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MARYLAND ASPHALT ASSOCIATION



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February 27th, 2024

Senator Brian Feldman, Chair
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

RE: SB 1088 – LETTER OF INQUIRY – Environment – Public Participation in the Permitting Process – Alterations

Dear Chair Feldman and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms, and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 1088 expands judicial review for certain environmental permits to include areas where the EJ Score for the census tract where the applicant is seeking a permit is above the 75th percentile. It also requires permit applicants to request an EJ Score from the Department of Environment and include that EJ Score on the application. Lastly, it expands the standing for a party.

MAA submits this letter of inquiry to ask that the legislation define and clarify what an EJ Score is. The bill does not include a definition. Moreover, we have some concerns about the expanded standing as well as the requirements of the permit applicant. These changes will only add delay and therefore cost to what is often a long and arduous process.

We appreciate you taking the time to review our concerns on SB 1088.

Sincerely,

A handwritten signature in black ink that reads "Tim Smith". The signature is written in a cursive, flowing style.

Tim E. Smith. P.E.
President
Maryland Asphalt Association