. There you are.

5 **DR. ZUCKERMAN:** Hello. Thanks so much. And
6 if you have trouble hearing me -- oops, I seem to
7 have frozen. If you have trouble hearing me,
8 please let me know because there's a lot of noise
9 outside here.

10 **MR. AMMON:** Understood. We can hear you
11 just fine. Thank you.

12 **PUBLIC COMMENT**

13 **DR. ZUCKERMAN:** Okay, great. I'm Dr. Diana
14 Zuckerman, president of the National Center for
15 Health Research. And prior to my current
16 position, I was trained in epidemiology and
17 public health and on the faculty at Yale, a
18 research director at Harvard, and a bioethics
19 fellow at the University of Pennsylvania. And I
20 was also a professional staff member in the U.S.
21 House of Representatives and Senate and the White
22 House and a policy director at an HHS agency.

23 So I know what challenges you all face. And
24 I really want to thank you for serving on this
25 important advisory committee. I appreciate the

1 opportunity to speak to you today about these
2 issues, some of these lead exposure issues that
3 we -- that our center has been studying that have
4 not been adequately addressed in public policy.

5 So the National Center for Health Research
6 is a nonprofit research center. We're staffed by
7 scientists, medical professionals, and public
8 health experts. We conduct and explain research
9 results that can improve the health and safety of
10 adults and children. And importantly we do not
11 accept funding from companies whose products we
12 evaluate.

13 All of these products -- artificial turf,
14 rubber tires, tile -- sorry -- mulch, and
15 playground surfaces -- all contain lead, PFAs,
16 and many other risky chemicals. And the crumb
17 rubber, also called rubber mulch, also called
18 tire mulch from recycled tires has lead. And
19 sometimes some of these products are made with
20 what's called virgin rubber and we don't know if
21 that has lead or not. From what we've heard, it
22 seems that some does and some doesn't. But since
23 it's not tested, we can't answer that question.
24 But what's really important to us is that
25 children as well as adults are exposed day after

1 day and year after year to these materials.

2 So I'm going to start out talking about
3 playground surfaces. For -- you know, these are
4 the surfaces for slides and swings and climbing
5 that are all over in every community. And some
6 playgrounds and an increasing number of
7 playgrounds are covered with either recycled tire
8 crumb or virgin rubber. Some of these are black,
9 some are colorful, and none are tested for lead.

10 A very popular product is called poured in
11 place or PIP or P-I-P, which is a solid-looking
12 rubber surface. And that one may be virgin
13 rubber, although sometimes it isn't. But
14 regardless, underneath the surface is almost
15 always recycled tire crumb. And testing in many
16 of these playground surfaces across the country
17 has shown lead dust on the surface. And I'll
18 talk a little bit more about that in a minute.

19 So here's a picture on the left. You can
20 see this beautiful playground. I mean really
21 it's beautiful. And it's colorful and who
22 wouldn't want that in their child's school or in
23 their neighborhood park. On the right is a
24 real playground -- a real location in Washington
25 D.C. I took this picture myself. The surface

1 used to be red rubber and every place you see
2 black is where the surface material wore off.

3 Obviously the bottom of the slide is a place
4 that's going to happen. But you can see it's
5 happening in many different places. And every
6 place that you see black on this photo is
7 recycled tire crumb. And it's loose so it's
8 accessible and that means kids can put it in
9 their mouth, they can play with it, they can
10 touch it. And believe me they do those things.

11 So here's a close-up photo. I hope you can
12 understand it. It's a little confusing. If you
13 see the sort of orangey red on the top -- on the
14 bottom left and the top right corner, that's what
15 used to be the surface. So it looks solid but
16 you can see it's got all these white specks all
17 over it. It's some kind of material composite
18 made of rubber. We're not sure exactly what's in
19 there.

20 More to our concern is all that black stuff.
21 It looks like -- kind of like mulch but what it
22 is is recycled tire crumb. And it's hard to see
23 in this photo, but there's little specks of
24 color, looks a little bit like candy. And kids
25 do like to experiment with it and especially

1 little children, putting it in their mouth,
2 playing it -- with their hands, then their hands
3 get kind of black and messy. And then they touch
4 other things with their hands.

5 So this recycled tire rubber, whether it's
6 that or vir -- so called virgin rubber for play
7 services and the rubber tiles that are in many
8 homes now are all made from petroleum. And the
9 plastic grass that makes up artificial turf often
10 contains lead. The grass itself is so called
11 plastic grass.

12 But many turf fields use recycled tire crumb
13 for the infill. The infill is the -- those
14 little black specs or other materials that are on
15 top of the plastic grass. And it holds it down.
16 It keeps it down. And it also makes it a little
17 softer, if that's the right word, bouncier. And
18 this is very commonly used, whether it's a
19 National Football League fields or your local
20 school field. And I wanted to mention that this
21 stuff is everywhere.

22 It started out -- artificial turf started
23 out just for professional football fields. It's
24 now in a majority of high school fields across
25 the country. And it's in many community fields

1 and other fields, Soccerplex for those of you who
2 are local. I have kids playing soccer.
3 Artificial turf is basically in every community.

4 And it did start out for professional sports
5 or more affluent communities but it is now
6 virtually everywhere. And the same is true for
7 playgrounds. Many, many playgrounds in the
8 Washington D.C. area, whether it's affluent
9 neighborhoods or not affluent neighborhoods or
10 even very poor neighborhoods, many of them now
11 have these fields covering them -- these rubber
12 surfaces covering them as well as the fields.

13 So it's important to know that -- you know,
14 obviously, it goes from the -- you know, it goes
15 from the ground to the air. It looks solid and
16 you can't see it. But it's -- whether it's dust
17 or other tiny particles are coming up with lead
18 and with these other chemicals, there are a lot
19 of hormone disrupting chemicals in these
20 materials. In Washington D.C. there was recently
21 a study of Georgetown. It was just in the news
22 about a week ago that they found lead dust on the
23 surface of the playgrounds locally. They also
24 found other chemicals of concern in these rubber
25 playground surfaces. And so Washington D.C.'s

1 government in its infinite wisdom decided that
2 they would watch the surface of the playground
3 which might help temporarily but doesn't solve
4 the problem because, obviously, the dust is going
5 to keep coming up and they're not going to be
6 washing it everyday.

7 So the turf fields have this infill tire
8 crumb, as I mentioned, and that gets kicked up
9 into the air. But it's also -- actually I was
10 doing a guest lecture at a college course and the
11 students told me, Oh yeah, on hot days you can
12 really smell these fields. They smell really
13 badly. It's the chemicals coming up into the
14 air. And I don't know that lead necessarily
15 smells badly, but there's all these other
16 chemicals in these materials. And if you can
17 smell those chemicals, chances are the lead is
18 also coming up.

19 And children and athletes and other adults
20 are breathing in the lead chemicals and the lead
21 and other chemicals and particulate matter when
22 they play, when they walk on these surfaces, when
23 they're nearby. And small children are eating
24 the pieces.

25 It would be great if there were safety tests

1 but currently there are no tests required to
2 study human health, the impact of human health
3 prior to these materials going on the market.
4 There are some voluntary standards, but they have
5 nothing to do with human health, either
6 short-term or long-term.

7 And as I'm sure you all know, the government
8 does restrict lead and some endocrine disrupting
9 chemicals, hormone disrupting chemicals from
10 other products, including children's products.
11 And different governments are -- both federal and
12 state level are starting to restrict PFAs which
13 is also in these materials.

14 But so far, these substances are not
15 restricted in artificial turf; rubber tiles,
16 indoors or out; mulch for playgrounds. Here's
17 the sign. This is for those of you in the D.C.
18 area, also a local sign on a field. It says:
19 Warning. Do not eat infill mix in artificial
20 turf as it may be harmful to your health. This
21 was infill specifically made out of recycled tire
22 crumb, which does have lead and does have these
23 other chemicals. Of course the unfortunate thing
24 is whether it's in English or Spanish the
25 children most likely to eat it are not going to

1 be able to read the sign.

2 I don't want to digress into too many other
3 areas. But these materials, whether it's
4 artificial turf or these playground surfaces get
5 very, very hot. This is a picture we took. It
6 was a sunny, warm day in Washington. The grass
7 was -- the air near the grass was about
8 90 degrees. And at the turf and at the
9 playground surface, it was a hundred and
10 eighty degrees. And of course that has
11 implications for dust and other things getting
12 into the air.

13 And then where does it go when they're done
14 with it? These fields and these playgrounds, as
15 you can see, don't last forever. On average the
16 artificial turf lasts about eight years,
17 sometimes even less if it's not properly
18 maintained. The school playgrounds, if used a
19 lot, will start to crack and break and get worn
20 down. And it ends up in dumpsters and it ends up
21 in landfills because no place, nowhere in the
22 country will any of this material be recycled.

23 This is a photograph also locally, although
24 I've seen very similar photographs in other
25 states. This is -- the black stuff is the tire

1 crumb infill from an artificial turf field which
2 after heavy rain just washed off somewhere else.
3 It gets on sidewalks. It gets in groundwater.
4 And it has in fact the chemicals from the -- from
5 the recycled tire have -- tires have been found
6 in water supplies in numerous states. You know,
7 the stuff has to go somewhere and it goes
8 somewhere and not where it's supposed to be.

9 So what are the alternatives? Artificial
10 turf. People are told artificial turf need less
11 watering; isn't that important when there's a
12 drought in various parts of the country? But
13 actually it does need to be watered. It doesn't
14 necessarily need less water than a well-designed
15 grass field because if you -- if you don't water
16 an artificial turf field on a regular basis, it
17 gets very hard and once it gets hard, unlike
18 grass or ground, when it rains that will -- even
19 if it was hard, it will be less hard. But that's
20 not true for artificial turf. And let me just
21 say that this is in the warranties of the
22 artificial turf fields. It will say it has to be
23 watered regularly to avoid it getting dangerously
24 hard.

25 And others thought that, of course,

1 artificial turf would not need pesticides or
2 herbicides. And wouldn't that be great? But, in
3 fact, again that's not true because if you think
4 of carpet it's made up of -- you know, think of
5 wall-to-wall carpet. It may look like one big
6 piece but it's actually small pieces that have
7 seams that are put together. And so it has to
8 have herbicides and sometimes pesticides that
9 coat it, especially near these seams, to prevent
10 the weeds from coming up in between these pieces
11 of plastic carpeting and then ripping up the
12 carpeting.

13 **MS. KHAN:** And, Dr. Zuckerman, sorry to
14 interrupt. If you could wrap up in about a
15 minute, that would be much appreciated.

16 **DR. ZUCKERMAN:** Yes, I will.

17 **MS. KHAN:** Thank you.

18 **DR. ZUCKERMAN:** I'm so sorry.

19 **MS. KHAN:** No --

20 **DR. ZUCKERMAN:** This is my next to the last
21 slide. So engineered wood fiber feels just as
22 spongy as rubber playground materials and it has
23 no lead and it has no dangerous chemicals. And,
24 of course, natural mulch can easily be bought
25 instead of rubber mulch. In fact, I only found

1 out about rubber when I went to Home Depot to get
2 some regular mulch and found that most of what
3 they're selling is rubber mulch now.

4 And here's just a photograph of what it
5 looks like to have engineered wood fiber
6 underneath a slide instead of rubber.

7 And that's it and I'm sorry if I went over
8 and thank you very much for the opportunity to
9 speak today. And I'm happy to answer any
10 questions.

11 **MR. AMMON:** Well, thank you, Dr. Zuckerman,
12 for your presentation. I don't think we have
13 time for questions, but I appreciate you bringing
14 this to our attention. Thank you and have a good
15 day.

16 **DR. ZUCKERMAN:** Thank you.

17 **MR. AMMON:** All right. We're going to
18 transition and hear from EPA to give us an update
19 on the dust lead hazards standards and dust lead
20 clearance levels.

21 **DR. RUCKART:** And, Claire, if you're
22 speaking, you're on mute.

23 **MS. BRISSE:** No, I wasn't but I will be now.
24 Can folks see me and hear me?

25 **DR. RUCKART:** Yes, thank you.

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MR. AMMON: Yes.

**EPA DUST-LEAD HAZARD STANDARDS AND DUST-LEAD
CLEARANCE LEVELS UPDATE**

MS. BRISSE: Okay, great. Okay, so thank you so much for having me. Once again my name is Claire Brisse and I'll be presenting today on the dust lead hazard standards and the dust lead clearance levels reconsideration. This is the proposed rule stage and I wasn't sure, you know, what the level of background was. So we're going to go over kind of a general overview with a little bit of background, and I can give y'all an update on where we are. Next slide, please.

So once again our purpose today is just to provide some background information on this recent proposal to revise the dust lead hazard standards and the dust lead clearance levels. So you'll see those abbreviated throughout the presentation as DLHS and DLCL.

The proposal published on August 1st of this year and we underwent a 60-day public comment period which just ended on October 2nd of this month. An overview of some of the bigger changes in the rulemaking, although there are many other not listed here, is that we are proposing

1 something called Greater than Zero or GTZ
2 codified as any reportable level for the dust
3 lead hazard standards, and that's partnered with
4 a clearance level of 3, 20, and 25 micrograms per
5 square foot for floors, window sills, and
6 troughs.

7 So within our proposal, we requested comment
8 on two other approaches for the hazard standards,
9 one that we called a numeric approach, which is
10 essentially using just the modeling results and
11 deciding what decrement of I.Q. or blood lead
12 level is acceptable, as well something called a
13 post-77 background approach. And both of those
14 alternatives are discussed in length in the
15 Federal Register notice. We also requested
16 comment on an alternate clearance value of five
17 forty and a hundred micrograms per square foot.

18 Within the rulemaking were also proposed
19 changes to the definition of abatement as well as
20 several other amendments, such as revising the
21 definition of target housing to conform with the
22 statute. That definition of abatement we're
23 revising to essentially have the trigger be based
24 off of the clearance levels as opposed to the
25 hazards standards. Next slide, please.

1 And now I'll touch on a little bit of
2 background. So I'll go kind of quickly over this
3 slide but our statutory authority for this
4 rulemaking stems from the Toxic Substance Control
5 Act, Title IV, specifically sections TOSCA 401,
6 402, and 403.

7 So 401 -- I won't go over this slide in its
8 entirety but 401 directs us to define -- it de --
9 excuse me, defines what a lead-based paint hazard
10 is. And that's defined as conditions that cause
11 exposure to lead from lead contaminated dust,
12 soil, or paint that would result in adverse human
13 health effects.

14 And section 403 directs us to regulate
15 lead-based paint activities and that that --
16 those regulations must take into account
17 reliability, effectiveness, and safety. And
18 you'll see how this statutory criteria comes into
19 play in the upcoming slides. Next slide, please.

20 So in terms of regulatory history, those who
21 are more familiar with our program might have a
22 basis of understanding about where we come from
23 and where we're going. But for those that don't,
24 these standards were established in 2001 in
25 something we call the lead-based paint hazards

1 rule. They were originally established at 40 for
2 floors and 250 for windowsills with mirrored
3 hazards and clearance levels and then a slightly
4 higher clearance level for troughs at 400.

5 We took a two-prong approach to revising
6 those standards recently, in 2019 and 2021, and
7 again we mirrored the hazards and clearance
8 levels. And then this 2023 proposed rule, once
9 again the hazard standards we proposed were any
10 level greater than zero as reported by an EPA
11 recognized laboratory and 3, 20, 25 for the
12 clearance values.

13 And in part the reason we're moving forward
14 with this proposal is in August of 2019, so
15 roughly one month after we finalized our hazard
16 standard revisions, a lawsuit was filed by public
17 health advocates in the Ninth Circuit Court of
18 Appeals and they sought judicial review of that
19 2019 final rule. And then roughly two years
20 later the court remanded that 2019 rule back to
21 us and stated that the hazard standards were not
22 lowered to a level sufficient to protect health
23 as Congress directed because we looked into
24 factors in addition to health.

25 So at that time they al -- the court also

1 affirmed that we could consider other factors,
2 specifically that statutory criteria I mentioned
3 on the previous slide for liability,
4 effectiveness, and safety when setting the
5 clearance levels.

6 So once again because they remanded it back
7 to us, obviously those rules remain in place but
8 we were tasked with revising both standards.
9 Next slide, please.

10 So this slide basically kind of goes over
11 our proposed use of the hazards and clearance
12 levels with this rulemaking. Once again the
13 hazard standards I.D. the conditions that would
14 result in adverse human health effects. So when
15 we're trying to revise it, both in the proposal
16 and as we transition to the final rulemaking now,
17 that is what we're trying to address, is
18 specifically what is that level that in terms of
19 dust exposure in particular -- not sort of
20 general public health, but in terms of dust
21 exposure, what would result in adverse human
22 health effects and what that level is.

23 And then the clearance values indicate the
24 amount of leaded dust following a completion of
25 an abatement activity. So the actual work that's

1 taking place, clearance values are the levels
2 that are actually left on the surface once the
3 work is considered complete. And once again
4 those can consider nonhealth factors:
5 specifically reliability, effectiveness, and
6 safety.

7 And I believe you can probably see my
8 pointer, but on the bottom left of the slide, you
9 can see there's a graphic. On the bottom left
10 there is a recommended activity which is
11 reflected as a dashed line and a solid line that
12 is shown by -- that represents a required
13 activity.

14 So starting on the far left, there's an
15 example of a triggering event, such as a child
16 with an elevated blood lead level. From there
17 we -- EPA's program would recommend an inspection
18 or a risk assessment and those are used to
19 determine whether there's lead-based paint
20 present and kind of the severity of any
21 lead-based paint hazards, et cetera.

22 If you find -- during that process you would
23 typically take a dust wipe sample. If you find
24 that the lead is less than our hazard standards,
25 then no lead-based paint is present. But if you

1 find that it falls between the hazards and the
2 clearance levels with this proposal, we would
3 recommend best practices, cleaning, but not
4 actually recommend an abatement because of that
5 change in the definition of abatement that we
6 proposed. And essentially anything that falls
7 between those we wouldn't recommend an abatement.

8 However, if you do find that your dust wipe
9 sample returns levels greater than or equal to
10 our clearance values, from there that would be
11 the trigger for us to recommend abatement or some
12 kind of work to remove the hazard. And then from
13 there, there's a series of requirements that you
14 have to undergo, essentially taking another dust
15 wipe sample. And in order for the abatement to
16 be considered complete, you must get levels below
17 the clearance values. Next slide, please.

18 So in terms of regulatory approaches, I'll
19 just cover quickly a few key items. For
20 starters, our approach to revising the hazards
21 standards in this proposal. So once again we
22 must set them considering only health factors.
23 In that 2019 rule, we considered other things
24 like practicality and consistency throughout the
25 government. So because of that May 2021 court

1 opinion and our statutory authority, moving
2 forward we will be reconsidering the hazards
3 based only on health factors.

4 This GTZ approach which was our proposed
5 dust lead hazard standard which established sort
6 of a nonnumeric or really a nonstatic hazard
7 standard and it would be any reportable level as
8 identified by an accredited lead laboratory.

9 And some of the rationale for setting this
10 standard was there's no evidence of a threshold
11 that we're aware of for lead exposure below which
12 there are no harmful effects on cognition. And
13 additionally this was supported by our
14 technical -- our technical support document,
15 essentially by the modeling results which show
16 that the lower a child's exposure is to dust
17 lead, the less change they will have in their
18 blood lead levels or I.Q. levels.

19 And, again, this sort of nonnumeric,
20 nonstatic hazard standard for floors and
21 windowsills would not be the same as the
22 clearance levels for floors and windowsills.
23 Essentially they would be decoupled. And this is
24 sort of a big shift compared to the historical
25 approach we've taken in the past where they've

1 mirrored each other.

2 And so this approach would allow residents
3 essentially to know that there is dust lead
4 present and that lead from dust can pose health
5 hazards. So it would be helpful in terms of
6 disclosure to the public.

7 And once again those two other approaches I
8 previously mentioned were discussed in length in
9 our preamble, and we requested comment on them.
10 I recommend taking a peek at our Federal Register
11 notice for more information. Next slide, please.

12 And in terms of revising the clearance
13 levels, just a reminder once again that those are
14 the values that indicate the amount of lead and
15 dust on a surface following the completion of
16 abatement. So those are the levels that are left
17 on the surface once, you know, all the workers
18 and everyone leaves. And you have to get levels
19 below those to -- for abatement to be considered
20 complete.

21 And once again that court opinion in May of
22 2021 explained that we can take nonhealth factors
23 into account when revising the clearance levels,
24 specifically our statutory authority of
25 reliability, effectiveness, and safety. So we

1 proposed a clearance level of 3, 20, and 25
2 micrograms per square foot for floors,
3 windowsills, and window troughs. We know troughs
4 are the space that a window will sit in when it's
5 closed. But we did discuss at length in the
6 proposal and take comment on an alternative
7 clearance value of 5, 40, and a hundred.

8 And a couple of different things that we
9 considered when we were looking at which
10 clearance value to propose was what percentage of
11 jobs are able to clear to that level? Sort of
12 the practicality piece of it, if there are any
13 other examples at state or local levels of a
14 specific lower clearance value already being used
15 and enforced.

16 So, for example, that alternate clearance
17 level of 5, 40, and a hundred is already being
18 enforced in New York City. So we knew that that
19 was achievable.

20 And we also looked at and discussed with
21 laboratories their capability and capacity at
22 these levels. Essentially are they able to
23 provide test results for the lower clearance
24 levels? Next slide, please.

25 So I won't go over this slide in depth, but

1 there's a couple different economic cost and
2 benefit takeaways that we estimated. I think the
3 big pieces are that this rule estimates that it
4 would reduce the lead exposure of roughly 250 to
5 500,000 children under the age of six per year.
6 And also that quantified benefits -- so these are
7 from higher lifetime earnings due to avoided I.Q.
8 decrement -- are approximately 1 billion to
9 nearly 4.7 billion per year, according to our
10 estimates. Next slide, please.

11 So I've included a little bit of additional
12 information. There's, you know, a link to our
13 website, the press release, the rule itself.
14 Once again I want to emphasize that the public
15 comment period has ended. It -- officially as of
16 October 2nd. And we are transitioning now into
17 the final rule development stage. We're hoping
18 we have an estimated timeline of publication in
19 October of 2024.

20 I've also included my information. I know
21 that this was a very, very quick overview. And
22 there's a lot of other aspects of the rule and
23 nuances. So if folks want to reach out or send
24 me an e-mail, that would be great.

25 And that's it for me. Thank you.

1 **DR. ALLWOOD:** Well, unfortunately we do not
2 have time for questions. But, Claire, on behalf
3 of the LEPAC, I'd like to express our gratitude
4 for this very (inaudible) presentation. You
5 know, you took a, you know, very challenging
6 topic to speak on and did a really great job of
7 explaining what's happening there.

8 And so we appreciate you taking time to be
9 with us and I'm looking forward to further
10 developments.

11 And I encourage everyone to reach out to
12 Claire. She gave her e-mail and her phone number
13 also.

14 That's really nice of you, Claire.

15 In case you have questions, please call.
16 Thank you.

17 **MS. BRISSE:** Yeah, that would be great.
18 Thank you.

19 **DR. ALLWOOD:** All right. And Matt had to
20 step out of the room to attend to some pressing
21 business. So I'm going to just be in the role of
22 the chair for the next couple of items.

23 And so now I would like to move us into the
24 discussions on lead service line replacement.
25 You know, we're going to have a couple -- a few

1 speakers on this topic. I just want to kind of
2 just set it up by saying that this is a really
3 timely topic.

4 You know, there been a lot of recent
5 developments regarding lead service line and, you
6 know, trying to get rid of that. And, you know,
7 no lesser place than Congress by demonstration
8 has shown a tremendous amount of interest and
9 some support for addressing this very vexing and
10 almost intractable problem that we face about
11 lead service lines that are numerous and also
12 sometimes not even very well documented. So
13 there is a challenge there.

14 So without further ado, I believe we have
15 Steve Via that's up first. Steve is a director
16 of federal relations at the American Water Works
17 Association.

18 Steve.

19 **MR. VIA:** Lynn, do you want to start things
20 off actually?

21 **MS. THORP:** Sure. And apologies -- my name
22 is Lynn Thorp -- in that I was not on your
23 agenda. But we're here -- we're very happy to be
24 invited to talk to you a little bit about lead in
25 water and lead in drinking water and lead service

1 lines and their replacement. And -- next slide,
2 please.

3 We're here on behalf of the lead service
4 line replacement collaborative. This is a group
5 of 28 organizations. This includes environmental
6 and health nonprofit organizations, like my own,
7 and also drinking water system associations and
8 others who came together in 2016 recognizing that
9 there was a need and a growing interest in
10 accelerating replacement of the lead service
11 lines to bring water to our homes and buildings
12 where they're present and that people from local
13 elected leaders to drinking water professionals
14 to concerned consumers needed tools and resources
15 to help figure out how they can get this done,
16 get to yes on this complicated question of
17 replacing lead service lines.

18 So we came together to provide resources and
19 tools to that end. And we've done that primarily
20 through online tools which are on the Lead
21 Service Line Collaborative's website. It is an
22 encyclopedia of everything you need to know about
23 lead service lines and their replacement, from
24 the technical, financial, and other challenges
25 that we meet on the path to getting rid of lead

1 service lines and as well as through forums for
2 discussion and education, like webinars and
3 meetings and other things. Next slide, please.

4 Just so you get an idea of who we are in the
5 collaborative. My name is Lynn Thorp. I work at
6 Clean Water Action and Clean Water Fund. We're
7 an environmental organization. We work on a wide
8 range of environmental and health issues at the
9 national level and in 12 states.

10 Our national work, which I direct, is
11 particularly focused on water pollution and
12 drinking water and we're very honored to have
13 been part of forming this lead service line
14 replacement collaborative.

15 And I'm joined by Steve Via who is the
16 director of federal relations at the American
17 Water Works Association. AWWA, American Water
18 Works Association is the largest association in
19 the world of drinking water professionals. They
20 provide technical support, scientific
21 information, education, and other services for
22 their over 50,000 members.

23 I think I got that right, Steve. So next
24 slide and I'll turn it over to you.

25 **MR. VIA:** Okay. So while the Lead Service

1 Line Replacement Collaborative is very much
2 focused on lead service lines, it's important to
3 remember that when you talk about lead becoming
4 dissolved or present in drinking water, it could
5 come from a variety of sources.

6 And so as we talk about a lead release with
7 the public, we think about our communications
8 materials. We have to keep that broader frame in
9 mind. And one thing we're going to refer to in a
10 few moments is the Lead and Copper Rule
11 rulemaking -- rulemakings. And those rulemakings
12 are geared not just toward controlling lead
13 released from lead service lines but also from
14 these other sources where lead comes in contact
15 with drinking water. So next slide.

16 So now if we just focus in on lead service
17 line, we -- everybody can imagine a pipe
18 stretching from a distribution system main out in
19 the street to someone's home. But let's think
20 about a couple of attributes of that line. As it
21 leaves the water main, it's going to cross a
22 property threshold in most instances. And so the
23 water system historically has focused on
24 maintaining the portion that's in the public
25 ownership and the -- the resident or if not the

1 resident, the owner of the property has been
2 responsible for maintaining the service line
3 on -- on their side of that property line. There
4 are different variations on that but it's the
5 base case across United States and most other
6 nations.

7 And when we think about where we're trying
8 to go with accelerating lead service line
9 replacement, we're trying to get that entire
10 length out regardless of ownership. And earlier
11 it was mentioned that sometimes we don't have as
12 much information about the materials that are
13 present as you might imagine. A large part of
14 that is the fact that historically having been
15 managed by the customer, the water system, the
16 community-at-large doesn't really have a record
17 of what that service line material is. They
18 may -- they may have an indication but they may
19 not have perfect knowledge.

20 The others thing about this drawing when we
21 think about full lead service line placement,
22 we're talking about not just in the street and in
23 the yard but we're also talking about going
24 through the wall of a house or the floor if it's
25 coming up through a slab. We're talking about

1 bringing that placement all the way in to the
2 first coupling inside of a customer's home. You
3 all who deal with the public on a day-to-day
4 basis realize that we have now changed the
5 dynamic from a utility with trucks in the street
6 to a utility that's knocking on your door and
7 trying to get into your home, either as city
8 staff, a public service authority, or perhaps
9 contractors working for the utility. Next slide.

10 Lynn.

11 **MS. THORP:** Yeah. And the reason we were
12 happy to be able to talk to the committee today
13 is that we see quite a bit of an excess in common
14 interest in our work and want to make sure that
15 professionals who are dealing with multiple
16 sources of lead and reducing exposure to those
17 sources understand the importance of the water
18 side and the need to integrate our work together.

19 One of our motivations in coming together in
20 a collaborative: to see what we could do to
21 accelerate replacement. Regardless of regulatory
22 context or anything else is that we recognize
23 that because of how lead exposure and lead's
24 impacts work on people, every little bit of lead
25 exposure that we can avoid is a good thing and

1 that we knew that with lead service lines present
2 in our distribution systems for water, we had the
3 possibility of lead exposure and therefore the
4 need to address that source of lead along with
5 the others, not to minimize the others but to add
6 that to the equation.

7 But we also recognize the need for program
8 integration with those who were working on all of
9 the other sources. I think a reason this might
10 be of particular interest to the committee is
11 that there will be increasing activity around
12 lead in water and replacing lead service lines.

13 I mentioned that, of course, we founded the
14 collaborative some years ago because of increased
15 community interest in water system interest and
16 consumer interest. But now because of the
17 regulations that Steve mentioned which include a
18 requirement to identify lead service lines and to
19 begin moving toward replacement -- and that may
20 become even more clear in the next cycle of
21 revisions to the regulations -- we will have
22 households who have multiple sources of exposure
23 to lead asking about water and hearing about
24 water. So it's important that we all are
25 integrating our messages and our efforts.

1 It's not a small matter. EPA is estimating
2 over 9 million lead service lines still out
3 there. So that's a significant number of
4 households impacted. Another positive
5 opportunity -- but one again that will increase
6 the activity and the interest -- is that new
7 federal funding is part of the bipartisan
8 water infra -- Bipartisan Infrastructure Law
9 includes 15 billion over five years to support
10 lead service line replacement. And 49 percent of
11 those funds are required to go to disadvantaged
12 communities. There'll be loan forgiveness for
13 those through the Drinking Water State Revolving
14 Fund Program. Next slide.

15 **MR. VIA:** So we want to talk a little bit
16 about those points of intersection with the
17 LEPAC. We have the Lead and Copper Rule
18 revisions. They are actually a regulation that's
19 enforced today. But the way the Safe Drinking
20 Water Act implements, water systems are taking
21 steps now to have a -- a series of hard
22 compliance states that begin in October of 2024.
23 So a year from now.

24 One of those hard compliance state's
25 deliverables is having an inventory of all of the

1 service lines in their service area and what
2 material those service lines are. And there are
3 two groups of pipe that are going to be
4 identified as lead service lines. And that is
5 service lines that have frank lead -- so it truly
6 is a lead service line -- and galvanized service
7 lines that were preceded or potentially in the
8 past preceded by lead, lead pipe.

9 So those are what are going to be targeted
10 subsequently for replacement underneath the
11 current construct. Whenever a utility or a water
12 system goes out to replace a lead service line,
13 they're going to have a proactive duty to notify
14 customers and to engage them in risk reduction,
15 removing a lead service line, providing them with
16 filters. There'll be a regular notice of
17 water -- of households that are -- have lead
18 service lines identified in that inventory
19 annually.

20 There are also some other aspects of the
21 rule that will have ongoing triggered
22 notification of customers that participate in
23 compliance monitoring where they have elevated
24 lead levels. So there will be notices again, to
25 customers in a -- in as rapid a fashion as

1 possible. And there will be a series of outreach
2 to schools and childcare facilities in order to
3 get a round of testing in each one of those
4 facilities over the next five years.

5 So with that, we know that there's going to
6 be a lot of outreach by water systems. There's
7 going to be a lot of water systems and their
8 contractors knocking on folks' doors, asking for
9 information, perhaps having an opportunity to
10 talk with them about lead more. And to Lynn's
11 point, to the degree we can bring those
12 communication materials together into something
13 that everybody can communicate about -- lead in
14 paint, lead in dust, lead in water -- in a
15 coherent fashion, we could get more risk
16 reduction across the spectrum of exposures that
17 are there. And folks that are on the receiving
18 end would have a better -- would be in a better
19 position to evaluate their computing challenges
20 in any particular structure.

21 Something that's also worth mentioning is
22 that water systems will be required through this
23 rulemaking or the one that's already on the books
24 to share what they find in their investigations
25 in individual homes that have high value with the

1 health department and also to share that
2 information from the childcare and school
3 sampling. And that's going to be an annual
4 requirement. So there is going to be information
5 directed toward health departments. And so
6 there's a community of people there that will
7 meet -- they will be on the receiving end, hence
8 they need information to best use that
9 information in a constructive fashion. Next
10 slide.

11 So just I think Lynn and I will take a
12 couple of shots here in concluding remarks. I
13 think everybody here in this group understands
14 that -- that lead in dust and paint is pervasive
15 and what we're trying to do here is how to bring
16 water into the conversation, realizing that in
17 some homes it may be, some homes it may be
18 another source, and then in yet another third
19 group, it may be both.

20 We have different levels of knowledge about
21 those different sources amongst clinicians and
22 community healthcare professionals. And so to
23 the degree we can -- we can get to coherent and
24 cohesive communications, it would be really
25 beneficial for that group of people and for the

1 public that they're serving.

2 And then I mentioned it briefly, but
3 childcare facilities and schools. Like one of
4 our previous speakers this afternoon, our point
5 of exposure and water again is a part of that
6 conversation. So it's a bit different from the
7 household exposure, but it's also a part of this
8 drinking water challenge that we're -- we're
9 working on.

10 Lynn.

11 **MS. THORP:** Yeah. I just -- I want to
12 reiterate, I think, that for us we would like the
13 committee to recognize this increasing level of
14 interest and activity around water in the coming
15 years. We see that as a positive, again, because
16 we know one important thing we can do to reduce
17 lead in drinking water, getting those lead
18 service lines out. But we do also have a hope
19 that that increased awareness doesn't detract
20 from addressing other sources of lead -- paint,
21 dust, et cetera -- but that it indeed builds all
22 of our work together and that we can in a
23 cohesive way continue to improve.

24 And we appreciate the opportunity. Hope you
25 will check out the Lead Service Line

1 Collaborative's online tools if you're interested
2 in learning more. Thank you.

3 **DR. ALLWOOD:** Thank you, Lynn and Steve. I
4 think we're going to have -- hear from the other
5 speakers and then we'll open it up for questions.

6 So if you have a question for Lynn and/or
7 Steve, if you can hold it, and then we'll have
8 plenty of time for discussion.

9 So our next speaker on this topic is Kira
10 Smith. Kira is with the EPA's Office of
11 Groundwater.

12 And, Kira, welcome to the session and I'll
13 turn it over to you for your remarks.

14 **MS. SMITH:** Sure. Thanks. I wasn't sure if
15 I should be having my present -- oh, there it is,
16 great. Thank you.

17 Well, thank you so much for the opportunity
18 to be here. If I could go on to the next slide,
19 please.

20 So this presentation is summarizing our
21 guidance as well as our small entity guidance,
22 the version of developing and maintaining a
23 service line inventory. This was provided
24 initially in August 2022. Earlier this year we
25 came out with a small entity compliance guide.

1 But this is essentially to help water systems
2 with requirements and best practices to develop
3 their service line inventory.

4 The first step in removing lead service
5 lines is identifying where they are. And so this
6 is a key part. And Steve and Lynn alluded to the
7 Lead and Copper Rule revisions of 2021. This is
8 one part where we have definitively said we're
9 going to move forward with this. We don't intend
10 to propose a delay to the initial inventory
11 requirements.

12 So before I get started, this presentation
13 is more geared towards an audience of water
14 systems in states. So I may go quickly through
15 some of the things that are a little more in the
16 weeds, but you'll get a copy of this
17 presentation, I believe. And if you have any
18 questions, my e-mail is right here on this slide.

19 Just a little bit about me and where I sit
20 at EPA. I am the team leader for implementation
21 of the Lead and Copper Rule. And so right now
22 I've got about three rules I have to keep in mind
23 when overseeing implementation. There's the
24 current Lead and Copper Rule. There's the 2021
25 Lead and Copper Rule revisions. And we have to

1 keep in mind that EPA is under current rule
2 making the Lead and Copper Rule improvements with
3 the proposal coming out imminently we hope. So
4 with that, if you could go to the next slide,
5 please.

6 All right. So this presentation talks a lot
7 about what's in the guidance, all the different
8 hot topics, benefits of complete and accurate
9 inventory. And then it gets into the technical
10 details and requirements of the rule. So again
11 I'm just going to touch on the things in the
12 guidance and you can ask me questions later in
13 the interest of time. And also I don't want
14 people falling asleep on me. So next slide,
15 please.

16 So the inventory guidance, basically what we
17 put together, it's -- the purpose is to provide
18 support for service line inventory requirements
19 according to the 2021 LCRR. It's for water
20 systems of all sizes. And it's also intended for
21 states and other primacy agencies. It's for
22 water systems that are just starting out with
23 inventories as well as some that are already
24 further along. There were numerous states and
25 water systems that had already been proactive in

1 developing these prior to the LCRR. And also the
2 guidance includes recommendations and best
3 practices as well as sort of the required "you
4 must." It's also technically what is something
5 to consider and that we would recommend from a
6 technical perspective. There's the case studies,
7 example materials, and a template that we
8 provided along with the guidance. Next slide,
9 please.

10 So there's a lot of benefits to com -- oh,
11 wait. Did we go backwards? There you go.
12 Benefits of a comprehensive and accurate
13 inventory. And so essentially these inventories
14 are the foundation from which water systems can
15 take action to address the -- what we've
16 identified as the most significant source of lead
17 in drinking water. It -- these are documents
18 that can be used for applications for external
19 funding. Steve and Lynn had mentioned the
20 drinking water SRF, State Revolving Fund. I'll
21 try to speak out acronyms. And there's \$15
22 billion over the next five years. There's also
23 about 11.7 billion added to the general drinking
24 water SRF fund that can be used to fund lead
25 service line replacement but can also be used for

1 other infrastructure projects. And we've also
2 got a series of grants for various things that I
3 can talk about later. It's not in the slide but
4 I can speak to the different funding
5 opportunities we have.

6 In addition the inventories obviously
7 provide efficiency for lead service line
8 replacement when water systems are planning
9 replacement projects or other infrastructure
10 water main replacement. If they know where the
11 lead service lines are ahead of time, they can --
12 they can plan accordingly.

13 I think Steve and Lynn also mentioned that
14 we want to get the full lead service line out
15 instead of just having water systems replace the
16 public portion. Any -- any portion up to the
17 building. And there's a lot of discussion on
18 what that means but essentially we want the
19 lead -- the entire service line to come out. It
20 allows for equity.

21 You know, you can prioritize replacing lines
22 in the most -- that are serving the most
23 vulnerable to the effect of lead or communities
24 that have been historically underserved or
25 disproportionately exposed to lead. And this is

1 maybe a place where there is potential to work
2 with this group to identify those areas.

3 And I know there's a lot of different
4 mapping efforts going on with different agencies
5 and within EPA that I think, you know, we can
6 start to look at this more holistically as we go.
7 Having a complete inventory also helps with
8 communication, you know, there's more opportunity
9 to educate customers.

10 And it allows for mitigation of exposure
11 risk to these customers, you know, in letting
12 them know, okay, you have this kind of line.
13 Here are some things you can take -- some action
14 you can take to reduce your lead exposure.

15 And then also for water systems, it can
16 improve asset management. I think asset
17 management principles -- I participated in a
18 webinar we did -- and I can't remember which
19 March it was now. I think it was probably this
20 past year -- on applying asset management
21 principles to lead service line inventories which
22 I think is a really good thing for small systems.
23 But -- let's move on to the next slide, please.

24 So this slide looks a little funny. I think
25 in trying to make it federally compliant, we cut

1 off some of the text. But essentially this is
2 what's required by the LCRR. All service lines,
3 they have to be classified in one of four
4 categories. There's lead, galvanized required
5 replacement, unknown, or nonlead. And it must
6 include both system and customer side where
7 ownership is split or there's a portion that's
8 owned by the customer, a portion that's owned by
9 the water system. Next slide, please.

10 Some of the things we recommend including --
11 and these aren't just to help your regulator know
12 more, it's to help the community know more and
13 for systems just to have more information at
14 their fingertips. You know, keep in mind
15 subclassifications. If you know that your
16 nonlead lines are plastic, put plastic in your
17 inventory. Keep track. Keep track of other lead
18 sources, such as goosenecks and pigtails and
19 connectors. This diagram shows a connector
20 coming from the water main and you can see it
21 looks like a gooseneck. That's how that name
22 came to be. Lead solder, lead in plumbing if you
23 happen to know. And then different
24 characteristics of the service line. I'll talk a
25 little bit later about install date and why

1 that's important. Next slide, please.

2 So this is the life cycle of an inventory.
3 This is a figure that we have in the guidance
4 document. And I point to this a lot. So the
5 expectation for October 16, 2024 -- which is the
6 date by which water systems have to start
7 complying with the LCRR and submit their initial
8 inventory to the state -- is to gather and build
9 initial inventory. That's the expectation that
10 we have, that EPA has for what gets submitted to
11 the state initially.

12 From there, inventories become living
13 documents where there's a continuous improvement,
14 where you're looking into, you know, what do we
15 actually see in the field? have we found more
16 records? evaluate the reliability of records,
17 cross-check, update your inventory until you have
18 this complete inventory that identifies all of
19 the materials of all of your service lines. And
20 then, of course, there's going to be updates as
21 you go and replace lead service lines. Note, at
22 the bottom of this, it kind of has the "replace
23 lead service lines." You don't have to wait for
24 a complete inventory. We want systems to just
25 start replacing them, start getting them out.

1 The Biden-Harris Pipe and Paint Action Plan
2 states that the goal is to remove all lead pipes
3 in the next decade. So -- and the bipartisan
4 infrastructure funding is for -- that's
5 specifically for lead service line replacement.
6 That's now. We want these things replaced now.
7 Next slide.

8 And so getting into the requirements, the
9 LCRR requires a historical records reviewed where
10 there are specific things like plumbing codes,
11 construction codes, water system records that
12 need to be reviewed in order to develop the
13 initial inventory. We've got some recommended
14 practices here that are just intended to help the
15 systems and the regulators have more confidence
16 in the actual information.

17 We get a question a lot from states, What's
18 enough? And we get it from water systems too,
19 like what's enough for an initial inventory? And
20 so documenting what records and information you
21 have is especially helpful. The screen shot
22 here, these are cap cards that have identified
23 lead service lines. It's kind of hard to read,
24 but they're very old. And I can't remember what
25 system they're from, but that kind of thing and

1 keeping track of that and documenting it. It's a
2 lot of upfront work, but it helps to have a more
3 robust inventory. Next slide.

4 This is something that is not in the rule.
5 And this gets into the field investigation
6 methods. There's a lot of different ones.
7 There's visual, you know, take a penny and
8 scratch the pipe. The "protect your tap" tool
9 that EPA has -- and there's information here on
10 that. And the link is intended to help residents
11 identify what's their service line material, and
12 it walks through different ways to check that and
13 it explains what a scratch test or a magnet test
14 will tell you.

15 There's other methods that we could get into
16 that are -- you know, involve field
17 investigations. Keeping track of the repairs,
18 excavation, sometimes water sampling can be used.
19 The guidance includes a discussion of the pros
20 and cons of each method. And it sort of does a
21 relative cost, labor, disturbance, accuracy.
22 This was based on research that our Office of
23 Research and Development had conducted. And it
24 gets into different things. And then we have a
25 lot of real world examples of what systems did

1 and the lessons learned. There's sort of one
2 system that had cameras in their curb stops. And
3 they were identifying lead service lines that
4 way. And it worked for some things but not
5 others. So again I'm just going through the
6 tools that we've provided technically for
7 systems. Next slide, please.

8 So this is, you know, a strategy for
9 developing the initial inventory. So initial
10 records could be screened because in 1986 the
11 Safe Drinking Water Act essentially banned the
12 use of lead in potable applications. And so lead
13 free was defined as no more than 8 percent by
14 weight -- I don't actually remember what the
15 calculation is. But essentially following when
16 the states enforced the 1986 Safe Drinking Water
17 Act amendments -- and we have a list of when that
18 was -- in the guidance document for each state, a
19 lot of unknowns could be screened out as nonlead.
20 And that's an expectation to sort of help. And
21 this -- the starting date is set. This cone is
22 sort of to show, like, what the unknowns are and
23 how you can -- how you can reduce the number of
24 unknowns and then set priorities for identifying
25 them and how you might identify them: considering

1 vulnerable E.J. populations, areas with a lot of
2 unknowns, places that are likely to be lead, and
3 other things in the guidance. Next slide,
4 please.

5 So there is also a requirement for water
6 systems to notify persons served at locations
7 where there is a lead service line, a galvanized
8 required replacement, or a lead status unknown
9 within 30 days after completing the initial
10 inventory. So we're working on templates for
11 that, but essentially it needs to include things
12 like an explanation of the health effects of
13 lead, steps they can take to reduce lead
14 exposure.

15 It does -- well, I'm hoping it remains in,
16 but there's a recommendation that if you have
17 children, get your children -- get their blood
18 tested. Contact your health professional and
19 where to reach out for more information, how to
20 contact the water system. And so look for that
21 to come out soon.

22 It goes through -- also there are systems
23 that have only nonlead lines. It talks about
24 what those systems need to do. They do need to
25 still have an initial inventory. And they do

1 need to have evidence-based records to
2 demonstrate to the state that they are nonlead.

3 As I said before, initial inventory has to
4 be submitted by October 16, 2024, which is the
5 compliance date for the 2021 LCRR. And then
6 there's the checklist in the appendices as well
7 as part of the spreadsheet template for states on
8 what considerations they should -- or they could
9 use to kind of determine how complete is this?
10 does it meet the requirements of LCRR and 40 CFR
11 14184(a)? and other things that they can do.
12 They can ask the system for help in reviewing
13 these inventories. Next slide, please.

14 Public accessibility. There's a requirement
15 for water systems to make publicly accessible
16 inventories that include the locations of their
17 lead service lines and galvanized required
18 replacement service line with a location
19 indicator. We recommend they use an address, but
20 they don't have to. We also recommend all
21 service line materials. This is a screen shot of
22 Greater Cincinnati Waterworks' map and how
23 they've done it. They've done a lot of good work
24 there. So -- and they've got color coding and
25 it's easy to read. And there's also an example

1 of that, of this inventory in the -- in the
2 guidance. It talks about format considerations.
3 And we talk a little bit about consumer
4 confidence report requirements because in CCRs
5 there's going to be recommend -- or required text
6 on where to find the publicly accessible
7 inventory. Next slide, please.

8 This just goes through what the appendices
9 include. And I've talked about that some more.
10 I'm not going to go through this. Next slide.

11 The template. Now, the template is a
12 spreadsheet. It's a separate file that we have
13 on our website where the guidances are located.
14 There's a lot of different -- there's a lot of
15 information in these -- in this spreadsheet, but
16 it does have a lot of -- it's not required "you
17 must use this." A lot of states have adapted it.
18 A lot of states have their own. But it does
19 provide a tool that water systems and states can
20 use as an example. Next slide, please.

21 This just shows the detailed portion. It's
22 a screen shot. We have heard that small systems
23 find this complicated. They don't have to use
24 this, as I said before. Kind of the applying
25 asset management principles can get you a simple

1 list that just sort of has, you know, location,
2 service line material, install date, records, a
3 very simple list that they can use. This is
4 intended to kind of help where there's more
5 complicated systems in the inventories. But we
6 do have -- and this is filled-in examples in the
7 template. I'm not going to go over them now, but
8 that is what's in the spreadsheet. If anybody
9 has questions about that, let me know after.
10 Next slide.

11 So here's the link to our website where you
12 can download the guidance. There's also a fact
13 sheet and the template here where, as I said
14 before, we're working on templates for the
15 notification of potential lead service line to
16 persons served by the end of this year. We are
17 intending to propose the lead and comparable
18 improvements rulemaking very, very soon and
19 finalize it no later than October 16, 2024.

20 We've stated in the Federal Register on
21 December 17, 2021, that we don't expect to change
22 the requirements for the initial inventory. So
23 we are moving forward with providing guidance and
24 information on that. We also don't intend to
25 propose a delay to the tier 1 public notification

1 that's required following a lead action level
2 exceedance. We're working on templates for that
3 as well.

4 So that's another place where there is
5 potential outreach where there is sort of at
6 least some measure of -- I don't want to say
7 exposure because lead and copper sampling is
8 measuring optimization of corrosion control. But
9 where there's maybe not the best corrosion
10 control, it's another way to contact individuals.

11 With that, I know I went really fast. Next
12 slide is questions. And you can contact me at my
13 e-mail. EPA e-mails are pretty simple. It's
14 just last name dot first name at EPA dot gov. If
15 you have comments on the guidance materials,
16 there is an e-mail address to send those directly
17 and again there's the website.

18 So I don't know if we have time for
19 questions. I'll turn it back over to the ...

20 **DR. ALLWOOD:** Thank you so much, Kira.
21 We're going to -- we have one additional
22 presentation and we're kind of, like, right up on
23 the break. But I'd like to keep us going a
24 little bit. If people would hang in there a
25 little, we'll hear from Dr. Warren Friedman who

1 works in Matt's office over at HUD.

2 And, of course, HUD, as you heard this
3 morning in Tara's presentation, has a big
4 interest in the stake in lead service lines. And
5 we'll hear from Dr. Friedman what are some of the
6 specific areas of interest from a HUD standpoint.

7 **UNIDENTIFIED SPEAKER:** Can you show his
8 screen or are there slides for that?

9 **MS. KHAN:** I don't have the slides. This is
10 Samer from Ross.

11 **DR. ALLWOOD:** No slides. No slides for
12 this.

13 Warren?

14 **UNIDENTIFIED SPEAKER:** Does he have an
15 e-mail --

16 **DR. ALLWOOD:** If you are speaking, you are
17 muted.

18 **UNIDENTIFIED SPEAKER:** Yeah. Can he unmute
19 himself?

20 **DR. RUCKART:** Tori and Samer, can you give
21 him speaking access? Do you need any specific
22 information to unmute him?

23 **UNIDENTIFIED SPEAKER:** Should it be
24 warren.friedman@HUD.gov?

25 **DR. RUCKART:** Did you hear that?

1 (Cross-talking)

2 **DR. FRIEDMAN:** Can you hear me now?

3 **UNIDENTIFIED SPEAKER:** Yes.

4 **DISCUSSIONS ON LEAD SERVICE LINE REPLACEMENT**

5 **DR. FRIEDMAN:** Excellent. Okay, thank you,
6 Paul. Appreciate the warm welcome.

7 And thank you, Matt, for rejoining the
8 group.

9 I will talk about a few things. But first
10 in line with what I have been asked before, I
11 will introduce myself. I am Warren Friedman. I
12 am the senior advisor in the Office of Lead
13 Hazard Control and Healthy Homes at HUD. And my
14 background is generationally physical chemistry
15 and then I got into environment work which
16 eventually got me to where we are now.

17 So speaking briefly about HUD's interest in
18 lead service line replacement -- and certainly
19 the two presentations so far in this segment were
20 both very informative. So we share the interest
21 in getting lead service lines out of the homes
22 and this includes the assisted housing stock that
23 we deal with directly as well as, of course, on
24 the general issue of getting lead service lines
25 out of all homes. We would also extend this to

1 childcare centers and to schools even though we
2 don't regulate those.

3 I'll speak about some of the ways in which
4 HUD does provide for funding of lead service line
5 replacement. One of the ways is the Community
6 Development Block Grant program. These are funds
7 that go to primarily local governments but also
8 some state governments to deal with rural areas.
9 And under this communities develop their plans
10 for how they want to improve their infrastructure
11 as well as their housing and their businesses.
12 This focuses on areas of low to moderate income.
13 And the grantees, the block grant grantees have
14 great discretion in how they can use their funds
15 in support of improving their communities. And
16 the Office of Community Planning and Development
17 has determined that removal of lead service line
18 and replacement with nonlead service lines is an
19 eligible activity.

20 Within our office, the Office of Lead Hazard
21 Control and Healthy Homes, we have a number of
22 grant programs for which lead service line
23 replacement is also an eligible activity. One of
24 them is the Healthy Homes Production grant
25 program. This goes to state and local

1 governments but also to nonprofits. And these
2 are designed to improve health and safety
3 conditions in housing. And removal of lead
4 service lines is one of the things that is an
5 eligible expense under the healthy production
6 program.

7 The other major program for which this is an
8 eligible activity is our Lead Hazard Reduction
9 grant program.

10 Now, we've heard today, as in previous LEPAC
11 meetings, that the authority for the Lead Hazard
12 Reduction program and the Lead Safe Housing Rule
13 and the EPA regulations that have been discussed
14 by Claire and others is Title X. Well, Title X
15 does not have the word "water" anywhere within
16 it. It does not include water or exclude it. It
17 does not mention it.

18 Therefore, dealing with water is not an
19 authorized activity and funds cannot be spent on
20 water such as lead service line replacement under
21 Title X. However, we have in our office's grant
22 program combined the Lead Hazard Reduction
23 funding with Healthy Homes funding in the form of
24 what we call Healthy Homes supplements to the
25 Lead Hazard Reduction grants. So this uses

1 Healthy Homes funding, which has broad range of
2 what it can cover. And so grantees for lead
3 hazard reduction who were working in a home to
4 control the lead hazards if they have Healthy
5 Homes supplement funding can work on things other
6 than the lead hazards covered by Title X. And
7 one of the things they can do is lead service
8 line replacement.

9 So we have a number of ways within HUD in
10 which lead service line replacement can be
11 funded. Now, under the Bipartisan Infrastructure
12 Law, we have three different ways in which the
13 EPA program under the Safe Drinking Water Act is
14 to prioritize the removal of lead service lines.
15 And the three priorities are disadvantaged
16 communities, homes of low income homeowners, and
17 landlords renting to low income families.

18 Now EPA has prioritized disadvantaged
19 communities. And of course in disadvantaged
20 communities there are many low-income homeowners
21 and low-income renters. But those owners and
22 renters often live outside of disadvantaged
23 communities. That was why Congress provided for
24 the three different independent priorities. And
25 so we've talked with EPA and they've advised us

1 that the recipients of their state of revolving
2 funds for the drinking water program are
3 responsible for encouraging the activities in the
4 areas outside of disadvantaged communities that
5 are priorities under the act. And we've been
6 continuing our conversation with EPA, also with
7 some of the trade groups that are involved with
8 the drinking water situation. And so we will
9 continue to encourage the removal of lead service
10 lines from the families for low-income own or
11 rental outside of disadvantaged communities.

12 Now, in the fiscal year 2024 budget that all
13 of us know about -- it's still underway -- the
14 president's budget included the provision of
15 \$10 million for lead service line replacements to
16 be coordinated with the activities that
17 communities are undertaking to remove lead
18 service lines.

19 The focus would be to make sure, to the
20 extent possible, that HUD-assisted housing is
21 having lead service lines replaced. There's not
22 enough money as EPA has acknowledged to remove
23 all lead service lines throughout the nation.
24 And so seeing what we can do to figure out a
25 pilot way in this tiny demonstration, just ten

1 million, to pilot how can we work with
2 communities and with the states and with the EPA
3 to promote the removal of lead service lines from
4 assisted housing.

5 Now, put this budget in as a department, it
6 was accepted by the president. And it went in
7 the president's budget to Congress. Well, we all
8 know negotiations on the budget have been
9 extensive and fairly stringent. The latest
10 version in the House and the latest version in
11 the Senate has removed this provision that was in
12 the president's budget. Of course, negotiations
13 are ongoing and we will continue as a department
14 to encourage the restoration of the lead service
15 line pilot, lead service line removal
16 demonstration.

17 In terms of future years, we are in the
18 early stages of developing the FY '25 budget
19 proposal and so we're not ready to discuss where
20 that is because this has not been developed in a
21 formal way yet. But, of course, this will be a
22 public document when it's released by the
23 president in January or February. And then we'll
24 be able to provide LEPAC with an update at that
25 point.

1 Matt, turn it back to you.

2 **MR. AMMON:** Thank you, Dr. Friedman.

3 **DR. ALLWOOD:** Does somebody have a mic
4 that's working? You're using our power.

5 **MR. AMMON:** Well, remarkably, Dr. Warren
6 Friedman's comments are exactly what I would say
7 too. So after 30 years of working with him,
8 that's exactly what I would've said.

9 So, again, Warren, thank you very much for
10 that great overview. And with that, why don't we
11 take a very short break. Actually why don't we
12 go to 3:10 or 3:15. That'll give us a half hour
13 (indiscernible). I'm only going to 3:15, so
14 (indiscernible). I'll be back at 3:15 and then
15 we will continue our discussion on lead service
16 line replacement and closing comments. Ready?

17 **UNIDENTIFIED SPEAKER:** Yes. Yes.

18 **MR. AMMON:** Be back here at 3:15.

19 (Break taken)

20 **LEAD SERVICE LINE DISCUSSION**

21 **MR. AMMON:** So we had the framing today,
22 really good presentation on lead service line
23 replacement and definitely from different
24 perspectives, right? We've had perspectives from
25 two agencies and then an association. I think,

1 you know, it certainly shows that we are at a
2 very critical time, you know, in many
3 jurisdictions, life cycle in terms of the
4 opportunity to make this happen. I think it's a
5 unique historic, almost a generational
6 opportunity to have this work be done. There is
7 funding out there. I mean, obviously, I think
8 that we all recognize that it's not enough
9 funding. But, you know, this is on top of
10 funding that already exists for the most part on
11 a regular basis with EPA grants coming out, the
12 states.

13 So this -- you know, it's certainly an
14 investment and it means a lot for a couple
15 reasons. Or just me personally and it was
16 something that Dr. Warren Friedman talked about.
17 It is related to the priority areas. You know,
18 the priorities being -- being expanded from the
19 regular work that is done by states to replace
20 lead service lines. You know, in that this
21 funding very much -- not at scale, but brings
22 down to the unit level the prioritization that we
23 are hoping that we see related to this funding.
24 And, again, it's very different than the
25 priorities that we see currently, you know, with

1 the -- I'm not going to say generic but
2 disadvantaged communities but with the extra
3 emphasis on homes of low-income families and also
4 landlords renting to low-income families. You
5 know, I think that's -- that's the historic part
6 as well that put the work where it's going to
7 make the most difference. And I don't think
8 there's any of us here, no matter if we're feds
9 or not, that that is how we should be operating,
10 right? What's going to give us the best
11 outcomes? And these are very, very long-term
12 outcomes which are good. I mean, this
13 investment's going to make a huge difference in,
14 you know, the quality of life for certainly
15 families and especially children.

16 And, again, with this investment, there are
17 a lot of opportunities for all of us, no matter
18 where we are and our work and what we do. I
19 mean, this is really one of the best
20 multisector -- requirements for multisector
21 participation are enormous because all of us have
22 a part, whether we know it or not, to play in
23 this. And we had originally sent out a couple
24 weeks ago -- to be exact -- let's me see, what
25 did we send this guy? We had sent out

1 October 5th on an e-mail questions to help guide
2 this last discussion for today. Some of the
3 questions that we had sent out to everybody to
4 think about are how can communities insure
5 equitable access to lead service line replacement
6 programs? What role can technology play in
7 identifying and replacing lead service lines more
8 efficiently? What are the best practices for
9 managing disruptions during the lead service line
10 replacement process? You know, what are the
11 risks associated with lead service line
12 replacements and how are they mitigated? How can
13 water quality monitoring be enhanced during and
14 after lead service line replacement?

15 Again, every person here has an answer for
16 one of those questions. And so it would be good
17 if we could go around the room and make sure that
18 people are -- have an opportunity to engage and
19 help frame in their own unique perspective.
20 Because I think all of our perspectives
21 collectively -- again are -- not only tell a
22 story but are really a powerful indicator of
23 everything that we could be doing to make sure
24 this works.

25 And, again, you know, you can't understate

1 how critical this is at this time and the
2 opportunity that it has for, you know, continuing
3 all of our work, especially around lead. And I
4 was very excited to see the funding go to EPA and
5 to the states. And I'm excited to see and hear
6 updates from where states are, you know,
7 conceptually in terms of on the ground how this
8 works. I mean it's not mind-boggling, but it's a
9 lot of pieces that go into place -- a lot of
10 pieces that go into play.

11 And we been asked to help out as well in
12 areas where -- in states that have begun this
13 work to help provide information, what we have,
14 both in terms of our assisted housing stock and
15 public housing authorities' locations, you know,
16 things of that nature so that we can be part of
17 that collective to be able to, again, make the
18 most of this funding.

19 So first I'm going to -- I'm going to open
20 it up and then I think we should do a round
21 robin. Again, my opening statements were just
22 opening statements. We can start there and then
23 we get -- can get more specific. So I think I'm
24 going to have to be like -- walk around with this
25 mic, I think, which is totally -- oh, no, up

1 there? Okay.

2 **UNIDENTIFIED SPEAKER:** Or I can. It doesn't
3 matter.

4 **MR. AMMON:** Well, we'll see. We'll see.

5 So with that, let me open it up and we'll
6 start with EPA, with Grace.

7 **MS. ROBIOU:** So I'm kind of not going in
8 order. But I --

9 **MR. AMMON:** You don't have to, don't have
10 to.

11 **MS. ROBIOU:** But initially that maybe it's
12 something I think we talk about the water is the
13 last one -- What are the risks associated with
14 replacing? -- somehow they're mitigated. I'd
15 like to make sure that we have, you know -- have
16 this body and also (indiscernible) agencies are
17 thinking about potential for increased exposure
18 to lead occurring when you open up the piping or
19 everything.

20 So I'm (indiscernible) that there might be
21 an increase in exposures temporarily while the
22 piping is put in place. And I don't know if we
23 have discussed and it seems like there's an
24 opportunity to discuss how we could work together
25 to either increase primary testing in those

1 geographic locations to match where there are
2 cases occurring or increase surveillance,
3 increase reporting. And there was some
4 discussion about reporting and monitoring
5 (indiscernible). This has all kind of come
6 together to make sure that the community has
7 assurances -- Right? -- that in the end this is
8 going to be better, (indiscernible) better. So
9 I've been worried about that. You might have
10 seen it in some articles here and there too. I'm
11 not sure that we're taking the (indiscernible).

12 **MR. AMMON:** That's important context. And I
13 was just following up to see if there's any talk
14 about mitigating the effects or any other type of
15 specific funding related to that. I know we have
16 CMS and HRSA. I don't know if members have
17 any -- Mary Beth and Aaron, I don't know if they
18 wanted to provide any additional comments or
19 context to that.

20 **DR. ALLWOOD:** (indiscernible)

21 Kira, did you have any thoughts on the
22 question?

23 **MS. SMITH:** Well, I was going to just say,
24 you know, the LCRR, the revisions in 2021,
25 included requirements for short-term mitigation

1 due to the initial kind of spikes you would see
2 from replacing a service line or even disturbing
3 a service line. And they included things like
4 providing extra education to the customer,
5 explaining that there might be increased lead
6 just initially, following a full replacement or a
7 disturbance.

8 In some cases the water system would be
9 required to provide a certified pitcher filter or
10 point-of-use device with six months of
11 cartridges. And so that is kind of the
12 short-term disturbance that would be contributing
13 to the -- kind of the spikes. There is sort of a
14 note that there is going to be that and that
15 there is mitigation that is in the rule.

16 And, you know, also I put in the chat some
17 information on our WIIN grants where we talk
18 about not only testing but also mitigation.
19 There's the school and childcare grant which is
20 for sampling and reduction. So that includes
21 mitigation strategies. That's maybe a little
22 different than lead service line replacement.
23 But there definitely are mitigation strategies.

24 And every time I mention, you know, in our
25 public education and our notification that we

1 have to have information to the consumer on steps
2 they can take to address the exposure and
3 alleviate lead exposure, that there are a list of
4 things that we provide that we say. And we
5 actually have those on our website too.

6 I think having the short-term mitigation is
7 important, but also we don't want to take away
8 from the long-term benefits we would get from
9 taking lead service lines out. And I don't want
10 to detract from that. I don't think the folks
11 here do either, but it is something to consider.

12 And, yeah, Steve just popped in the chat
13 about the AWWA standard that kind of talks about
14 good practice to reduce lead release.

15 **MR. AMMON:** Want to follow up, Paul?

16 **DR. ALLWOOD:** Yeah. Thanks for sharing
17 that, Kira. You're right. There is a pretty,
18 you know, important delicate balance there over a
19 long commitment. But if part of the rule is that
20 (indiscernible) also may be notified when lead
21 service line is in place and then maybe find
22 alternative sources. How would you -- how would
23 you know -- you know, how would I know when it
24 would be okay to not have those (indiscernible).
25 There are tests that would -- that would be --

1 **MS. SMITH:** Well, there's -- there's also
2 sampling that is in the rule, postreplacement
3 sampling. That would be one indicator. Again, I
4 said six months of cartridges. That's when we
5 would expect to see the lead line -- or the lead
6 levels go down after a full replacement. But ...

7 **MR. AMMON:** Yeah. So I have -- this is
8 Matt. So I look at it like this. So as -- when
9 we go into an area and we do different type
10 projects, you know, it's always best to have a
11 planning committee discuss timing and with
12 specific roles.

13 And so, you know, we saw this in Flint too
14 where we had grantees work with the locality and
15 made sure that at the same time they were doing
16 work we were going in and actually testing kids.
17 We were actually going in and doing additional
18 work in homes. I mean, if we're going to be
19 working on water infrastructure, we might as well
20 also check paint and things like that.

21 So just a very comprehensive way to make
22 sure that to mitigate any of the impacts up
23 front. So, you know, making sure that we had
24 surveillance on kids; making sure that, you know,
25 we could also do, like, faucet replacement and

1 things of that nature as much as we can to have
2 it complete, which we can do with our Healthy
3 Homes funding; any other type of comprehensive
4 redo but then we do follow-up testing. Just
5 making it a part of what we do on a regular
6 basis.

7 Like, all of this should be thought of
8 regularly, not that we have, you know, think of
9 things, you know, after the fact, but all of this
10 should be part of a planning docs up front when
11 we deal with these larger community-investment
12 type projects in communities.

13 It shouldn't just be, you know, we're just
14 going to replace service lines, and that's kind
15 of it. I mean, you know, there has to be some
16 type of comprehensive review and evaluation and
17 testing that goes hand in hand and -- because
18 otherwise, you know, we miss an opportunity yet
19 again to combine lead exposures and mitigate lead
20 exposures whether it be from water or whether it
21 be from other sources. You know, we're talking
22 about primarily water here. But it just makes
23 too much sense not to do that.

24 So that's what I was trying to get at today.
25 I totally agree with the mitigation. And for me

1 it sounds easier because we have assets on the
2 ground with our Lead Hazard Control and Healthy
3 Homes programs that can do that, working hand in
4 hand with the locality.

5 **MS. ROBIUO:** I was wondering who's in the
6 driver's seat though? Is it the states?

7 **MR. AMMON:** Yes.

8 **MS. ROBIUO:** It -- I'm trying to --

9 **MR. AMMON:** Yes.

10 **MS. ROBIUO:** I'm sorry, I'm thinking out
11 loud but, like, who -- who needs to organize all
12 those pieces?

13 **MR. AMMON:** Right. Now, I'm thinking the
14 state too, but I don't work at that level at the
15 state where -- I -- I don't know. I mean, to me,
16 it would be the state -- Right? -- that would
17 organize that.

18 And -- but, you know, the state's goals may
19 be very different than, you know, other type of
20 either community-based or even our grantee goals.
21 That -- that's where I'm blind in that. You
22 know, if we learn from some localities that are
23 already receiving funding and are already going
24 through in this inventory evaluation and asset
25 mapping and then try to figure -- not figure it

1 out but just work out the next steps. That's
2 where I'm blind in just my own knowledge about
3 how that would occur.

4 Because, to me, you know, when we go into an
5 area, again, we have a very big planning body
6 that always works community-wide to help organize
7 who's going to be doing what and the steps I was
8 mentioning. It's a regular part of what we do in
9 our Lead Hazard Control grant program. But I
10 don't know in this case -- and maybe Kira would
11 know; I'm sure she does -- in terms of, you know,
12 who is the organizing body and what specifically
13 have certain states done in terms of steps to
14 organize, implement, and the things that we've
15 been talking about.

16 **MS. SMITH:** So I couldn't hear what the
17 woman said in the room. I can only hear you. So
18 I think the question is what are states doing to
19 organize outreach for lead service line
20 replacement? And having --

21 **MR. AMMON:** Yes. That --

22 **MS. SMITH:** -- a proactive program?

23 **MR. AMMON:** -- Grace.

24 **MS. SMITH:** Is that the question? Okay.

25 **MR. AMMON:** So that's part of the question.

1 The other one is who is the organizing body that
2 would be coordinating the lead service line
3 replacement work? At what level?

4 **MS. SMITH:** There are several levels of sort
5 of coordinating. Mostly it's going to be done at
6 the water system level. Like just traditionally,
7 you know, infrastructure planning and projects is
8 done at the water system level.

9 But I can tell you EPA has a program that
10 we've been working via our Bipartisan
11 Infrastructure Law set aside with four states who
12 are -- we're partnering with the states to
13 identify communities and figure out -- okay, what
14 do these communities need in terms of lead
15 service line replacement? Is it they need help
16 developing inventories? Are they further along
17 where they have an inventory but they don't know
18 how to get funding? Do they need help, you know,
19 filling out applications for funding? -- to get a
20 sense of, you know, via these states kind of how
21 these things work and what the challenges are
22 associated with these.

23 At this point, you know, it's --
24 communication is really difficult, and I think
25 it's key and it's important to engage the

1 community and just to let people know the
2 importance of it. Because we are seeing places
3 where even when a water system is paying to
4 replace the private portion of a lead service
5 line, the customers are refusing. They don't
6 want their rosebush dug up. They don't quite
7 understand.

8 And so from that perspective, I think
9 community groups, if we can identify them and
10 work with them, would be partners that I think we
11 need to tap into somehow. And by "we" I'm
12 speaking all levels. You know, you've got
13 federal, you've got associations like Steve and
14 Lynn represent, you've got states, you've got
15 water systems. There's a lot of different levels
16 and there's, you know -- and then you've got the
17 consumers and sort of how to get them engaged is
18 also -- it takes a village or it takes a
19 government.

20 **MR. AMMON:** Sure. I mean, that -- I think
21 that -- you know, just in my head that worries me
22 because like I'm in an area -- and I think ours
23 is the Washington Sewer and Sanitary Commission,
24 right? They're the water authority for my area
25 in -- outside of D.C. I've never talked to them.

1 I don't know anybody that's ever talked to them.
2 I don't know if the health department's ever
3 talked to them. You know, I know they have board
4 meetings. I'm hoping they talk about this. But
5 that's -- it's like a whole new ball game that I
6 worry again that there's an opportunity missed.
7 And maybe I just don't know.

8 **MS. SMITH:** Well --

9 **MR. AMMON:** And -- sure.

10 **MS. SMITH:** Have you -- are you familiar
11 with the Consumer Confidence Report?

12 **MR. AMMON:** Well, I'm -- the -- like, any
13 report I'm -- I'm worried about -- here's what
14 I'm worried about. I'm worried about there's a
15 source of funding and if you have a -- basically
16 a private board -- it is a private board and a
17 commission or a quasi-government board or
18 commission organizing how this is done. They're
19 going to do it the same old way they've always
20 done it. And I guess, you know, I'm not -- I'm
21 not deflecting that reports aren't important,
22 what I'm saying is that the planning up front, to
23 me, is very --

24 **MS. SMITH:** Oh, sure.

25 **MR. AMMON:** -- critical at this point

1 because it's a new source of funding. I don't
2 want to go into status quo (indiscernible) --

3 **MS. SMITH:** I see what your saying. So --

4 **MR. AMMON:** -- (indiscernible). Right.

5 **MS. SMITH:** -- let me back up. The consumer
6 confidence report is the report the water systems
7 provide to all their customers annually. And
8 most people don't even know that that's a thing
9 that they receive as part of paying their water
10 bill. They should get that. And it talks about
11 all this information.

12 Nobody reads these unfortunately. But they
13 do provide ways to get involved and information
14 about the system. In terms of the new funding
15 sources, there's certain things about
16 implementation of these funding sources. And,
17 you know, I'd have to defer to the folks that run
18 the State Revolving Fund program. But, you know,
19 in terms of planning for this extra \$15 billion,
20 that has to go to lead service line replacement,
21 can only fund full lead service line replacement.
22 And the eligibilities are different.

23 So they can't do what they've always done.
24 They have to plan ahead to get that funding. So
25 from that perspective, you know, it's also -- it

1 works both ways with the water systems. They
2 have the programs in place; they have their
3 improvement funding plan. And they're going to
4 have to kind of adapt to a new way of thinking
5 with this full lead service line replacement.

6 **MR. AMMON:** And I'm sorry if I'm asking
7 questions but just -- so because the requirements
8 are full line replacement, so that is from plant
9 to house, right? Plant to unit? Although --

10 **MS. SMITH:** That's from water main to unit.

11 **MR. AMMON:** Okay. Water main to unit.

12 **MS. SMITH:** So it's the actual service line.

13 **MR. AMMON:** Gotcha. So the water main to
14 the unit. Is there a piece of eminent domain if
15 the property owner says, I don't want to do it?
16 They can use eminent domain and saying, like, no,
17 you have to because we're required to do this.

18 **MS. SMITH:** Different -- so that's --
19 that's -- a big challenge we're saying is access.
20 And if a property owner refuses, most water
21 systems don't feel they have the recourse. Now,
22 some places they have ordinances in place that
23 say it's too bad it's your private property;
24 we're going to come and replace it.

25 Other places -- states -- this was a

1 discussion that came up when there was first
2 the -- the \$15 billion and the, you know, SRF,
3 and full lead service line replacement. Some
4 states have in place prohibitions on spending
5 public money on private property. And that's not
6 an EPA requirement. It's sort of state by state.
7 So there's a lot of challenges there.

8 **MR. AMMON:** Yeah, I know -- I know that as
9 an agency what I tend to find is that when
10 somebody else is doing work that the funding
11 originally came through the agency even though
12 when it hits the local coffers it's considered
13 local funding, they come right back to HUD and
14 they're like, What are you all doing? Why aren't
15 you looking at this? You know, and I'm just
16 wondering if you're feeling that too where, you
17 know, essentially you already have the pipeline
18 for funding. How you would normally fund these
19 is, you know, are you seeing anything coming back
20 up to say, well, this is EPA's responsibility to
21 make sure that everything has been done for what
22 was required in the law?

23 **MS. SMITH:** Well, it's -- you know, and I'd
24 have to defer to our State Revolving Fund folks.
25 But there's been a lot of different discussions

1 that have come back up. Some is, you know, via
2 the states because the way we implement the State
3 Revolving Fund is we have an allocation
4 capitalization grant to each state based on
5 needs, the Drinking Water Infrastructure Needs
6 survey.

7 And I think that there's different thin
8 there's different questions. You know, you're
9 talking about a memo, the eligibilities versus
10 what's in the rule because it's not exactly the
11 same. And its -- I think it just -- yeah, it
12 gets confusing. Things come back to us. I -- I
13 can't speak to, you know, the difficulty that
14 you're seeing at HUD.

15 But I do think, you know, there's a good
16 maybe opportunity here where if you're going in
17 just to make sure you're looking at water in
18 addition to paint and dust.

19 And also Lynn's hand has been up. So I
20 don't want to monopolize the conversation.

21 **MS. THORP:** Thank you, Kira.

22 **MS. SMITH:** She has some things to talk
23 about.

24 **MS. THORP:** Hi, Matt. I just -- my -- my
25 hand went up when I was thinking about our

1 experience in the Lead Service Line Replacement
2 Collaborative and also my experience as an
3 environmental advocate person doing that work
4 with water utilities and others.

5 And I just wanted to share that the way our
6 nation's drinking water systems are preparing to
7 deal with lead, both because of regulations,
8 including the parts around lead service lines but
9 of course the regulations, the Safe Drinking
10 Water Act, Lead and Copper Rule has a lot of
11 moving pieces.

12 Anyway the elevated public concern over the
13 last years as well as the various stages of
14 regulations revision, I -- Matt, I just want to
15 assure you, if it helps, that water systems are
16 on top of this. And all of them are kind of
17 keenly getting ready to -- for compliance and all
18 the activity. And many of them up have been
19 taking action on lead service lines long before
20 the requirements.

21 And it's, like I mentioned in our
22 presentation, one of the reasons we founded this
23 collaborative. I'd say that most particularly
24 true in systems that are better resourced, the
25 larger ones. And Washington Suburban Sanitary

1 Commission which serves the Maryland suburbs of
2 D.C., more or less, is one of those, of course, a
3 larger system and been on top of this. They
4 did -- have signaled going back a decade or more
5 that they probably don't have lead service lines
6 that has to do with the nature of when our
7 communities were built and all.

8 But I just want to signal that I see a very
9 kind of attitude in the water sector around this
10 than we see on some kinds of regulations of other
11 kinds of entities. And it's because of the
12 public attention and concern but also because of
13 continual revision of the regulation.

14 So I'm not saying everything's great and
15 sunshiny, but -- and I also don't think the 15
16 billion in lead service line replacement money in
17 the Bipartisan Infrastructure bill is business as
18 usual. So however, for example, a water system
19 has approached the State Revolving Fund over the
20 last year, 30 years or whatever it is, everyone
21 knows there are different requirements on that
22 money. The state authorities who give -- the
23 State Revolving Fund authorities who run the
24 program are being asked to do more outreach and
25 more on transparency and accountability than

1 they're ever done before.

2 So I think there's opportunity at least to
3 see some real bright spots. That's my sunny
4 answer.

5 **MR. AMMON:** That's good. I started out --

6 **MS. THORP:** You got me on a sunny Monday.

7 **MR. AMMON:** Oh, that's good. And I don't
8 want to be the pessimist. I just, you know --
9 I'm just trying to --

10 **MS. THORP:** Good worries.

11 **MR. AMMON:** Anyway, so I'm looking around.
12 I had framed some questions to the group that
13 were e-mailed to everyone. I'm just looking
14 around at -- there you go.

15 (Cross-talking)

16 **MS. SMITH:** Matt, yeah, I can't hear
17 anybody.

18 **DR. PARSONS:** So this is Patrick Parsons. I
19 volunteered to go next on one of these questions.
20 I may regret but -- and I'm going to go out of
21 order too. How can public awareness and outreach
22 and education campaigns be utilized to promote
23 awareness about lead service line replacements
24 and the need to test children?

25 Yeah, the need to test children. This is a

1 golden opportunity to go in there and do
2 something that I think is really needed, that
3 targeted approach to screening. If we're looking
4 at replacing lead service lines, chances are this
5 is very old property and we're going to find
6 lead-based paint and maybe lead-based dust.

7 So this is a good opportunity. And I
8 would -- if I were a parent and someone said,
9 "Hey, you've got lead service lines and we're
10 going to replace them," I'd be worried about
11 what's going to happen to my kids. I'd want my
12 kids to be tested. And so I'm going to make a
13 plug to leverage the public health labs to do
14 this.

15 You know, with a little bit of funding in
16 those public health lab they -- most public
17 health -- state public health labs have the
18 capability to measure lead with high complexity
19 techniques. So they're going to get down to the
20 detection in which they need. We may need to
21 work a little bit to modify their protocols so
22 that they can handle capillary blood. So I think
23 capillary blood is fine for screening. It's
24 perfectly adequate to analyze by mass stick and
25 you can get fairly high-quality data.

1 So I think that that is maybe an opportunity
2 that's worth pursuing to address this particular
3 question.

4 **MR. AMMON:** Thank you very much.

5 Yeah, I'll sit next to you.

6 **DR. MARQUEZ:** Okay, sounds good. This is
7 Erika. And I just wanted to touch back on the
8 outreach a little bit and echo the importance to
9 engaging on a community level with community
10 organizations about efforts that are going to
11 happen in the community. Because a lot of the
12 communities that we work in are undocumented
13 communities, would probably say no off the bat,
14 right? Like, we're government agencies, like --
15 and there's so much hesitancy in some of the at
16 -- our at-risk communities that we have to
17 acknowledge that and we have to acknowledge that
18 we need to think of strategies to lessen the
19 tension of government agencies coming into your
20 home.

21 And I think that -- I'm glad that there are
22 some outreach efforts. I hope that maybe our
23 CLPPP programs can work more closely with our
24 hot -- our water authorities and think about some
25 of the strategies that need to be employed at a

1 community level to make sure we get buy-in.
2 Because that -- I think that's our goal at the
3 end of this, to get buy-in in the communities
4 that need it.

5 **MR. AMMON:** I wholeheartedly agree. Running
6 a federal program that involves us going into
7 homes, we have block captains and everything else
8 just to make sure. But I -- that's a huge
9 critical part of making this work.

10 And one more question. We're actually at
11 time for closing but does anybody else want --

12 **MR. LOPATA:** I was going to say -- oh, I'm
13 sorry, this is Aaron. I'm only enabled to talk.
14 I can't post comments. I've been having computer
15 problems today. But I want -- and so just --

16 I haven't introduced myself yet today, but
17 somebody mentioned me. Yes, I'm at HRSA.

18 And just looking at two of the questions,
19 one having to do with, you know, education
20 campaigns, public awareness, outreach, you know,
21 that's a lot of what we -- we do a great deal of
22 that through obviously our public health work.
23 So it'd be, I think, helpful to understand what
24 we're not doing enough of and what more needs to
25 be done. And I think there's a space for us to

1 work there.

2 And then also I think in regards to getting
3 support from community organizations, we do a lot
4 of community-based work as well, and I'm also
5 wondering, you know, when you guys were talking
6 about the need -- the importance of working with
7 community organizations and in some cases there
8 are some maybe that aren't as interested in
9 working or supporting and then others that are.

10 I think the benefit of having, like,
11 committee -- you know, a committee like this
12 that's across the federal government and then you
13 have the outside groups -- organizations as well
14 that it can match up the partnerships that
15 previously people hadn't thought about.

16 So we definitely have a lot of, again,
17 community-based groups that if they're not
18 playing a role, they potentially could play a
19 role. I just want to throw it out there in terms
20 of looking at things more closely and where we
21 have space where we could do that and help foster
22 those partnerships.

23 That was all. I'm sorry.

24 **DR. CHAMBERS:** So I would mention that
25 replacing service lines will increase property

1 values 7 to 8 percent. Will that cost be
2 transferred to the renters in a lower income
3 area?

4 **MR. AMMON:** I think that's an open question.
5 I think that's an open question. Looking around,
6 I'm not sure if anybody's going to answer that
7 one.

8 **DR. CHAMBERS:** Okay.

9 **MR. AMMON:** Yeah. I mean, I don't know. I
10 don't know if that's going to happen. Is
11 somebody on (inaudible) word? I see Nathan.

12 Why don't we go to you, Nathan, while -- oh,
13 there's Steve. Here, let's go to Nathan first.

14 **DR. GRABER:** I'll try to keep it brief as
15 well. So I just want to reinforce what Pat said.
16 As a pediatrician, it's really important to make
17 sure that we take advantage of this as an
18 opportunity to increase blood lead testing among
19 the children who are most at risk for exposure.
20 And as we know, that even though this is a really
21 great effort to address a source of lead,
22 deterring lead-based paint in these older homes
23 is really the biggest issue still.

24 And the -- the population that's most at
25 risk are, of course, the low-income families that

1 live in rental properties where they may not even
2 know where they get their water from. They're
3 not the ones who pay the bill, they don't get the
4 water confidence reports, and they may not be
5 familiar with that system.

6 It's not only a sea change for them to then
7 have a relationship with their water supplier,
8 but it's also a sea change in terms of a change
9 in the relationship between the water operator
10 and the community. They -- they -- you know,
11 they have never worked inside people's homes.
12 They work on the infrastructure in the streets.
13 They work on the infrastructure outside of the
14 homes and now they're being asked to start
15 stepping foot in people's homes which, you know,
16 is -- particularly for some landlords in these
17 communities, they may not have real trust or any
18 kind of relationship whatsoever to believe that
19 the government should be coming into their homes.

20 So that's something that really has to be
21 worked on at the community level in terms of
22 building relationships and building trust. It's
23 incredibly important across the board. The other
24 thing is is that, you know, we talked about how
25 this will increase property values. But, you

1 know, the lead service registry, one of the
2 barriers -- which I just want to compliment Kira
3 on acknowledging the tremendous complications in
4 implementing this program. And you've already
5 mentioned many of the barriers.

6 And I also saw a white paper online from
7 EPA, which also acknowledged many of these
8 barriers. Is that -- is that -- knowing that
9 your property has a lead service line may
10 actually lower your property value. So they may
11 not participate even in the inventory which is
12 the foundation of this program, knowing where the
13 lead service line is is incredibly important for
14 then implementing the program and replacing those
15 lead service lines.

16 There is -- I didn't hear anybody mention
17 the issues with removal of the lead service line
18 through trenching versus -- or just pointed out
19 versus simply working around it and leaving it in
20 place and the perceptions of that as a
21 complication but something that would save a
22 tremendous amount of money in the program and
23 maybe a solution, particularly when you have
24 municipalities implementing a program where
25 there's cost-sharing between the homeowner and

1 the property owner and the municipality where the
2 property owner may not want to invest that money
3 because they don't believe it's a risk. They --
4 maybe they do read their water confidence report
5 and they know that their -- their lead control
6 program is working and they don't have elevated
7 lead in the water, in the drinking water in
8 people's homes.

9 And it's a potential hazard, not a true
10 hazard. And then you're going to go and disrupt
11 the system and you're going to create a temporary
12 hazard through that process. So it's something
13 to keep in mind as well.

14 And I think I'll close on this last point,
15 which is, you know, the water operators -- and I
16 think, Steve, you'll probably talk about this --
17 is, you know, we have a workforce issue, and I
18 think that's not just unique to New York State
19 where I live, I think that's across the board
20 where the -- there just are not enough water
21 operators, certified water operators, for these
22 systems. And people managing a large program
23 like this, that's a lot of pressure on them.
24 They have to maintain the system which is their
25 first priority and then implementing a lead

1 service program like this puts another giant
2 burden on a very -- on a shrinking workforce.
3 And it'd be great if the federal government can
4 put more effort into workforce development in
5 this area and get more operators, which if you've
6 ever met a water operator, you know they love
7 their jobs. And I don't see why there aren't --
8 everybody's not running to do that. It's
9 really -- maybe because it's a lot of work.

10 And then -- oh, just -- sorry. One other
11 quick point. Sorry. There's also the legal
12 landscape. And you talked about eminent domain,
13 you also talked about some municipalities it's so
14 complicated they have to get an easement for
15 every single property from a judge in order to be
16 able to even just, you know, do that kind of work
17 in the lead service line. And that delays the
18 program over a tremendous amount of time.

19 And finally the -- one thing about the
20 drinking -- the State Drinking Water Revolving
21 Fund is that it was mentioned in the slide, in
22 the collaboration that 49 percent can be given to
23 disadvantaged communities as a grant. And that's
24 not a random number, that a number that the
25 federal government dictates. 49 percent can be

1 given as grant. The other 51 percent is a
2 zero-interest loan.

3 And so some municipalities, imagine, do not
4 want to take on more debt and may not choose to
5 do that. And so that may be a difficulty also, a
6 barrier in implementing the program. And more
7 educational work needs to be done with those
8 communities about the risks, the potential risks
9 for their -- for their residents for not
10 participating.

11 **MR. AMMON:** I'm going to call -- is Steve --
12 did he have a comment?

13 Or do you have a comment, Steve?

14 **MR. VIA:** I didn't -- the past several
15 speakers have brought out great points. And we
16 could probably spend another couple hours here,
17 but you have a full agenda.

18 And I did want to make one last point.
19 Water systems across the United States are varied
20 in their size and in the density of lead service
21 lines. How pervasive they are is an issue in
22 their community. So it's just like lead in
23 housing and it -- it's -- it's -- we need to
24 think about how to do this in a flexible fashion
25 so that we -- we come up with place-based

1 solutions.

2 And the points that have been made here on
3 the conversation about communication, just think
4 about how hard it is for us as a group of people
5 who talk about lead all the time to talk about
6 relative risk and how to best manage -- managing
7 lead in a particular home and then adding into
8 that conversation the notion of a blood-lead
9 level test of your child or a particular test
10 about lead in water when you know that there's
11 peeling paint on the wall. How do we actually
12 set up the folks in the field for success so that
13 households can really pick one or both or all of
14 the alternatives for managing risk that suits
15 their situation?

16 **CLOSING COMMENTS**

17 **MR. AMMON:** Yep. Thank you very much for
18 that. And anyone else, final questions before
19 ... Oh, now the speakers come on, perfect.

20 Anything else from anyone else on this?

21 Well, great. Well, my closing two-minute
22 comment -- comments are -- really this is great.
23 I mean, first of all, to have everybody here
24 really engaged. The stuff we talked about today
25 is obviously significant really for the entire
26 country. These are really, really big things

1 that we talked about that go from, you know, a
2 nationwide approach, you're reorienting, you
3 know, the way we're thinking about housing
4 inspections and, you know, across the U.S. lead
5 service line replacements and all the work that
6 we are doing in terms of offering different
7 protections, you know, related to EPA dust lead
8 standards.

9 And then, of course, the new horizon, the
10 workgroup for adult lead. I mean, there's --
11 I've already said this. So there's no shortage
12 of work for us to do, but in particular today was
13 really about huge things that we really haven't
14 seen in quite a long time. I mean, the progress
15 that we've made and the work that's being done
16 now, you know, is going to be really changing
17 generationally in terms of their impacts and
18 outcomes and I'm glad we learned about them
19 today.

20 And, you know, I've already been excited
21 about this work and, you know, thinking about
22 how -- what else is there to do? There's always
23 something to do. There is always something else
24 to do. Even the lead service line replacement, I
25 mean, it's a huge amount of work that is going to

1 take all our collective efforts to be engaged but
2 also, you know, reap the outcomes in terms of
3 improved communities and better quality of life
4 and, you know, everything that we have -- are
5 doing is around -- Right? -- improving quality of
6 life and I appreciate that.

7 So is there anything else, Paul, that needs
8 to be said? Or, Alexis, before we adjourn for
9 today?

10 **DR. ALLWOOD:** Yeah. I would just take a --

11 **MR. AMMON:** Perri.

12 **DR. ALLWOOD:** Just to take a -- you know, a
13 few seconds to just, you know, kind of echo your
14 comments, Matt, but also to thank everybody who,
15 you know, made it here in person, and, you know,
16 for the folks who attended online. We really
17 appreciate all of you. We're going to be back
18 tomorrow morning, and, you know, we'll continue
19 our discussions.

20 And, you know, we hope that, you know,
21 everybody will be able to come feeling refreshed
22 and energized and, you know, with a little bit of
23 time to kind of get through all of the protocols
24 so we can continue the meeting. And, you know,
25 we're really very, very grateful for the -- for

1 the way the day turned out.

2 I can't say enough about, you know, the
3 information that was shared today and all of the
4 different perspectives that were put on the
5 table. Every single one of them extremely
6 valuable to us.

7 **MR. AMMON:** It's very helpful.

8 Perri?

9 **DR. RUCKART:** Yeah. I just wanted to say --
10 (indiscernible). Is it on now? It's on now?

11 I just wanted to let everyone know that you
12 can leave your nametags and you can leave, you
13 know, your agendas and things like that in the
14 room. So it'll be waiting for you when you come
15 back tomorrow.

16 I wanted to echo what Paul and Matt have
17 said about being a really productive meeting.
18 And I want to thank all of the support staff
19 behind the scenes who've done a lot of work to
20 get us here today.

21 So thank you and I hope everyone has a
22 pleasant evening. And I'll see you tomorrow,
23 some of you I will be seeing later for dinner.
24 If I don't see you, have a pleasant evening.

25 **MR. AMMON:** Thank you.

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UNIDENTIFIED SPEAKER: Our badges are dated
till tomorrow. How do we get back in?

DR. RUCKART: You need to go to the
visitor's center. It's like groundhog day.

(Concluded at 4:02 p.m.)

CERTIFICATE

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I, Mary K. McMahan, Certified Court Reporter in and for the State of Georgia at large, certify that the foregoing pages, 6 through 224, constitute, to the best of my ability, a complete and accurate transcription of the meeting and were accurately reported and transcribed by me or under my direction.

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