



Environment, Social
Governance

E•S•G

Permitting Requirements

TESTIMONY
27 FEBRUARY 2024

Education, Energy,
and the Environment
Committee

Dark Money
Funded Nonprofit
Advocacy Groups
and
MD Legislatures

Equality in
Infrastructure
Permitting

Evolving
State Approaches
to Environmental
Justice

SENATE BILL SB 1086 TESTIMONY

Education, Energy, and the Environment

February 27, 2024

TO: Chair, Senator Brian J. Feldman and Vice Chair, Senator Cheryl C. Kagan
FROM: Brandywine TB Southern Region Neighborhood Coalition (BTB Coalition)
POSITION: Favorable with Amendments

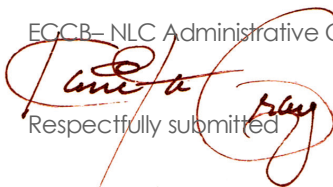
Thank you for the opportunity to offer testimony concerning SB 1086. The BTB Coalition is the sponsored membership a "community development locality nonprofit organization", having HUBS for every county in the State of Maryland, with members and supporters who live throughout the state, and nationally.

In addition, there are dozens of affiliated locality community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our favorable only with amendments for SB 1086.

If you have questions or concerns, you can refer this matter to ECCB- Neighborhood Leadership Council (NLC) by email at btb.eccb@gmail.com or by phone at 240.681.9070.

Thank you for your considerable time and attention.

ECCB- NLC Administrative Chair


Respectfully submitted

In solidarity, Brandywine/TB Southern Region Neighborhood Coalition; and the
Executive Community Citizen's Board (ECCB) neighborhood Leadership Council

AMENDMENTS OVERVIEW

SB 1086 Construct

Solidifying Permitting into Regulatory Policies

The goals of any Environmental policy initiative should be to:

Provide comprehensive protective public health policy directly based on public health risks (rather than industry or chemical standards). Allow affected neighborhoods a pathway in self-determination empowering communities to acquire the public health protection they deserve.

Any and all environmental bills that state “may”, is superfluous, given the history with “MDE” has shown in that their lack of action speak louder (volumes) than words. This is shown by “MDE” history with the BTB Coalition 2016 Title VI Complaint as shown by the following;

.....
Subsequently our Civil Rights Title VI filed in 2016 continues to approve projects that disproportionately impact the health and wellbeing of low-income and minority communities. In 2023 the approval for the 15 heavy industrial pollutant industry facility application accepted by MDE in Brandywine for which SB 1086 would not preclude, a facility that would run 2 diesel engines 24 hours, approval of a Concrete Batching Plant, all while one of 2 existing permits for Title V/Part 70 Operating Permits for which one exceeded the EPA limits, for which MDE spent SEP funding on a “Fishing” camp, taking all into account for these reasons in filing a subsequent Title VI Complaint in 2024.
.....

How communities’ environments have been disproportionately impacted by these heavy industrial pollutant industries and how we got here:

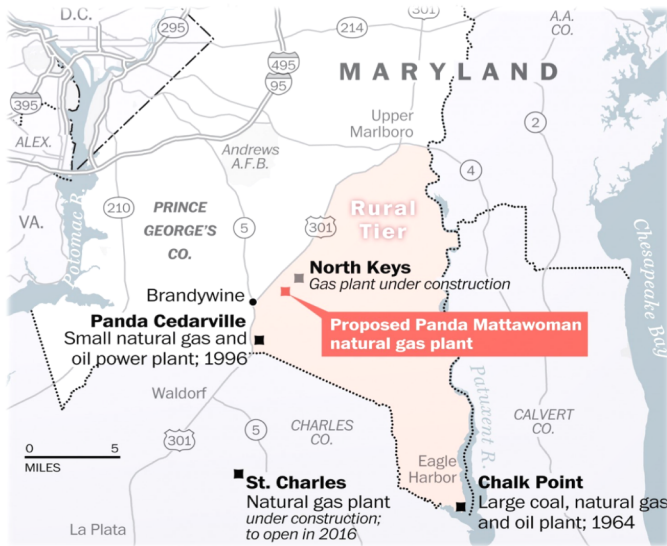
1. Climate Change, green environmentalisms groups policies have nothing to do with environmentally and historically affected by health killing pollutants... YES, greenhouse gases effect our environment that's being approved first by Land-use, that then gets their permit approved through the MDE inequitable in not adhering to Title VI in its actions.
2. Redlining and white flight in the 1960s produced a pattern of intensive industry operations concentrated in urban and rural areas of predominantly minority, low-income, Black, Minority, and communities of color.
3. Disproportionate patterns allowed by inequality in Land-use with siting heavy industry pollutant industries operations in the creation of “sacrifice zone”, communities that are disproportionately exposed to dangerous levels of pollutants in Black, Brown, and Indigenous communities to emerge resulting healthy living to radicate, dismantle and disrupt the inequalities.

When the MDE and the EPA use terms such as “allowed”, to be permitted this does not equate to “healthy”. Environmental Justice is subjective, and the goals of this policy initiative should be to compliant with Title VI laws:

Therefore, we request that amendments be made in bringing the affected community voices to the table in the drafting of the SB 1086 in being able to act as to the following;

1. Provide comprehensive protective public health policy directly based on public health risks (rather than industry or chemical standards).
2. Allow communities a pathway to acquire the public health protection they deserve.
3. Increase transparency about how exposures in polluted communities are regulated.

BRANDYWINE, MD



SB 1086

This policy initiative should be amended and we are requesting the following amendments to address health “equity”:

1. Include Air Toxics Cancer Risk and/or Respiratory Hazard Index
2. Include Title VI laws in addressing disproportionate impacts
3. The denial “shall” when based on the unhealthy “affects” in accordance with the Respiratory risk (hazard index) due to cumulative air toxics rooted in applicable law as related to being unhealthy, being the aforementioned affected communities in being targeted.
4. The department shall publish notice in being Title VI Compliant for which MDE has alluded since 2016 with “may” as required by law.
5. Bill page #3, line #11, Brandywine having 14 heavy industrial pollutant industries well over the 90 percentiles for cancer would not qualify under this bill in its allusive green groups environmentalism definition of “overburden and underserved” additionally, which the Energy Foundation supported as associated with funding would not qualify.

Communities don’t need outreach as engagement but one-on-one relationships being the basic building block of community influencing, “Without the fence-line communities; there can be no liberation”, in what you do for us without us is not for us!

We are willing to work with the Senator M. Washington, in being at the table in providing more in debt amendments in responsibility and accountability as we have contacted the Senators office and made this known.