

**Written Testimony Submitted for the Record to the Maryland House of Delegates  
Environment and Transportation- Environment - Playground Surfacing Materials - Prohibitions  
HB1147 - February 28, 2024  
SUPPORT**

Free State PTA represents over 70,000 volunteer members and families in over 500 public schools. Free State PTA is composed of families, students, teachers, administrators, and business as well as community leaders devoted to the educational success of children and family engagement in Maryland. As the state's premier and largest child advocacy organization, Free State PTA is a powerful voice for all children, a relevant resource for families, schools and communities and a strong advocate for public education. ***House Bill 1147, Environment - Playground Surfacing Materials - Prohibitions, aligns with Free State PTA's principle for legislative action which states that schools must provide a safe environment where all students, teachers and staff can thrive.***

Free State PTA's Legislative Agenda includes support for reducing exposure to known harmful substances, including lead and PFAS, in home, play, and school environments by testing and remediating in paints, plumbing, drinking water, athletic fields, and play surfaces. Therefore, we strongly urge the MD State legislature to pass HB1147 which prohibits playground surfacing materials containing lead, PFAS, and PAHs. Some examples of playground materials found to contain these hazardous compounds included shredded tire mulch, poured-in-place, crumb rubber, plastic blades on plastic turf. There are healthier, safer, more sustainable, less expensive alternatives such as certified ADA-compliant engineered wood fiber (EWF) tested and verified to be free of chromated copper arsenate (CCA) that are readily available. A precautionary, protective approach is necessary to provide safer, healthier environments where our children play.

Our youngest, most vulnerable populations have a right to a healthy, safe environment. Children should not be exposed knowingly to materials containing contaminants like lead, PFAS, and PAH. Children are much more biologically and developmentally susceptible to harmful chemicals even at low exposure levels since their organs are still developing and behaviors such as increased hand-to-mouth contact and crawling put them at greater risk of harmful exposures. They also breathe more air and drink more water per body weight than adults, putting them at risk of exposure to higher concentrations of toxins in their environments.

Below are authoritative resources and scientific evidence supporting taking a proactive, preventative, evidence-based approach to better protect our children and community from known hazards including lead, PFAS, PAH, and more.

- o **Well known hazardous chemicals found in shredded tire mulch:**
  - o The science on the known hazards found in shredded tires is well documented in many studies and reports including the [EPA FRAP literature review](#)<sup>1</sup>, a [Yale report](#)<sup>2</sup>, [UMASS Lowell Toxics Reduction<sup>3</sup> Institute Playground Surfacing report](#)<sup>4</sup>, and an [Environment and Human Health report](#)<sup>5</sup>. This research provides evidence of the many **carcinogenic and hormone disrupting**

<sup>1</sup> <https://www.epa.gov/chemical-research/december-2016-status-report-federal-research-action-plan-recycled-tire-crumb>

<sup>2</sup> <https://seas.yale.edu/news-events/news/study-led-gaboury-benoit-looks-chemicals-synthetic-playing-surfaces-0>

<sup>3</sup> <https://seas.yale.edu/news-events/news/study-led-gaboury-benoit-looks-chemicals-synthetic-playing-surfaces-0>

<sup>4</sup> [https://www.uml.edu/docs/Playground\\_surfacing\\_report\\_Dec2023\\_tcm18-377890.pdf](https://www.uml.edu/docs/Playground_surfacing_report_Dec2023_tcm18-377890.pdf).

<sup>5</sup> <https://www.ehhi.org/turf.php>

**chemicals, in addition to skin, eye, and respiratory irritants that can exacerbate asthma.** These chemicals found in shredded tire mulch include but are not limited to **heavy metals including lead, volatile organic compounds (VOCs), polyaromatic hydrocarbons (PAH), phthalates, and PFAS.**

- **Lead alone** is linked to many harmful health effects including **permanent neurological, behavioral, and developmental problems and cancer.** There is no safe level of lead, especially for young children.
- **Soil, Surface and groundwater contamination leading to hazards in drinking water sources and soil degradation.**
  - There is potential for hazardous chemicals mentioned above to leach into Maryland's aquifers and soil, contaminating our drinking water and food. PFAS, also known as the "forever chemical" due to its high persistence in our environment, is posing an additional health and environmental risk to our communities across the state. Banning sources of PFAS contamination such as shredded tire mulch is critical as they are very costly and difficult to remove from our drinking water.
  - As one such example, on August 23, 2022, two months after a [playground fire](#)<sup>6</sup> in Poolesville, MD, water testing results found PFAS in well two. This was the same well that was nearest to the site where the playground fire took place. Banning sources of PFAS contamination such as shredded tire mulch, PIP, and tire crumb rubber is critical since it is very costly and difficult to remove from our drinking water and soil. PFAS, otherwise known as "forever chemicals" are linked to irreversible health and environmental impacts and should not be down-cycled where our children play.

The Consumer Product Safety Commission has set [strict limits for lead](#)<sup>7</sup> content in [accessible parts of all children's products including playground equipment](#)<sup>8</sup>. Shredded tire mulch is highly accessible to children as it is loose and they often play with it. The [CPSC documents](#)<sup>9</sup> the many instances of young children playing with the material and putting it in their mouths. All routes of exposure (skin and eye contact, ingestion, and inhalation) are a concern in this case.

**Therefore, we strongly urge you to give a favorable report for HB1147.**

Testimony is presented on the behalf of

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<sup>6</sup> <https://mocoshow.com/2022/06/05/fire-at-playground-in-poolesville-now-extinguished/>

<sup>7</sup> [https://www.cpsc.gov/Business--Manufacturing/Business-Education/Lead/Total-Lead-Content-Business-Guidance-and-Small-Entity-Compliance-Guide#tl\\_05d](https://www.cpsc.gov/Business--Manufacturing/Business-Education/Lead/Total-Lead-Content-Business-Guidance-and-Small-Entity-Compliance-Guide#tl_05d)

<sup>8</sup> <https://www.cpsc.gov/Business--Manufacturing/Business-Education/childrens-products/>

<sup>9</sup> [https://www.cpsc.gov/s3fs-public/Final-Report\\_Playground-Surfacing-Survey\\_with\\_Appendices\\_and\\_Cleared\\_Staff\\_Statement\\_Cover\\_Page.pdf?sqzSSGJkODbKEnHhYnkJrP8eDpKRWKBS](https://www.cpsc.gov/s3fs-public/Final-Report_Playground-Surfacing-Survey_with_Appendices_and_Cleared_Staff_Statement_Cover_Page.pdf?sqzSSGJkODbKEnHhYnkJrP8eDpKRWKBS)