



CHESAPEAKE BAY FOUNDATION  
*Saving a National Treasure*



MARYLAND LEAGUE  
OF CONSERVATION VOTERS

### Senate Bill 524

Environment – Multidefendant Oil and Hazardous Substance Pollution Cases – Effect of Settlement

Date: February 26, 2021

To: Senate Health, Education and Environmental  
Affairs Committee

Position: SUPPORT

From: Robin Jessica Clark, Maryland Staff Attorney  
Chesapeake Bay Foundation  
Kim Coble, Executive Director, Maryland League of  
Conservation Voters

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Chesapeake Bay Foundation (CBF) and the Maryland League of Conservation Voters (MDLCV) **SUPPORT** SB 524 which would ensure accountability and complete restoration of natural resources following unlawful discharge of hazardous oil compounds. A fair and full assignment of liability assures that the public is not saddled with the costs of cleanup left incomplete by responsible parties.

#### **Fair and full assignment of liability for oil discharge protects the public from additional clean-up costs**

This bill allows assignment of proportionate shares of liability to various individuals and entities with fault for a hazardous oil release into State waters. Without this legislation, the State is limited in its ability to pursue liability of all parties involved. This can lead to delayed and incomplete recovery, hampering the ability of the State to remediate the environment damage resulting from the oil discharge.

#### **Comprehensive legal authority will allow swift execution of the law and speed recovery efforts**

Damage from oil discharge can be extensive and can be even more devastating when clean-up is delayed due to protracted litigation. Types of oil discharge include the release of petroleum, sludge containing oil, crude oil, gasoline, asphalt and ethanol release into State waters. Wherever there are oil spills and excess pollutants, wildlife is at risk. In the Bay watershed, even a small oil spill could devastate the blue crab population by killing its larvae. It would also poison and debilitate oysters, fish, seabirds, marine mammals, and other wildlife.

#### **Clarity in liability promotes good governance and expedites final determinations needed for complete environmental restoration**

An oil discharge case will often involve assets owned by multiple parties. For example, a spill may emanate from a tank, after traveling through a pipeline, connected to a pumping station each owned and operated by a different entity. The international event etched into the nation's memory is Deepwater Horizon. The oil rig continued to spill oil into the Gulf of Mexico as accusations of fault flipped back and forth. This legislation will help avoid a similar scene in Maryland and, most importantly, ensure a complete restoration of Maryland's natural resources following an oil discharge.

#### **CBF and MDLCV urge the Committee's FAVORABLE report on SB 524.**

For more information, contact Robin Jessica Clark, Maryland Staff Attorney, Chesapeake Bay Foundation at [rclark@cbf.org](mailto:rclark@cbf.org), 443.995.8753.

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*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*