



SB1088: Environment - Public Participation in the Permitting Process - Alterations  
Senate Education, Energy, and the Environment  
February 27, 2024

Position: Information

Dear Chair Feldman and Members of the Committee,

The use of the 1-601(a) permit list as the basis for a bill whose purpose is to provide additional avenues for constituents to protect their health is problematic.

The 1-601(a) permit list was not developed with environmental justice or public health in environmental justice communities in mind. With one exception, that list of permits has appeared verbatim in multiple Maryland laws enacted since 1993. It is not an appropriate list of permits to direct resources and attention for environmental justice efforts. The list of permits is not small, and many of these permits have limited impact on human health and concerns expressed by EJ communities. The list expansively covers surface water pollution permits: both first-time permit issuance and renewals, both major and minor sources of water pollution. In contrast, it largely excludes air permits, covering only the small subset of permits to construct issued by MDE - leaving out any air pollution renewal permit applications, and permits to construct issued by the PSC, which have been the focus of many community-led environmental justice campaigns in recent decades.

Efforts to address environmental justice concerns through permitting reform should start at determining which permits are most relevant to Maryland's environmental justice concerns by listening to impacted communities. We encourage the committee to revisit the list of relevant permits to be referenced before adding new permitting requirements related to environmental justice.

Sincerely,

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