



For a thriving New England

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**Testimony of Phelps Turner
on behalf of Conservation Law Foundation**

**Before the Joint Standing Committees on Appropriations and Financial Affairs
and Health and Human Services**

**Concerning the Currently Proposed Funding in the Biennial Budget
for Lead Poisoning Prevention Efforts**

February 23, 2017

Senator Hamper, Representative Gattine, Senator Brakey, Representative Hymanson, and members of the Joint Standing Committees on Appropriations and Financial Affairs and Health and Human Services:

My name is Phelps Turner and I am a Staff Attorney at the Conservation Law Foundation's (CLF) Maine Advocacy Center, where we advocate for a Maine powered by affordable clean energy with air free from dirty pollution, for a Maine with waters we can all swim in, fish, and drink from without worry, and for a Maine where our homes are safe from toxic poisons, including lead. Similarly, CLF's New Hampshire Advocacy Center is advocating for increased protections for children from the toxic effects of lead.

CLF urges you to fully fund lead poisoning prevention efforts under the Lead Poisoning Control Act and related regulations, which are critical to protecting the health and well-being of Maine's citizens, in particular Maine's children. The currently proposed funding for these efforts is inadequate, will prevent public health authorities from performing their duties, and threatens the well-being of Maine's children. Therefore, CLF asks that you revise the Biennial Budget by increasing funding for these efforts.

The Real and Immediate Dangers that Lead Poses to Maine's Children

As the Maine Center for Disease Control & Prevention has indicated: "Lead is a toxin that can be especially harmful to children under the age of 6." The Maine CDC has also stated: "Lead can have a very serious and permanent effect on a child's growth and development. Lead can cause: learning disabilities, behavioral problems, hearing damage, language or speech delays, lower intelligence."¹

Each year, more than 100 of Maine's children are poisoned by lead. (See Appendix A.) The most common source of lead poisoning is lead dust from lead paint, which is produced where lead paint rubs, such as door frames, windows, or floors. Other sources of lead include soil next to buildings, which can contain lead chips or lead dust if lead paint was used on the outside of a building.²

(continued)

¹ <http://www.maine.gov/dhhs/mecdc/environmental-health/eohp/lead/parents.shtml>

² <http://www.maine.gov/dhhs/mecdc/environmental-health/eohp/lead/documents/leadtipsheet3.pdf>



conservation law foundation

The Currently Proposed Funding is Inadequate for Enforcing Maine's Updated Lead Poisoning Laws and is Thus Inadequate for Sufficiently Safeguarding Maine's Children

As a result of recent revisions to Maine's Lead Poisoning Control Act and related regulations, the pediatric blood lead level reference value has been lowered to 5 micrograms per deciliter ($\mu\text{g}/\text{dL}$). This means that when a child's venous blood lead test equals or exceeds 5 $\mu\text{g}/\text{dL}$, the Maine CDC initiates a response, and provides a full lead investigation of the child's home environment.³

This increased level of protection in Maine corresponds to the protective standard already in force at the federal level, at the Centers for Disease Control and Prevention (CDC), which previously set its recommended standard at 5 $\mu\text{g}/\text{dL}$ ⁴, and the U.S. Department of Housing and Urban Development (HUD), which recently lowered its action level to 5 $\mu\text{g}/\text{dL}$.⁵ Maine's new standard also corresponds with levels set by other states, including New Jersey, which recently lowered its blood lead level to 5 $\mu\text{g}/\text{dL}$.⁶

In addition to adopting a more protective blood lead level, Maine has also revised its laws to grant state health officials authority to levy administrative fines for violations of the Lead Poisoning Control Act, and the Maine CDC has hired 5 new environmental specialists to perform the work of reviewing inspection reports, ordering abatements of identified lead hazards, determining if families can safely remain in dwellings awaiting abatement, and assisting landlords and families during the abatement process.

Under the currently proposed funding, however, Maine's public health officials will be unable to implement and enforce these recently updated protections in a manner that sufficiently safeguards the health and well-being of Maine's citizens, in particular Maine's children. For instance, the Maine CDC needs full funding to ensure that it can initiate a response whenever a child's blood lead level equals or exceeds 5 $\mu\text{g}/\text{dL}$, and to ensure that it can retain the environmental specialists it recently hired. Similarly, public health officials need full funding to support the personnel responsible for enforcement of the Lead Poisoning Control Act. Without full funding, the ability of public health officials to ensure the health and well-being of Maine's children will be significantly diminished.

Thank you for your time and attention to this important matter.

³ <http://www.maine.gov/dhhs/mecdc/environmental-health/eohp/lead/providers.shtml>

⁴ https://www.cdc.gov/nceh/lead/acclpp/blood_lead_levels.htm

⁵ https://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2017/HUDNo_17-006

⁶ <http://www.njspotlight.com/stories/17/02/06/gov-christie-ok-s-tighter-lead-screening-levels-based-on-cdc-recommendations>