

**Maryland-Delaware Solid Waste Association**  
a chapter of the



TO: The Honorable Brian J. Feldman, Chair  
Members, Senate Education, Energy, and the Environment Committee  
The Honorable Mary Washington

FROM: Pamela Metz Kasemeyer  
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DATE: February 27, 2024

RE: **OPPOSE** – Senate Bill 1086 – *Environment – Environmental Justice Districts – Designation and Requirements*

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The Maryland-Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** Senate Bill 1086.

MDSWA appreciates the intent of this bill to promote environmental justice (EJ) and ensure that already overburdened communities do not suffer additional harm. MDSWA members already comply with the State's existing EJ requirements and support the important policy objectives of such laws and regulations. However, this legislation seeks to authorize a single resident of a local jurisdiction or an overburdened and underserved community to submit an application to the Department of the Environment (MDE) to request the designation of an area as an EJ district. The process defined in the bill will dramatically increase the administrative process of MDE, relative to EJ, and does not recognize the process that has been defined in current law to ensure EJ is considered in permit applications.

The proposed process does not recognize that all of the various permits included in the legislation may not impact a community in the same manner. It also includes very specific criteria for what is to be considered an EJ district that may not indicate an adverse impact by a specific permit, such as close proximity to traffic. Further, it specifies that the MDE shall prioritize funding to EJ districts to mitigate pollution and other environmental impacts without any basis or framework for its prioritization.

The State has prioritized EJ through various initiatives in the last several years and is working to strengthen the current framework. Senate Bill 1086 does not align with the current efforts by MDE and affected stakeholders to address EJ, will divert and complicate the work of MDE in achieving those objectives, and could result in unintended consequences for the very communities this legislation appears to intend to protect. For these reasons, MDSWA requests an unfavorable report.