

# HOUSE BILL 798

M3, M4, J1  
HB 1642/20 – HRU

2lr2993

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By: **Delegate Jalisi**

Introduced and read first time: February 3, 2022

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Healthy Air Act**

3 FOR the purpose of establishing the Committee on Air Quality to create, on or before a  
4 certain date, a certain air quality sampling and monitoring protocol for the collection  
5 of air quality and public health data associated with certain large–animal feed  
6 operations; and generally relating to air pollutant monitoring and the Committee on  
7 Air Quality.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
9 That:

10 (a) (1) There is a Committee on Air Quality.

11 (2) The Committee consists of the following members:

12 (i) one expert in regulatory compliance, selected by the Office of the  
13 Attorney General; and

14 (ii) the following members, selected jointly by the Dean of the  
15 University of Maryland School of Public Health and the Dean of the Johns Hopkins  
16 Bloomberg School of Public Health:

17 1. one expert in air pollution sampling and monitoring;

18 2. one expert in spatial statistics and monitoring;

19 3. one expert in exposure science;

20 4. one expert in environmental epidemiology;

21 5. one expert in toxicology;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                                   6.     one expert in human health risk assessment; and

2                                   7.     one preventive medicine physician.

3                   (3)    The members of the Committee shall designate the chair of the  
4 Committee from among the members of the Committee.

5                   (4)    The Department of the Environment shall provide staff for the  
6 Committee.

7                   (5)    A member of the Committee:

8                                   (i)     may not receive compensation as a member of the Committee;  
9 but

10                                   (ii)    is entitled to reimbursement for expenses under the Standard  
11 State Travel Regulations, as provided in the State budget.

12                   (6)    (i)     On or before January 1, 2023, the Committee shall create an air  
13 quality sampling and monitoring protocol for the collection of air quality and public health  
14 data associated with large animal–feeding operations as defined by the Department of the  
15 Environment in regulation.

16                                   (ii)    The protocol shall establish the methodology for the Department  
17 of the Environment to use to:

18                                   1.     quantify the amount of the air pollutants that are emitted  
19 from large animal–feeding operations, including emissions of:

20   A.     ammonia;

21   B.     fine particulate matter;

22   C.     coarse particulate matter;

23   D.     volatile organic compounds; and

24   E.     other air pollutants subject to State or federal laws and  
25 regulations related to air pollutant emissions from large animal–feeding operations; and

26                                   2.     assess the public health risks associated with air  
27 pollutants emitted from large animal–feeding operations in the State.

28                                   (iii)  In preparing the protocol, the Committee shall:

29   1.     identify all air pollutants emitted from large

1 animal–feeding operations in the State; and

2                                   2.     identify potential public health risks associated with air  
3 pollutants emitted from large animal–feeding operations in the State.

4                   (7)   (i)     Subject to subparagraph (ii) of this paragraph, the Committee  
5 shall submit the completed protocol for:

6                                   1.     public comment; and

7                                   2.     peer review by a panel composed of experts in the following  
8 fields, as selected by the Department of the Environment in consultation with the  
9 Committee:

10                                   A.     air pollution monitoring;

11                                   B.     spatial statistics and modeling;

12                                   C.     exposure science;

13                                   D.     environmental epidemiology;

14                                   E.     toxicology;

15                                   F.     human health risk assessment; and

16                                   G.     preventive medicine.

17                                   (ii)    The experts selected for the peer review panel under item 2 of  
18 subparagraph (i) of this paragraph may not be a member of the Committee or an employee  
19 of the Department of the Environment.

20                   (8)     On or before April 1, 2023:

21                                   (i)     the Committee shall:

22                                   1.     review the comments received under paragraph (7) of this  
23 section; and

24                                   2.     incorporate into the protocol any comments determined by  
25 the Committee to be appropriate for inclusion; and

26                                   (ii)    the Department of the Environment shall publish the final  
27 protocol on its website.

28                   (b)   (1)     On or before October 1, 2023, the Department of the Environment shall:

1 (i) use the protocol created under subsection (a)(6) of this section to  
2 assess air pollutants and public health risks associated with all large animal–feeding  
3 operations in the State; and

4 (ii) use the assessments conducted under item (i) of this paragraph  
5 to evaluate compliance of all large animal–feeding operations in the State with State and  
6 federal laws and regulations related to air pollutant emissions that apply to large  
7 animal–feeding operations in the State.

8 (2) On or before December 15, 2023, the Department of the Environment  
9 shall:

10 (i) report its findings from the assessments and evaluations  
11 conducted under paragraph (1) of this subsection to the Governor and, in accordance with  
12 § 2–1257 of the State Government Article, the General Assembly; and

13 (ii) post the report on its website.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
15 1, 2022. It shall remain effective for a period of 2 years and, at the end of June 30, 2024,  
16 this Act, with no further action required by the General Assembly, shall be abrogated and  
17 of no further force and effect.