

**Illinois Lead Poisoning Elimination Advisory Council
Meeting Minutes
Friday, January 25, 2013**

1. **Roll Call and Introductions:** Aaron Martin, Illinois Healthy Homes Program Manager, opened the meeting of the Illinois Lead Poisoning Elimination Advisory Council (“Council”) on January 25, 2013 at approximately 9:30 a.m. Roll call was taken and those in attendance included:

Participant	Organization
Helen Binns*	Robert and Ann Lurie Children’s Memorial Hospital of Chicago
Sam Churchill*	Community Member
John Fee	Illinois Lead Program (ILP)
Frida Fokum	ILP
Burton Hughes*	Illinois Housing Development Authority (IHDA)
Emile Jorgensen*	Chicago Department of Public Health
Karole Lakota*	PCC Community Wellness Center
Aaron Martin	Illinois Healthy Homes Program
Kert McAfee	ILP
Victoria Nichols-Johnson*	Southern Illinois University School of Medicine
Nicholas Peneff*	Public Health and Safety
Latrice Porter-Thomas*	Cook County Department of Public Health
Dave Turpin*	U.S. Environmental Protection Agency (USEPA)
Kim White*	Southern Illinois University at Edwardsville

*Attended by telephone

2. **Approval of Minutes:** The minutes of the October 12, 2012 Advisory Council meeting were approved. There were no changes.
3. **Lead Program Updates:** Kert McAfee provided updates on ILP staffing changes, the Program’s decision not to apply for a recent funding announcement from the U.S. Department of Housing and Urban Development (HUD), and the status of delegate agency grants, Illinois Lead Poisoning Prevention Act and Code revisions and Renovation, Repair, and Painting Rule (RRP) authorization:
 - a. **Lead Program Staffing Changes**
 Since October, the ILP has lost four staff that supported licensing, blood lead surveillance and the CLEAR-Win program. Moreover, John Pulley (Marion Regional Office) retired, Scott Bell (Peoria Regional Office) is serving as an acting Regional Supervisor and Armour Peterson (Rockford Regional Office) has accepted a position in another Division. Wayne Matthews (Champaign Regional

Office) will undertake lead risk assessments for the Marion Regional Office. The Rockford Regional Office has two other licensed risk assessors: Dan Guif and Steve Johnson. Scott Bell is the only licensed risk assessor in the Peoria Regional Office.

b. HUD Funding Announcement

In December, HUD released a funding announcement for lead hazard control grants. After submitting unsuccessful applications in each of the last three years, the ILP decided not to apply. Challenges include the current staff shortage and the time it takes to manage the grant. The ILP is providing letters of support for local agencies.

c. Delegate Agency Grants

Macon County Health Department will no longer provide environmental services but will continue to provide nursing case management.

McDonough County Health Department (MCHD) is a new delegate agency. MCHD will provide environmental and nursing case management services.

Kert McAfee plans to approach health departments in metropolitan areas such as Rock Island and ask them to provide environmental services as delegate agencies.

Agreements with sixteen delegate agencies that provide environmental services were amended to allow them to respond to reported cases with blood lead levels between 5 and 9 micrograms per deciliter if requested by a physician.

d. Illinois Lead Poisoning Prevention Act and Code Revisions, Enforcement Authority and RRP

Kert McAfee summarized a series of meetings between the ILP and Illinois Department of Public Health (IDPH) Legal Services to overhaul/amend the Lead Poisoning Prevention Act and Code. These proposed amendments are necessary for continued authority to enforce USEPA lead licensing rules, and if no changes are made by October, then USEPA can rescind the Department's authority. Moreover, the amendments would provide Illinois with statutory authority to become an RRP-authorized state. The proposed changes have not been seen by the General Assembly and the Office of the Director does not want to pursue USEPA authorization for a state RRP Program at this time.

Helen Binns asked if we can attach names to people reviewing the aforementioned documents and include them in the minutes for this meeting. Kert McAfee replied that we are unable to do so.

Emile Jorgenson asked for clarification regarding authority for conducting lead inspections. "Is the only change needed a change in the fine?" Further, "should we lobby our representatives in the State House and Senate" and "build a campaign to make it happen and focus on RRP as a second priority?" Kert McAfee declined to comment and Emile Jorgenson retracted his questions.

Someone else asked if IDPH considered the entire proposal to be too much? What feedback has been received on the relatively small issue of the fine?

Helen Binns asked if the meeting minutes can summarize what is needed for inspection authority. Nick Peneff also asked if the Department can continue lead poisoning prevention and control efforts without licensing authority. Kert McAfee replied that the ILP still will have statutory authority to conduct lead risk assessments and home visits and issue licenses, but without licensing authority from USEPA the abatement program will be diminished due to a lack of federal funding for the program.

Dave Turpin stated that his agency does not want to take over enforcement of the abatement program and does not have the infrastructure in place to do so. He explained that a 2011 amendment to federal RRP legislation and resultant fee changes are the problem. The fee changes affect not only RRP rules but are retroactive to the lead abatement program also. Since the fee changes went into effect, no state has moved forward to seek authority to enforce RRP.

Helen Binns asked "what is the current daily fine?" The current daily fine is \$2000; however, the EPA rule requires a minimum fine of \$5000 per day per violation. To continue operating as is, it will be necessary for the Department to amend its rules to increase the current daily fine. Therefore, the rule affects all lead programs, not just RRP.

Sam Churchill explained that the ILP can continue to operate an abatement program because it has statutory authority. However, contractors, inspectors and risk assessors would need dual licenses: one from IDPH and another from USEPA. Dave Turpin added that if his agency rescinds IDPH authority, then IDPH won't receive any funding for either licensing or enforcement. This would cost the Department approximately \$360,000 in federal funding.

Kert McAfee explained that this is a touchy subject. In the current economic and fiscal climate, RRP is seen as a tax on people and a burden on the regulated community.

Dave Turpin mentioned that he has been asked to prepare talking points for the USEPA Director so she can call the IDPH Director.

4. **Healthy Homes Strategic Plan:** Aaron Martin presented the most recent draft of the Programs' Healthy Homes Strategic Plan and requested feedback. The Council was presented with an electronic copy of the draft on January 22 and asked to provide comments to Kert McAfee by February 8. The goal is to provide CDC with a final report and Strategic Plan by March 30.

Helen Binns praised the draft and offered to provide written comments. She asked if there is a timeline associated with the goals presented in the strategic plan and if one could be prepared for the Council's benefit, even if it isn't included in the final plan. She also suggested presenting data from the section on health and housing conditions in a table.

Sam Churchill applauded the inclusion of an objective to have a policy work group review existing public health and housing codes and make recommendations concerning the need for adopting a statewide housing code.

John Fee asked if Helen Binns would either prepare or recommend tools for evaluating the success of proposed objectives.

Burton Hughes stated that lead poisoning prevention remains a priority concern for IHDA, which administers both owner-occupied and rental housing repair programs. IHDA will assess the goals and objectives of the proposed Healthy Homes Strategic Plan to determine how it can best maximize its attention and resources for healthy homes and lead-based paint reduction through coordination with IDPH.

5. **Open Discussion:** Aaron Martin asked if there are guest speakers or relevant topics that Council members would like to include on the agenda at future meetings. Helen Binns suggested a literature review of the latest lead and healthy homes research and offered to present. Emile Jorgenson and Victoria Nichols-Johnson liked this suggestion.

At the request of Dave Turpin, Kert McAfee provided an update on the CLEAR-Win program and the number of homes served. Sam Churchill inquired about the status of Dave Jacobs' and Jeff Gordon's research projects related to CLEAR-Win.

6. **Meeting Adjourned at approximately 11:00 a.m.**

7. **Next Meeting:** April 12, 2013