

**Testimony of Henry S. Cole, Ph.D. on behalf of Clean Air Prince George's in support of HB 613
(Prince George's County – Coal– and Gas–Fired Generating Stations – Act of 2021**

Submitted to the Economic Matters Committee, February 23, 2021

I am writing on behalf of Clean Air Prince George's to support [CAPG] HB 613 (formerly PG410-21). We thank you for your consideration—the time to act is now.

This critical bill would (1) prohibit the Public Service Commission (PSC) from issuing a certificate of public convenience and necessity (CPCN) for the construction of a coal- or gas-fired generating station if any part of the generating station will be located in Prince George's County; and (2) prohibit a person from operating a coal- or gas-fired generating station if any part of the generating station is located in Prince George's County and the Commission has issued a certain certificate of public convenience and necessity for the construction of the generating station.

Clean Air Prince George's supports this bill. The greater Brandywine area, is now the home of four fossil fuel power plants, the Keys Energy Center, the Chalk Point Power Plant, and the Panda Power Plant located east of Brandywine Crossing a few miles to the south is the Charles County Energy Center. Fortunately, the Texas-based Panda Energy Company recently withdrew its application for the Mattawoman Power Plant and the PSC revoked its Certificate a few days later. This would have been the fifth in within 13 miles of Brandywine and just a half mile from the Brandywine Elementary School.

In the past the County Council would be all too willing to give generous tax breaks (Payment in Lieu of Taxes or PILOT) to facilitate the construction of new plants. Please know that the momentum is shifting. Sidney Harrison County Council member for the Brandywine area (District 9) stated his opposition to the Mattawoman Power Plant at the September community meeting of the Greater Baden Aquasco Citizens Association (GBACA), saying “Enough is Enough!” In late 2020 we were able to gather more than 600 signatures on a petition opposing the Mattawoman Power Plant—helping convince the company to withdraw its application. This bill putting a halt to further power plants would be extremely popular as the 2022 election season approaches.

Environmental Health and Environmental Justice: The Brandywine area is predominantly African-American, and its population already is exposed to significant pollution from the existing power plants and motor vehicles traffic in the heavily trafficked U.S. 301, Rt. 5 Corridor. The primary and secondary pollutants caused by fossil fuel power plants contribute to the elevated concentrations of ozone, nitrogen dioxide, and fine particulate matter all of which are known to cause and aggravate respiratory and cardiovascular disease.

Climate Change: The existing power plants in the Brandywine are expected to operate for 30 years or more and will contribute hundreds of tons of greenhouse gases over their lifetimes. Climate change has now reached the crisis points; record droughts in the western states, devastating forest fires in California, and last week arctic cold and record snowstorms in Texas. Nor has Maryland been spared—record levels of flooding in Ellicott City, rising Chesapeake Bay levels and coastal flooding, intrusion of saltwater hurting farmers in coastal areas, and deadly heat waves in our urban areas.

Panda's Mattawoman pullout. Panda ended its plans for its Brandywine Mattawoman Power Plant out for several reasons: rising construction costs, growing investor uncertainty, and the company's recognition that it was facing a growing wall of public opposition with possible legal challenges. However, there is nothing to prevent this company or another from proposing another mega-power plant for our County—and thus the need for this bill.

HB 613 is critical because the Public Service Commission has an unabated record of issuing CPCNs for power plants without regard to their harmful impacts—including GHG emissions and the adverse health effects of power plant emissions. Moreover, Maryland's Department of Environment (MDE), Department of Natural Resources (DNR) or the state's Power Plant Research Program (PPRP) have a similar record of minimizing the environmental impacts of power plants and rarely deny the permits necessary for fossil fuel plants to operate.

We would strongly advocate that the Economic Matters Committee and other House committees conduct oversight hearings on these critical regulatory gaps.

We would propose the following amendments:

1. The bill prohibits construction of a fossil-fuel power plant "if any part of the generating station will be located in Prince George's County." Language should be added to bar any agency of the state from issuing a permit or certificate for the construction of a new pipeline in Prince George's County that would deliver natural gas to a power plant in another county. This is necessary because gas pipelines construction activities pose serious threats to the county's critical natural areas and the operation of a gas pipeline over decades will leak large quantities of potent Greenhouse Gas (GHG) methane. Natural gas pipelines pose serious safety threats to residents and workers because they have a substantial record of causing fires and explosions at many locations.
2. The bill's second clause, prohibits a person from operating a fossil fuel power plant "if any part of the generating station is located in Prince George's County and the Commission has issued a CPCN for the construction of the generating station. The bill should state clearly that the prohibition would apply to only to plants that have received a CPCN but which have not started actual onsite construction – as in the case of the Mattawoman Power Plant with a site vacant for five years prior to its cancellation. This clause would clarify that the prohibition does not extend to plants which (a) which have received a CPCN and (b) are operational.

Thank you for your consideration of HB613 and its critical objectives.