

Improving Kids' Environment

Indiana Lead-Safe & Healthy Homes Newsletter

March 2004 Edition



Improving Kids' Environment (IKE) and the Indiana Lead-Safe Task Force publish this newsletter every two or three months at no charge for anyone interested in issues and events involving lead poisoning prevention and healthy homes in Indiana. Distribution is by email or fax - preferably by e-mail. We try to keep the newsletter to five pages. Contact the editor, Tom Neltner, at neltner@ikecoalition.org or 317-442-3973 if you want to contribute articles, edit the draft newsletter, have an article to contribute, or want to get on or off the distribution list. All editions are available on IKE's web page at <http://www.ikecoalition.org/publications.htm>. Apologies for the length of this edition, it has been an active 80 days.

Mark Your Calendars

- **April 1 - Indy.** Free EPA & HUD-Approved Lead Safe Work Practices Course at Apartment Association. Contact Masimax at 866-232-5419 or on-line at www.lead safetraining.org.
- **April 5 to 7 - Indy.** Mold Remediation Supervisor Course at EMI. Call 800-488-8842 or www.envtlmgmt.org. Next dates are June 27 to 29.
- **April 6 - Indy.** **Lead-Safe Task Force** meeting at Environmental Management Institute, 5610 Crawfordsville Road, Suite 15 from 10 to 1. All are welcome to discuss and plan the direction of lead poisoning prevention and healthy homes in Indiana. Contact Tom Neltner at 317-442-3973 or neltner@ikecoalition.org.
- **April 22 to 23 - Indy.** Lead Abatement Worker Course at EMI. Call 800-488-8842 or www.envtlmgmt.org. Next dates are July 26 to 27.
- **April 28 - 30 - Indy.** Lead Inspector, Risk Assessor & Supervisor Refresher at EMI. Call 800-488-8842.
- **May 24 to 27 - Indy.** Lead Abatement Supervisor Course at EMI. Call 800-488-8842 or www.envtlmgmt.org. Next dates are August 23 to 26.
- **June 7 to 11 - Indy.** Lead Inspector and Risk Assessor at EMI. Call 800-488-8842 or www.envtlmgmt.org. Next dates at August 2 to 6.
- **November 9 to 10 - Indy.** **4th Annual Indiana Lead-Safe and Healthy Homes Conference** at the Marten House in Indianapolis. Contact Tom Neltner at 317-442-3973 or neltner@ikecoalition.org.

IDEM Offers Mini-Grants - Due March 31.

IDEM is once again offering mini-grants to local health departments. Only projects that involve identifying and reporting to IDEM potential lead abatement projects are eligible for funding. The mini-grant can be for as much as \$5000. The work

In This Issue:

[For More Information on IKE's Lead Work](#)

- [Mark Your Calendars](#)
- [IDEM Offers Mini-Grants](#)
- [Indiana Lead Elimination Plan](#)
- [Indy Lead Elimination Plan](#)
- [Evansville Neighborhood Proposed for Superfund](#)
- [Any Time for SuperNOFA](#)
- [Richmond Landlord Fined \\$34,100](#)
- [Wayne Township Trustee in Allen County to Check Emergency Housing for Lead](#)
- [Marion County Considers Rental Housing Quality Code](#)
- [Inept But At Your Service: Can Your Trust Your Hardware Store](#)
- [ISDH Releases Preliminary Lead Poisoning Statistics for Indiana's 92 Counties](#)
- [2004 Indiana Lead-Safe and Healthy Homes Conference](#)
- [Thanks](#)

Thanks to Indiana Housing Finance Authority and the Boren Foundation for making this newsletter and the work of the Task Force possible. While IKE appreciates their support, their sponsorship does not imply endorsement of IKE or the content of this webpage. IKE is wholly responsible for the content of this newsletter.

Acronyms:

- ISDH = Indiana State Department of Health
- IDEM = Indiana Department of Environmental Management
- IHFA = Indiana Housing Finance Authority
- CDC = U.S. Centers for Disease Control and Prevention
- EPA = U.S. Environmental Protection Agency
- EPAC = Lead Elimination Plan Advisory Committee

must be completed by September 30, 2004. While limited in scope, this grant is a great opportunity for a county to handle directly or contract with a local organization or agency to identify potential abatement compliance problems. Contact Tami Johnson at tsjohnso@dem.state.in.us or 800-451-6027 ext 35628 for more information. Thanks to IDEM for continuing to offer funding for all counties in Indiana.

Indiana Lead Elimination Plan

Despite the best efforts of ISDH, subcommittee chairs and others, there just was not enough time for the Indiana Lead Elimination Plan Advisory Committee (EPAC) to make a decision on the Lead Elimination Plan to allow ISDH to meet CDC's March 19 deadline. CDC required a copy of the draft Lead Elimination Plan to be included in ISDH's March 19 grant application. The plan must be finalized before June 2004. Developing a consensus among such a broad range of stakeholders with such varied expertise takes time.

On March 8, the Indiana EPAC met to discuss recommendations for activities to be completed by July 1, 2005 developed by the various subcommittees.

- Housing and Environmental Subcommittee presented 32 recommendations. Several of the recommendations were rewritten and approved by the committee. EPAC gave guidance for revising several others. It did not get 24 of the recommendations due to time constraints. IKE's Tom Neltner expressed opposition to several of the recommendations as they were written.
- Screening and Surveillance Subcommittee offered five objectives. EPAC did not have time to consider them.
- Medical Subcommittee offered seven recommendations with two targeted for completion in 2005. EPAC did not have time to consider them.
- The Resources Subcommittee did not present recommendations.

At the meeting, ISDH also presented a framework for the plan's goals and objectives. Without a chance to review it before the meeting, EPAC provided limited feedback and tabled the discussion for the next meeting.

Because of time constraints and its inability to approve more than a few recommendations or the framework, EPAC advised ISDH to proceed with its draft plan doing its best to draw from the discussions and documents.

On March 18, ISDH published the plan. It consists of four documents.

- [Logic Model \(ppt format\)](#)
- [Long-Term Goals](#)
- [Draft Plan](#)
- [Draft Activities for 2005](#)

Contact Nancy Cobb at (317) 234-2273 or ncobb@isdh.state.in.us for more information about the plan.

IKE has not yet reviewed the plan. It reportedly includes a funding increase to Allen County, St. Joseph County, Hammond and Gary from \$27,000 to \$75,000 a year. Marion County would not receive additional funding beyond the \$210,000 it currently receives.

IKE congratulates EPAC's members and its subcommittees for the work done so far. Additional meetings for EPAC and its subcommittees have not been scheduled as of March 16, 2004.

Marion County - Indianapolis Lead Elimination Plan

Marion County's Elimination Plan Advisory Committee completed its objectives for 2010 and planned activities for 2005 after extensive review and comment. The objectives for 2010 essentially define when lead poisoning has been eliminated as a public health problem. They are as follows:

- 90% of child-occupied houses with lead hazards that have been identified by state or local public health departments or housing agencies will have those lead hazards eliminated or controlled to ensure lead-safe or lead-free status.
- 30% of locally licensed renovation contractors who are likely to disturb lead-based paint in child-occupied housing and facilities are trained on lead-safe work practices and use the practices when lead-based paint is present.
- Child-occupied houses and facilities have been checked for lead hazards according to schedule at right and where lead hazards are found have had a lead-based paint inspection to identify where the lead-based paint is located.
 - 20% of houses built before 1960
 - 50% of rental units built before 1940
 - 80% of licensed or registered child care facilities built before 1960
- 95% of children with elevated blood lead levels are covered by active case management and have had a risk assessment for their residences and child-occupied facilities they visit consistent with ISDH & CDC guidelines.
- 75% of children served by Hoosier HealthWise Managed Care Organizations who visit a health professional will have had a blood lead test consistent with ISDH and CDC guidelines.
- 75% of child participating in a Women and Infant Children program have had a blood lead test consistent with ISDH and CDC guidelines.
- The number of children in each of the following categories is reduced by the following schedule between 2003 and 2010:
 - 98% for > 40 ug/dL
 - 90% for 20 to 40 ug/dL
 - 75% for 10 to 20 ug/dL
 - 40% for 5 to 10 ug/dL
- The prevalence of lead poisoning among African-American children in Marion County is similar to levels among all children using NHANES as a benchmark.
- The prevalence of lead poisoning among Hispanic and Latino children in Marion County is similar to levels among all children using NHANES as a benchmark.

[Click here for the two-page goals, objectives and activities.](#) Contact Dave McCormick at 317-221-2171 or dmccormi@hhcorp.org for details.

On March 12, ISDH told MCHD that CDC would not consider providing MCHD with any additional funding to implement the activities planned for 2005 or to achieve the 2010 objectives described above. MCHD is pursuing other funding sources in order to make sure it can accomplish the 2010 objectives.

Evansville Neighborhood Proposed as a Superfund Site for Lead by EPA Region 5

On March 8, EPA Region 5 proposed adding the Jacobsville neighborhood in Evansville to the National Priorities List. Sites on the NPL are eligible for further investigation and cleanup under the federal Superfund program. The neighborhood is only of 11 sites proposed nationally and the only one in EPA's Region 5. The NPL has 1240 sites on it. Cleanup construction has been completed on 892 sites and is underway on 360 sites. See www.epa.gov/superfund for more information.

The neighborhood is 250 acres - about 45 city blocks - that includes residential and commercial facilities. Lead is the primary hazardous substance involved. Contact Stuart Hill of EPA Region 5 at 800-621-8431 ext 60689 or hill.stuart@epa.gov for more information.

Any Time for SuperNOFA

HUD's Super Notice of Funding Availability announcement is due any time. The SuperNOFA provides opportunities for funding for projects to reduce lead hazards in housing or to promote healthy homes. The details are unknown but Indianapolis and Fort Wayne should be eligible for a special opportunity for larger cities. Applications will probably be due in June. Contact Tom Neltner at 317-442-3973 or neltner@ikecoalition.org if you need help considering options or developing a proposal.

Richmond Landlord Fined \$34,100

Gary and Karen Cowin of Richmond were assessed a fine of \$34,100 for violating the federal lead hazard disclosure rules. The lease was missing six required elements. The fine for each element ranged from \$1,100 to the maximum of \$11,000. The landlords responded to a letter from EPA by claiming an inability to pay a penalty. But they failed to respond to a July 9 letter asking for specific financial documents that the landlords agreed to provide. Contact Tom Neltner at neltner@ikecoalition.org for a copy of the complaint against the Cowins.

Wayne Township Trustee in Allen County to Check Emergency Housing for Lead

On March 13, Nicole Gaunt of Fort Wayne - Allen County Health Department and Tom Neltner of IKE made a presentation to the staff of Allen County's Wayne Township Trustees Office. The trustee and staff realized that they have a critical role in preventing lead poisoning. They agreed to use LeadCheck® swabs to check property they inspect before approving it for emergency housing. The plan is to report positive results to the landlord for future disclosure and for the landlord to have the hazards reduced. Thanks to Al Stoller, Matt Schomburg and Wilford Allen for their leadership, the trustee's clients will be able to avoid lead hazards. Leadership in action. Hopefully other trustees will follow Wayne Township's lead.

Marion County Considers Rental Housing Quality Code

IKE and the Citizen's Healthy Home Initiative have developed a Rental Housing Quality Code for Marion County. IKE is now working with other organization to build support for the proposal. In essence, the proposal moves Indianapolis to a more proactive system. Instead of reacting to tenant complaints or a lead poisoned child, the proposed code would require landlords to self-certify compliance with existing quality requirements and to share a brochure with tenants describing the landlord's and tenant's responsibilities to make the home safe and healthy. Landlords who fail to self-certify or have ongoing code compliance problems would need an inspection. The goal is to prevent the problems by making sure the parties know their rights and responsibilities and follow the law. Click here for the [draft ordinance](#) and supporting [fact sheet](#).

Contact Tom Neltner at 317-442-3973 or neltner@ikecoalition.org for more information. Also, please let Tom know if you are aware of other rental property codes in Indiana. The only one IKE has identified is Bloomington.

Inept But At Your Service: Can You Trust Your Hardware Store?

On March 18, IKE published a report identifying serious problems regarding pesticides and lead-based paint hazards at the five major hardware store chains serving Indianapolis. The report is titled "Inept But At

Your Service: Can You Trust Your Hardware Store?" Go to www.ikecoalition.org/stores/2004_Store_Report for a copy. Based on seven indicators, the five chains had the following scores with 100 being the best.

- Lowes 39
- Home Depot 39
- Ace 26
- Menards 22
- Do-It-Best 17

IKE's staff made 45 visits and reached all 39 retail stores it could find. 80% of the clerks advised IKE's staff to dry sand brittle paint on an old wood door in an old home. When asked about lead-based paint hazards, 53% of the clerks continued to recommend sanding. Few clerks had any idea of lead-safe work practices. When asked about the new warning label on the lid of a paint can, one clerk said "Ignore the warnings. That is just a CYA move by the industry."

95% of the clerks violated the state pesticide laws by providing selection and use advice without the required warning sign - and probably the required training. 74% of the clerks provided advice that was not the safest for kids.

IDEM Still Investigating Compliance Problems in Fort Wayne

On October 21, 2003, IDEM notified a Fort Wayne landlord that its inspector identified a violation of Indiana's lead-based paint rule - lead paint chips and debris were left on the ground more than 48 hours after completing renovation work. A child was lead poisoned in the home. IDEM ordered the landlord to clean-up all visible lead-based paint chips or painted debris from soil, pavement and other horizontal surfaces surrounding the home within two days of receiving the letter.

In letter received by IDEM on December 3, 2003, the landlord notified IDEM that the loose chips and debris in the soil was cleaned up with a shop-vac. The pavement was swept and pressure-washed.

On February 26, 2004 IDEM inspected the property and found visible paint chip debris. The inspector notified the landlord the next day. The landlord said that he would cleanup the site on February 27, 2004. IKE's Tom Neltner visited the home on March 13 and the debris had not been cleaned up.

The lead poisoned child continues to live there because the family does not have the resources to move. No word from IDEM when it will require the clean-up, whether it will require testing of the soil for contamination, why an abatement contractor was not used, whether the landlord will be fined, and whether a shop-vac is allowed to be used for contaminated soil cleanup. HUD is investigating the landlord's repeated failure to follow the federal lead hazard disclosure rules.

EMI Publishes Its Assessment of Risk Assessments in Indiana

Last Fall, IDEM requested copies of risk assessments from Indiana's licensed risk assessors. The Environmental Management Institute published its evaluation of the reports from 70 individuals. EMI will send the report to all risk assessors. [Click here for the report](#). Contact Joan Ketterman at 800-488-8842 or Joan.Ketterman@envtlmgmt.org for details.

The biggest problem was that many reports claimed to be risk assessments but were not because they were for a narrower purpose such as a weatherization evaluation. Collecting samples does not necessarily make

the process a risk assessment. Just be sure to label the service as something else. Here are the other significant errors:

- 48% did not include required soil samples.
- 33% did not include required dust samples.
- 75% did not include abatement options.
- Virtually all reports did not prioritize options.
- 90% did not include assessment on severity of lead-based paint hazards.
- 50% did not establish a monitoring schedule.
- 46% did not include the date of construction.

Here are the statistics on other required information that was missing.

- 5% missed name of owner.
- 11% missed address of owner.
- 60% missed telephone number of owner.
- 25% missed risk assessor's signature.
- 5% missed risk assessor's license number.
- 5% missed name, address and phone number of risk assessor's firm.
- 10% did not include lab information.
- 55% missed XRF serial number.
- 4 report collected samples and had no lab/XRF info at all.
- 5% missed date of assessment.
- 50% missed background information.
- Almost all missed the specific location of tested painted component.
- 20% missed location and type of lead-based paint hazards.
- 25% missed results of visual inspections.

IDEM intends to use this information to improve compliance with its lead-based paint activities rule.

ISDH Releases Preliminary Lead Poisoning Statistics for Indiana's 92 Counties

The 2003 Indiana General Assembly directed ISDH to publish a county-by-county summary of the number of children and adults diagnosed with lead poisoning in 2003. The report was due on December 31, 2003 and ISDH met the deadline with a preliminary report. Congratulations! It is tough to issue a report for 2003 on the last day of the year. ISDH is working overtime to enter the remaining lab results. As a result, the number of lab samples taken will be low making a calculated lead poisoning rates will be high. Contact Tom Neltner at neltner@ikecoalition.org for a copy of the report.

- **Lead Poisoned Children Six Years of Age or Younger** - 35087 samples taken
 - Indiana - 1263 children
 - Marion County - 428 children
 - St. Joseph - 114 children
 - Lake - 111 children
 - Allen - 103 children
 - Elkhart - 81 children
 - Vanderburgh - 66 children
 - Wayne - 41 children
 - Delaware - 59 children
 - The remaining counties are less than 5 children.
 - Floyd - 26 children
 - Cass - 21 children
 - Madison - 18 children
 - Grant - 17 children
 - Howard - 17 children
 - Clinton - 16 children
 - Tippecanoe - 13 children
 - Lawrence - 12 children
 - 11 counties with 5 to 9 children.
- **Lead Poisoned Children Age 7 to 15** (Greater than 25 ug/dL)
 - Less than 5 children with 1121 samples taken.

- **Lead Poisoned Adults Age 16 and Older** (Greater than 25 ug/dL)
 - 234 adults with 1440 samples taken.
 - Delaware - 55 adults
 - Wabash - 35 adults
 - Lake - 25 adults
 - Fountain - 23 adults
 - 5 Counties with between 5 and 10 adults
 - 18 Counties with between 1 and 4 adults

2004 Indiana Lead-Safe and Healthy Homes Conference

Mark your calendar now for the 4th Annual Indiana Lead-Safe and Healthy Homes Conference. We will hold the event at the Marten House on Indianapolis' Northeast Side. The rates will be the same as the past two years. Please let Tom Neltner - neltner@ikecoalition.org - know if you have ideas for speakers or topics or want to get involved in helping make the conference a success.

Thanks for improving kids' environment! *If you have any questions or comments about this newsletter, IKE, or the Indiana Lead-Safe Task Force, contact Tom Neltner at neltner@ikecoalition.org, 317-442-3973 or 5244 Carrollton Avenue, Indianapolis, IN 46220-3181. If you need more information on national events, check out the Alliance Alert Newsletter at www.afhh.org and click on newsletter.*

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Please let us know if you do not want to receive this newsletter. You may get enough emails and faxes already. We do not want to add to the burden if you are not interested in receiving the materials.

IKE publishes two additional newsletters on a quarterly basis. Contact Tom Neltner at neltner@ikecoalition.org if you want to subscribe to either of those newsletters.

- *["Sewage in Our Streams" newsletter](#) on behalf of the Indiana Clean Water Coalition. .*
- *["Improving Kids' Environment" newsletter](#). This newsletter deals with all issues and events in which IKE involved.*