

# Maryland Children's Environmental Health Coalition

Rules and Executive Nominations Committee  
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March 3, 2023 Hearing

**HJ0001**

Environmental Human Rights

**Support**

## INTRODUCTION

Maryland Children's Environmental Health Coalition (MD CEHC) is a group of children's advocates working collaboratively toward improving the lives of children in Maryland. Our coalition works to support and advocate for laws that address children's environmental health and well-being. MD CEHC recognizes the urgent need to address the growing issues surrounding the environment where our children live, play, and attend school. We are specifically concerned about protecting children from known hazards, and preventing new hazards, thus allowing our children to reach their full potential as contributing members of society.

Our Coalition **STRONGLY SUPPORTS HJ0001** for these important reasons. This resolution

- addresses positive health attributes in addition to positive environmental attributes
- clearly and correctly defines Maryland's responsibility to be good stewards of our resources
- clearly and correctly defines Maryland's commitment to human rights under Maryland Law

## EMPOWERING ALL MARYLANDERS

We thank you for addressing basic human, environmental and civil rights in **HJ0001**. We strongly support that this resolution will finally recognize through long overdue enforcement of Maryland Environmental Policy Act of 1973 (MEPA) that every person, especially our children, as a matter of basic human dignity, has a fundamental and inalienable right to a healthful, stable environment.

We believe that there is urgency after 50 years of inaction in reaffirming the principle enshrined in the Maryland Environmental Policy Act. We believe that every person has the fundamental and inalienable right to a healthful environment; and that the State must rededicate itself, its agencies, and all concerned stakeholders to furthering the development, implementation, and enforcement of any and all existing environmental laws, practices, and policies for the benefit of both current and future generations.

Specifically, State Agencies should engage with experts and advisory councils such as the Commission for Environmental Justice and Sustainable Communities (CEJSC) as well as the Children's Environmental Health and Protection Advisory Council (CEHPAC) who can share their expertise in writing the definitions of EJ communities, cumulative impacts, as well as providing assistance in defining ways to assess current actions' impacts on future generations (there are models that can help do that) and creating methods and protocols for assessing environmental and health impact. All are necessary to fully implement the regulations necessary for Marylanders to have access to MEPA.

In 1973, the Maryland legislature passed the Maryland Environmental Policy Act (MEPA) which unequivocally recognizes "each person's fundamental and inalienable right to a healthful environment." **This policy has been part of Maryland's codes for 50 years, yet it has been largely ignored because no regulations were ever written by the respective state agencies - a necessary step to implementing this Act.** Why have these regulations not yet been written for an Act that went into effect in 1973?

2023 is the 50th anniversary of the passing of this foundational environmental legislation. It is time to recommit to its principles. We know there is a pivotal connection between the health of our natural resources, including our air, water, and land, and the health of the people and the economy of Maryland. The Maryland Environmental Policy Act - MEPA@50 Resolution encourages the community of state leaders, state agencies, businesses, non-profits, and individuals to recommit to the principles outlined in this Act.

This Legislature is tasked with ensuring that communities remain sustainable throughout the state – even if they are not yet identified as an EJ community. You have an opportunity to act proactively to prevent harm from to public health and the environment. The goal is to prevent them from becoming an EJ community by protecting the air, water and soil – our natural resources - from known hazards. Ensuring that state agencies adopt the necessary regulations to ensure that MEPA is enacted as written – will provide Maryland another tool to ensure that all communities remain sustainable and that EJ communities can be fully protected under this 1973 Act.

Please codify in regulation that the State is trustee of Maryland's natural resources, including its air, lands, waters, wildlife, and ecosystems, for the benefit and enjoyment of both present and future generations. We look to **HJ0001** as a vehicle to allow best practices and standards to be implemented via this Act thus facilitating the State's efforts to in ensuring Health in All Policies (HiAP)<sup>1</sup>.

## MARYLAND COMMITMENT TO CHILDREN

The General Assembly has taken action to define in statute (Health Article §13–1501 thru §13–1506)<sup>2</sup> that it recognizes that children in the State face an array of preventable exposures to environmental hazards in their schools, homes, and communities. In certain cases – documented in statute - children are at greater risk than adults for exposure to and possible illness from environmental hazards because children;

- i. Have a decreased ability to detoxify certain substances;
- ii. Have a greater sensitivity to environmental hazards during the stages of development and growth as a result of their immature body organs and tissues and immature immune systems;
- iii. Have different exposure behavior patterns, such as hand-to-mouth behavior, spending a greater amount of time outdoors near hazards, and spending more time on the floor and on the ground where contaminants can concentrate; and
- iv. Take in a greater amount of contaminants due to their eating proportionately more food, breathing proportionately more air, and drinking proportionately more fluids than adults.

## PROTECTING CHILDREN

The state is currently lacking basic protective measures to ensure that children do not come in contact with known hazardous substances that are currently polluting our air, water and soil – some allowed under existing statute, regulations and policies - which do NOT consider the impact to public health or the environment. We believe regulations for this Act would promote standards not only improve our environment, but also protect our air, water and soil for future generations.

Maryland has a responsibility to our children and future generations to be good stewards of our natural resources, which will help to reduce both asthma, cancer and other health compromises in children and adults. **When we reduce allergies, sensitivities, and negative health impacts, we increase a child's chances of reaching their fullest potential as healthy and productive adults.** This is not only an environmental issue, but a significant public health issue and most definitely a children's health issue and human rights issue.

We support all efforts to protect infants and young children from known hazards which contribute to poor air quality, water, soil and unsafe conditions for Maryland's children. Many of the products used throughout the state contain substances which negatively impact our natural resources, create unsafe conditions, and have the potential for causing harm to growing children. It is prudent and responsible to establish standards to protect all Marylanders, especially children, from coming in contact with known hazards by ensuring they have a constitutional right to such protection.

Maryland parents are also concerned about the health of the watershed including ground water accessed by wells for drinking water in homes and schools. Concern is not only because these are sources of drinking

water, but also because these are the waterways where their children live, learn and play. The health effects of such exposures as detailed in the Report by the MDE and Maryland Department of Health (MDH) entitled Maryland Children and the Environment<sup>3</sup> are noted in the forward;

*"It is well-recognized that the health of children is directly related to the environment generally and to specific environmental factors...Perhaps no single factor is more important to these efforts than reliable, accurate information that enhances the public understanding and supports the development of effective prevention efforts".*

**HJ001** is about meeting the health and environmental protection needs of all Maryland children. The right to this protection needs to be clearly defined in enforceable regulations as indented and outlined in the Maryland Environmental Policy Act of 1973 (MEPA). Maryland as a State should have a primary focus on protection of our residents and our natural resources. This is an important tool in ensuring that protection. Marylanders have waited 50 years for action.

## CONCLUSION

Knowledge is power – here the power to protect children and their environment. Parents would be able to know that their child's air, water, and soil is cleaned and safe. Our hope is that Maryland Environmental Policy Act of 1973 (MEPA) will finally be enforce through the necessary regulations so that all, residents and public servants, will opt-in, for the sake of our future: our children. Maryland has the knowledge and expertise to protect our children from known hazards introduced into our environment and an Act to codify our resolve. We support all efforts to protect the most vulnerable, infants and children, from known hazards, which is consistent with your mission.

We hope that the Committee acts swiftly and favorably on **HJ0001**.

<sup>1</sup> Maryland Health in All Policies Workgroup and Final Report to Governor and Legislature accessed February 15, 2022 at URLs <https://msa.maryland.gov/msa/mdmanual/26excom/defunct/html/20healinall.html> website

<https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/024600/024610/20200396e.pdf> Final Report

<sup>2</sup> Children's Environmental Health and Protection in Maryland Statute accessed February 18, 2022 at urls:

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1501&enactments=false> thru <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1502&enactments=False&archived=False> <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1503&enactments=False&archived=False> <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1504&enactments=False&archived=False> <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1505&enactments=False&archived=False> <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg&section=13-1506&enactments=False&archived=False>

<sup>3</sup> Maryland Children and the Environment; State of Maryland (MDH & MDE);

url: <https://health.maryland.gov/phpa/OEHFP/EH/Shared%20Documents/CEHPAC/Report-2008-FINAL.pdf> accessed 1/30/22