

PRKN Testimony HB1193 Coal Ash.docx.pdf

Uploaded by: Betsy Nicholas

Position: FAV



POTOMAC
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HOUSE - ECONOMIC MATTERS COMMITTEE

House Bill 1193
Coal Combustion ByProducts

March 7, 2024

Dear Chairman Wilson and Members of the Committee:

Maryland has a problem it thought it could bury and forget – the ash and residual materials from the generations of burning coal. But the solution for coal ash is not so simple. Coal ash, also referred to as coal combustion residuals (CCRs) or byproducts (CCBs), is produced primarily from the [burning of coal in coal-fired power plants](#). Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, radium, selenium, and other heavy metals, which have been linked to [cancer, heart and thyroid disease, reproductive failure, and neurological harm](#). Without proper management, these contaminants can pollute groundwater and surface waterways and the air causing severe health issues. Maryland's Power Plant Research Program has identified 50 million tons of coal ash in the state of Maryland at 70 different sites.

Riverkeepers have spent several years [taking action](#) to ensure the cleanup of toxic coal ash at these sites. Back in 2013, Maryland Department of the Environment issued a Consent Order, based on information provided by Potomac Riverkeeper and Patuxent Riverkeepers along with Environmental Integrity Project, that the coal ash landfills operated by GenOn at Brandywine, Faulkner, and Westland landfills were leaching toxic chemicals into groundwater and had contaminated numerous private drinking water wells of residents. This order required payment of a fine of \$1.8 million dollars to the state of Maryland, as well as remediation of these sites. Unfortunately, for two of the sites – Faulkner and Brandywine Fly Ash Landfills – virtually nothing has been accomplished since that time and residents continue to suffer the impacts of this toxic pollution.

Why Maryland Needs to Act Now

Many of our communities have been impacted by the legacy of toxic coal ash that has been stored in leaking ponds along the banks of the Potomac, James, Patuxent, Susquehanna and many other rivers and



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc.
a 501(c)3 tax-exempt nonprofit organization #54-1982624 EarthShare # 87828 * CFC # 87828
Recognized as "one of the best small nonprofits" by the Catalogue for Philanthropy



streams. Coal ash is an environmental justice issue because historically a high number of coal-fired power plants and coal ash landfills have been situated in low income communities of color.

The [EPA's 2015 Coal Ash Rule](#) created the first-ever safeguards for coal ash disposal, and ushered in an era of rapid closure of coal-fired power plants. Unfortunately, there is very little compliance with those rules as documented in a [report](#) released in March 2019 by Earthjustice and Environmental Integrity Project revealed widespread coal-ash contamination in 39 states — and at more than 91 percent of the power plants monitored, all in violation of EPA's Rules. It cited the Brandywine coal ash landfill in Maryland's Patuxent River watershed as one of the 10 worst coal ash contamination cases in the country.

The EPA is currently poised to enact new regulations later this year to address legacy pollution from the coal fired power plants the [EPA proposed to establish regulatory requirements for inactive surface impoundments](#) — shallow pits used to store waste — of coal ash at inactive facilities. EPA also proposed to establish groundwater monitoring, corrective action, closure, and post-closure care requirements for all facilities (regardless of how or when the coal ash was placed). Based on the shockingly poor compliance with the 2015 rules, even if these regulations are finalized, we are not confident that there will be significant improvement without independent state enforcement authority. In fact, all of the progress on cleaning up contaminated coal ash sites and remediation drinking water supplies of affected communities, has come through state legislative actions such as the 2015 legislation in North Carolina to require groundwater and surface water monitoring as well as extraction of coal ash waste that either was contaminating or had the potential to contaminate water supplies. And in 2019, Potomac Riverkeeper Network, James Riverkeeper, Southern Environmental Law Center, and a host of other advocates and community groups worked to pass legislation mandates the safe disposal of 28 million tons of toxic coal ash Dominion Energy has stored on the banks of the Potomac, James and Elizabeth Rivers, contaminating the communities in these areas. This bill set a national precedent for how to safely remove a legacy of toxic coal ash stored along our waterways in our region and across the nation.

What the bill will do

It is cases like Morgantown and others that have spurred Potomac Riverkeeper Network and Waterkeepers Chesapeake to work with Del. Mary Lehman, and Senator Michael Jackson to introduce a bill in Maryland that will require an assessment of groundwater and surface water contamination, prioritization of coal ash storage and disposal sites for encapsulated beneficial reuse or disposal in a double-lined landfill with leachate collection systems, establishment of a long-term regulatory fee for surface impoundments of coal ash, and require community input on remediation and recycling plans and a certain percentage of workers hired be from the local, impacted communities. Specifically, this bill will:

- 1) Require an assessment of groundwater and surface water contamination from coal ash and other coal residuals, and identify impacts to drinking water and an alternate supply of water for impacted community members at the expense of the coal company. These plans will be developed through regulations by MDE.
- 2) Prioritization of coal ash impoundments, including landfills, for remediation and removal of the ash from areas where it is in contact with groundwater or surface water as the highest priority due the public health threats; Preference for the ash is reuse through encapsulated beneficial reuse (extraction and

recycling into products such as cement, bricks, or ceramics. If encapsulated beneficial reuse is not possible due to site specific issues, then the ash shall be extracted and disposed of in a double-lined landfill with leachate collection systems;

3) Establishment of a long-term regulatory fee for surface impoundments of coal ash fees to be paid yearly and deposited in a special fund in MDE to provide oversight of coal ash facility closures and ongoing monitoring and enforcement post closure.

4) Creation of an advisory council, that includes community members impacted by coal ash, to evaluate plans created under this bill and implementing regulations, as well as consideration of the plans for these sites following the closure of the coal ash management units. Additionally, this council shall develop plans for local hiring and training to help ensure a more just and equitable future for these communities.

We ask for a favorable vote. Thank you for this opportunity.

Betsy Nicholas
Vice President of Programs
Potomac Riverkeeper Network
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202-423-0504

FINAL HB193 SUPPORT Testimony ET.pdf

Uploaded by: Grace Wilson

Position: FAV



HB193 – ANNE ARUNDEL COUNTY – SPEED LIMITS – ESTABLISHMENT

March 7, 2024

ENVIRONMENT AND TRANSPORTATION

SUPPORT

Grace Wilson, Legislative & Policy Specialist (410.440.1758)

Anne Arundel County Public Schools (AACPS) supports **HB193 – Anne Arundel County – Speed Limits – Establishment**. This bill authorizes Anne Arundel County and municipalities in the county to decrease the maximum speed limit on a highway to 15 miles per hour after performing an engineering and traffic investigation. Additionally, the bill prohibits Anne Arundel County or a municipality from implementing a new speed monitoring system to enforce speed limits on a portion of the highway on which the speed limit has been reduced in accordance with this legislation.

The safety of our students is a top priority for Anne Arundel County Public Schools. As such, AACPS supports legislation that contributes to the safety and well-being of students in school and in the community such as HB193. AACPS believes that the authorizing language contained in this legislation grants Anne Arundel County and AACPS an additional tool that can be used to address and enhance student safety as they travel to and from school. We support any tools available to us that could be used to improve the safety of our students.

Accordingly, AACPS respectfully requests a **FAVORABLE** committee report on HB193.

HB1193 - Written Testimony.pdf

Uploaded by: Jose Coronado Flores

Position: FAV



Testimony in SUPPORT of HB1193
Environment – Coal Combustion By–Products
House - Economic Matters
Jose Coronado-Flores , On Behalf of CASA

March 7th, 2024

Dear Honorable Chair Wilson and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of HB1193 Environment – Coal Combustion By–Products**. CASA is the largest immigrant services and advocacy organization in Maryland, and in the Mid-Atlantic region, with a membership of over 120,000 Black and Latino immigrants and working families in Maryland.

In particular, CASA is invested in seeing this bill pass, because our members are residents in communities like Brandywine and Westport. We also want to stand alongside communities that have been historic dumping grounds for the waste from dirty energy production.

In the Westport area in Baltimore, the community already knows the air is polluted from nearby industry, waste facilities, and major roads. However, with two coal ash waste sites also in close proximity, the effects of pollution may also be impacting the land and water. HB1193 sets to obtain data on water quality near these sites to quantify harm and the extent of local contamination. This legislation also prioritizes the right ways to deal with this waste and sets channels for community engagement and input in the clean up process.

We need data and plans to deal with this waste, and HB1193 sets out to accomplish this, so that we can be on the real path towards remediation and justice for these communities.. For these reasons, CASA urges a favorable report.

Jose Coronado-Flores
Research and Policy Analyst
jcoronado@wearecasa.org, 240-393-7840

HB 1193 Coal Combustion By-Products (Favorable - T

Uploaded by: Mariana Rosales

Position: FAV

Thursday, March 7, 2024

TO: C. T. Wilson, Chair of the House Economic Matters Committee; Marc Korman, Chair of the Environment and Transportation Committee, and Committee Members.

FROM: Mariana Rosales, The Nature Conservancy, Director of Climate; Cait Kerr, The Nature Conservancy, State Policy Manager

POSITION: Support HB 1193 Coal Combustion By-Products

The Nature Conservancy (TNC) supports HB 1193 offered by Delegate Lehman. HB 1193 aims to improve the tracking, reporting and safe management of coal combustion by-products or CCBs.

Coal ash remains one of our nation's largest toxic industrial waste streams. U.S. coal plants produce approximately 70 million tons every year according to Earth Justice. One of the major coal ash spills occurred in Tennessee at the Kingston Fossil Plant in 2008, when more than 1 billion gallons of toxic coal ash sludge burst from a dam, swept away homes, and contaminated two rivers. As a result, the Environmental Protection Agency laid out the first federal rules for managing this harmful product and the toxins it contains.

It is calculated that across the country, 91% of coal plants are currently polluting groundwater above federal health standards. The Maryland Department of the Environment (MDE)'s CCB regulations were published on November 21, 2008 before the EPA issued the federal regulations governing CCBs that became effective on Oct. 19, 2015. In several areas, federal regulations are more stringent than Maryland's, so MDE convened a workgroup to discuss ways to amend Maryland's CCB regulations to match the federal rule. The workgroup finalized changes in 2018 and additions were proposed in 2019 and 2020.

Due to the significant environmental impacts from CCBs, MDE needs to continue inspection and monitoring activities. CCBs are generated from burning coal to generate electricity. A total of approximately 2 million tons of coal ash is generated annually from Maryland plants. CCBs are either disposed or beneficially used. Disposal of fly ash and bottom ash occurs in surface impoundments or landfills. Beneficial uses of coal ash include mine reclamation, structural fill applications, or as a substitute for cement in the production of concrete.

Under HB 1193 MDE and the Department of Natural Resources will have more information available about the use given to coal combustion byproducts. If CCBs are not managed properly, these materials can be released into the environment. Many coal ash dumps remain unregulated due to sweeping exemptions for legacy coal ash ponds and inactive landfills. The exempted coal ash dumps are sited disproportionately in low-income communities and communities of color. Maryland has 21 coal ash dumpsites, 18 of which are unregulated.

Maryland's legacy of harm from coal ash includes the poisoning of drinking water with heavy metals in Gambrills, MD, an environmental justice community. Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, molybdenum, radium, selenium, and other heavy metals, which have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm.

TNC congratulates the work of those who introduced HB 1193, which follows through on the Federal and state intentions to keep a clean healthy, environment with safe access to water for all.

Therefore, we urge a favorable report on HB 1193.

Coal Ash Briefing.pdf

Uploaded by: Mary Lehman

Position: FAV



CHESAPEAKE BAY COAL ASH RESOURCES

Richard Ortt - Director, Resource Assessment Services
Bob Sadzinski - Director, PPRP
Paul Petzrick - Senior Engineer, PPRP

PROBLEM:

- Coal ash contains heavy metals: arsenic, chromium, lead, and mercury
- 68 identified coal ash sites in Maryland
- 696,000 tons of ash removed in Maryland in 2023.
- Over 9,500 acres are currently impacted by past mining practices in Maryland
- Historically, 100 coal-fired power plants in the Chesapeake Bay watershed left behind ~700 million tons of ash.



The Brandywine Ash Deposit in Maryland is considered by environmental groups to be among the ten worst ash disposal sites in the United States.

Leachate into the Bay from Coal Ash has the potential to:

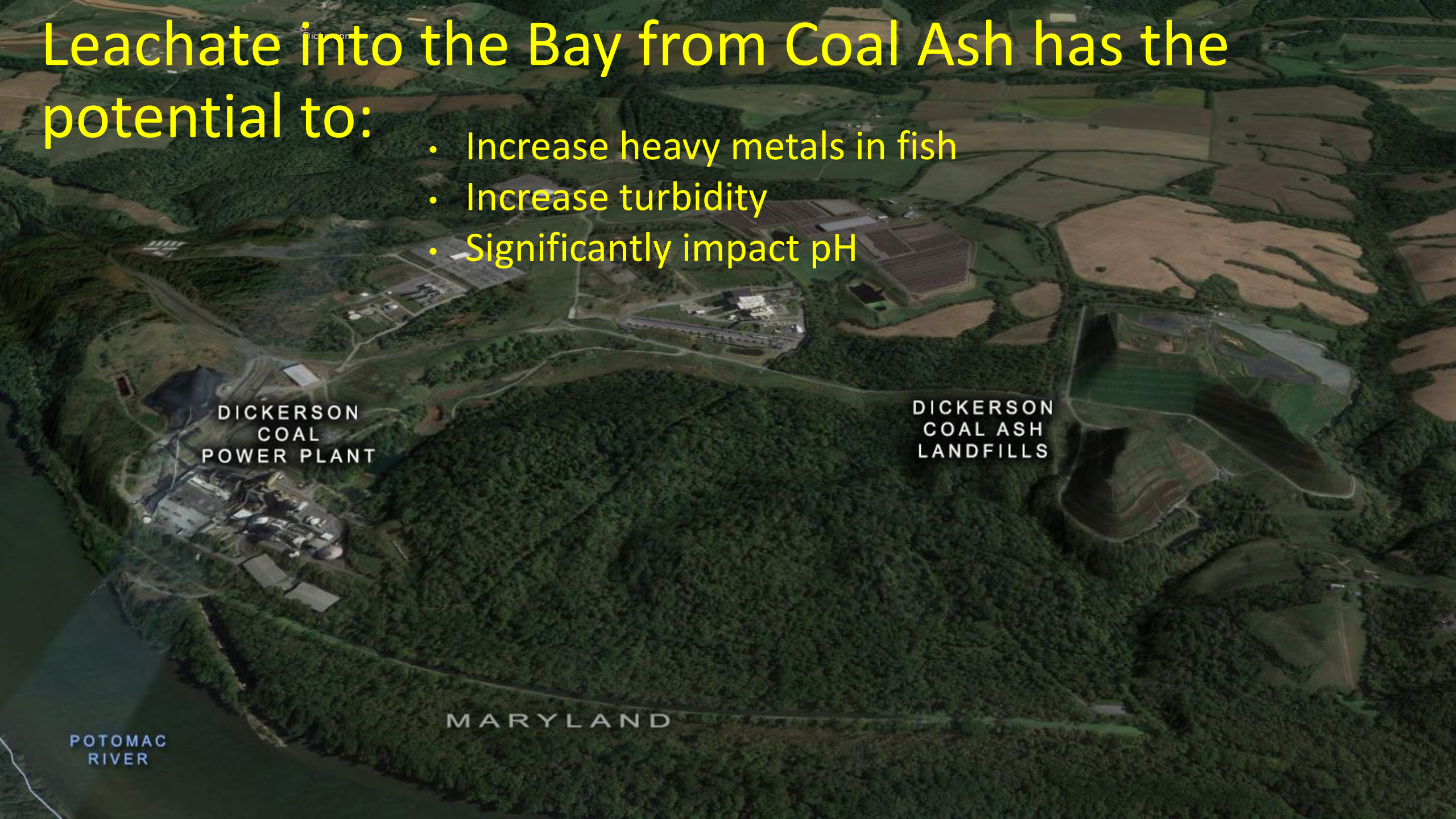
- Increase heavy metals in fish
- Increase turbidity
- Significantly impact pH

DICKERSON
COAL
POWER PLANT

DICKERSON
COAL ASH
LANDFILLS

MARYLAND

POTOMAC
RIVER





Brandywine
Ash Site:
7 million
cubic yards of
Ash

300 acres



Westland Ash Site

Westland Ash Site:

- Closed in 2020
- 3.5 million cubic yards

Aerial Photo Luke Paper Mill Site Highlighting the Ash Deposit

LUKE MILL
COAL ASH
LANDFILL
30 ACRES



Development Over an Ash Deposit –

- Waugh Chapel Shopping Center.
- Significant groundwater contamination



Department of Natural Resources / Power Plant Research Program Tasks Accomplished



- Inventory, map, and characterize coal ash deposits using historical data and LiDAR to track erosion.
- Chemically analyze ash deposits
- Monitor existing usage of ash
- Worked with Private Industry to develop a restoration group to plan, harvest, and transport CCBs.
- Continue dialog with industry to increase sales to cement, concrete, and clay product industries.
- Drafted the Coal Ash Resources of Maryland report and Coal Ash Resources of Chesapeake Bay (in review by CBP)

PPRP's Coal Ash Resources in Maryland Report

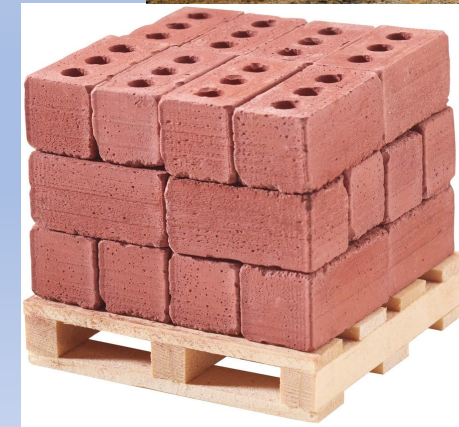
- Purpose: to identify coal ash deposits in Maryland based on aerial photos, historical records and online searches.
- Currently identified over 68 sites in Maryland
- Provides site-specific data including:
 - Owner
 - Quantity
 - Acreage
 - Material source
 - History
 - Systematic sampling



Cement Substitution



- Much of the coal ash in Maryland can be recycled into stabilized products such as drywall, concrete, grout, bricks, and tile.
- Presently 2 million tons of ash are recycled from the Chesapeake Bay watershed each year. (700K from MD). Four million tons to date from MD.
- Developed a flowable fill material that can be used for grouting, filling voids, and other structural needs.

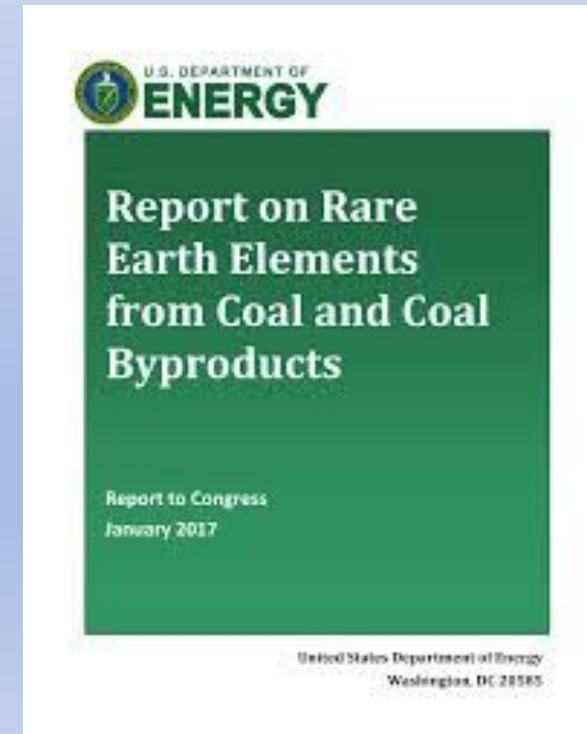
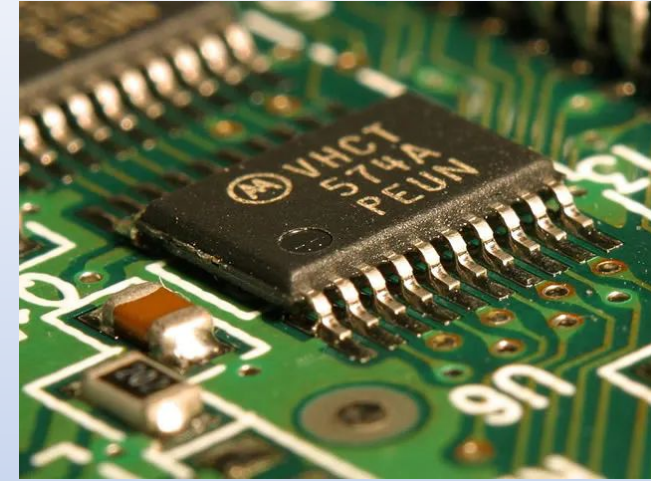


Frostburg State University – Inserting ash grout into abandoned mine voids beneath the campus in 2018.



PPRP's Continued and Future Research

- Port of Baltimore funded a feasibility study to build a brick plant using dredged material and coal ash.
- Discussions with a tile manufacturer to build a plant in North America, preferable in Maryland using coal ash as a key ingredient.
- Advances in the automobile industry to use ash in metal matrixes to reduce weight.
- Electronic chips - using ash in a ceramic mixture of the base making the US less dependent on foreign markets
- Encourage the USGS to monitor coal ash deposit sites using LiDAR - and its possible aerial migration
- Continue to explore rare earth element extractions from coal ash.



Coal Ash Locations.pdf

Uploaded by: Mary Lehman

Position: FAV

Maryland Coal Ash Disposal Sites 2-29-2024

SITE COUNT	COUNTY	SITE NAME
1	Allegany	Amcelle Rubble Landfill
2	Allegany	Cabin Run (Warrior Run ash)
3	Allegany	Cobra Mining
4	Allegany	Cumberland #1
5	Allegany	Cumberland #2
6	Allegany	Cumberland #3
7	Allegany	G&S Coal #4
8	Allegany	Mt View landfill
9	Allegany	PPG
10	Allegany	Ritchie Trucking and Excavating
11	Allegany	Tri-Star Mining #3
12	Allegany	Tri-Star Mining #4
13	Allegany	Vindex Energy #4
14	Allegany	Vindex Energy #5
15	Allegany	Vindex Energy Carlos
16	Allegany	Walker Brothers
17	Anne Arundel	BBSS
18	Anne Arundel	Brandon Woods
19	Anne Arundel	Joy/Boehm Landfill
20	Anne Arundel	Millersville Landfill
21	Anne Arundel	Solley Road Landfill
22	Anne Arundel	Wagner
23	Baltimore City	Cherry Hill Site
24	Baltimore City	Fort Armistead
25	Baltimore City	Pennington Ave
26	Baltimore City	Quarantine Road
27	Baltimore City	Reed Bird
28	Baltimore City	Thomas Cove
29	Baltimore City	Westport
30	Baltimore County	Battle Grove
31	Baltimore County	Charlesmont
32	Baltimore County	Coffin Point
33	Baltimore County	CP Crane
34	Baltimore County	1695 Sparrows Point
35	Baltimore County	Norris Farm
36	Baltimore County	Patapsco Flats
37	Baltimore County	Peach Orchard Cove
38	Baltimore County	Pumphrey Substation
39	Baltimore County	Riverside Power Plant
40	Baltimore County	Rossville Industrial Park
41	Charles County	Faulkner

42	Charles County	Morgantown Power Plant
43	Charles County	Waldorf Site
44	Dorchester County	Vienna site 1 and 2
45	Garrett County	ARJ Construction Site (Garrett co)
46	Garrett County	G&S Coal #1
47	Garrett County	G&S Coal #2
48	Garrett County	G&S Coal #3
49	Garrett County	G&S Coal
50	Garrett County	Moran Coal Co. #2
51	Garrett County	Moran/Luke Mill
52	Garrett County	Savage Mt Minerals
53	Garrett County	Tri Star Mining
54	Garrett County	Tri Star Mining #2
55	Garrett County	Vindex Energy Corp. Island South
56	Harford Co	Joppa Sand and Gravel
57	Montgomery Co	Dickerson Power Plant
58	Montgomery Co	Westland
59	PG Co	Blue Plains
60	PG Co	Brandywine
61	PG Co	Chalk Pt
62	PG Co	Dyson Road
63	PG Co	Kenilworth Ave
64	PG Co	Piscataway 1, 2, and 3
65	PG Co	Ritchie Road
66	PG Co	Woods Corner
67	Queen Anne's	Rt 301/213 Overpass
68	Washington Co	Hagerstown Power Plant
69	Washington Co	RP Smith, Maryland side
70	Wicomico	Newland Park Landfill

Coal Ash Map.pdf

Uploaded by: Mary Lehman

Position: FAV

HB1193 AMENDMENT.pdf

Uploaded by: Mary Lehman

Position: FAV



HB1193/243127/1

AMENDMENTS PREPARED BY THE DEPT. OF LEGISLATIVE SERVICES
04 MAR 24 15:08:20

BY: Delegate Lehman
(To be offered in the Economic Matters Committee and the
Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 1193
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the sources of funds for the State Coal Combustion By-Products Management Fund;”; strike beginning with “owner” in line 3 down through the first “the” in line 4; in line 4, after “Environment” insert “to adopt certain regulations pertaining to coal combustion by-products units”; strike beginning with “and” in line 4 down through “plans” in line 6; in line 6, after “before” insert “a”; in the same line, strike “dates” and substitute “date”; strike beginning with “owner” in line 6 down through the first “the” in line 8; in line 8, after “Department” insert “to establish and collect a certain fee; requiring the Department to base a certain fee on certain factors”; strike beginning with “of” in line 8 down through “exception” in line 18; in line 19, strike “of the Environment”; and after line 25, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 9-282

Annotated Code of Maryland

(2014 Replacement Volume and 2023 Supplement)”.

On page 2, in line 1, strike “9-293.11” and substitute “9-293.5”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“9-282.

- (a) There is a State Coal Combustion By-Products Management Fund.
- (b) The Fund shall consist of:
- (1) Fees collected by the Department under [§ 9-283] §§ 9-283 AND 9-293.3 of this subtitle;
- (2) Funds appropriated by the General Assembly for deposit to the Fund; and
- (3) Any additional money made available from any sources, public or private, for the purposes for which the Fund has been established.
- (c) (1) The Fund is a special, continuing, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
- (2) Notwithstanding any law to the contrary, unused money in the Fund may not revert to the General Fund.
- (d) The Fund shall be maintained and administered by the Department in accordance with the provisions of this part and any regulations the Department adopts.

On page 3, in line 3, strike “ALL APPLICABLE” and substitute “INDUSTRY”; in the same line, after “STANDARDS” insert “APPLICABLE TO THE PRODUCT”; in line 6, strike “(1)”; strike in their entirety lines 9 and 10, inclusive; and in line 27, after “(A)” insert “ON OR BEFORE APRIL 1, 2026, THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING EACH OWNER OR OPERATOR OF A COAL COMBUSTION BY-PRODUCTS UNIT IN THE STATE TO:”

(1) (I) IDENTIFY THE LOCATION AND CONTENTS OF ALL COAL COMBUSTION BY-PRODUCTS DISPOSAL SITES AT THE UNIT;

(II) DESCRIBE ALL LINERS OR OTHER SYSTEMS OR MANAGEMENT ACTIVITIES UNDERTAKEN TO PROTECT AGAINST DISCHARGES OR OTHER ENVIRONMENTAL HAZARDS EMANATING FROM THE UNIT; AND

(III) DESCRIBE ANY ACTIONS TO REMOVE OR BENEFICIALLY REUSE COAL COMBUSTION BY-PRODUCTS AT THE UNIT;

(2) MONITOR AND, AT LEAST ONCE EACH CALENDAR YEAR, SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE FOLLOWING FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR:

(I) ANY DISCHARGES FROM THE UNIT TO:

1. SURFACE WATERS; OR

2. GROUNDWATER; AND

(II) ANY CONTAMINATION OF DRINKING WATER SUPPLIES IN AN AREA WITHIN 1 MILE OF THE UNIT;

(3) PROVIDE ALTERNATIVE WATER SUPPLIES TO ANY RESIDENT WHOSE DRINKING WATER IS IDENTIFIED AS CONTAMINATED IN EXCEEDANCE OF APPLICABLE GROUNDWATER OR DRINKING WATER STANDARDS; AND

(4) SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT ON:

(Over)

(I) THE AMOUNT OF COAL COMBUSTION BY-PRODUCTS THAT HAVE BEEN AND ARE EXPECTED TO BE USED FOR:

- 1. BENEFICIAL USE; AND**
- 2. ENCAPSULATED BENEFICIAL USE;**

(II) ANY CLOSURE ACTIVITIES UNDERTAKEN, INCLUDING CLOSURE ACTIONS TAKEN TO COMPLY WITH APPLICABLE FEDERAL REQUIREMENTS; AND

(III) THE AMOUNT OF COAL COMBUSTION BY-PRODUCTS REMOVED OR PLACED INTO LINED LANDFILLS AND THE AMOUNT OF COAL COMBUSTION BY-PRODUCTS REMAINING AT THE UNIT AFTER THE REMOVAL OR PLACEMENT INTO LINED LANDFILLS".

On pages 3 and 4, strike beginning with “**(1)**” in line 27 on page 3 down through “**DISCHARGES**” in line 14 on page 4.

On page 4, in line 15, after “**(B)**” insert “**THE DEPARTMENT SHALL MAKE EACH REPORT SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION PUBLICLY AVAILABLE**”.

On pages 4 and 5, strike beginning with “**(1)**” in line 15 on page 4 down through “**EXISTS**” in line 21 on page 5.

On page 5, after line 22, insert:

“(A) (1) BY REGULATION, THE DEPARTMENT SHALL ESTABLISH AND COLLECT A FEE TO BE PAID BY AN OWNER OF A COAL COMBUSTION BY-PRODUCTS UNIT.

(2) THE FEE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SEPARATE FROM AND IN ADDITION TO THE FEE ESTABLISHED AND COLLECTED UNDER § 9-283 OF THIS SUBTITLE.

(B) THE DEPARTMENT SHALL BASE THE FEES ON THE FOLLOWING FACTORS:

(1) THE VOLUME OF COAL COMBUSTION BY-PRODUCTS:

(I) DISPOSED OF AT EACH UNIT; AND

(II) THAT REMAIN IN LANDFILLS, IMPOUNDMENTS, OR OTHER STORAGE UNITS AT EACH UNIT;

(2) THE EXTENT TO WHICH COAL COMBUSTION BY-PRODUCTS AT THE UNIT ARE BEING USED FOR BENEFICIAL USE;

(3) WHETHER THE COAL COMBUSTION BY-PRODUCTS ARE TRANSPORTED FOR USE OR DISPOSAL OUT-OF-STATE;

(4) TO THE EXTENT TO WHICH DISCHARGES FROM THE UNIT CONSTITUTE THREATS TO PUBLIC HEALTH OR THE ENVIRONMENT; AND

(5) OTHER FACTORS THE DEPARTMENT CONSIDERS APPROPRIATE.

(Over)

(C) THE DEPARTMENT MAY WAIVE THE FEE ESTABLISHED UNDER THIS SECTION IF THE OWNER OF THE COAL COMBUSTION BY-PRODUCTS UNIT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT ALL COAL COMBUSTION BY-PRODUCTS AT THE UNIT ARE DESIGNATED BY CONTRACT OR OTHERWISE COMMITTED FOR:

- (1) ENCAPSULATED BENEFICIAL USE; OR
- (2) DISPOSAL AT A PERMITTED DISPOSAL FACILITY.

(D) THE FEES COLLECTED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE DEPOSITED INTO THE STATE COAL COMBUSTION BY-PRODUCTS MANAGEMENT FUND UNDER § 9-282 OF THIS SUBTITLE AND USED IN ACCORDANCE WITH § 9-284 OF THIS SUBTITLE.

(E) THE FEES IMPOSED SHALL BE SET AT THE RATE NECESSARY TO IMPLEMENT THE PURPOSES SET FORTH IN § 9-284 OF THIS SUBTITLE, INCLUDING THE DEVELOPMENT AND IMPLEMENTATION OF REMEDIAL ACTIVITIES AND PROGRAMS OR INITIATIVES TO ADDRESS RISKS TO HUMAN HEALTH AND THE ENVIRONMENT RELATED TO THE MANAGEMENT OF COAL COMBUSTION BY-PRODUCTS.”.

On pages 5 through 7, strike in their entirety the lines beginning with line 23 on page 5 through line 15 on page 7, inclusive.

On pages 7 through 13, strike in their entirety the lines beginning with line 17 on page 7 through line 3 on page 13, inclusive.

On page 13, in line 7, strike “**9-293.11.**” and substitute “**9-293.5.**”; in lines 14 and 15, strike “**CHAIR OF THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES**” and substitute “**SECRETARY OF COMMERCE**”; in line 15, strike “**CHAIR’S**” and substitute “**SECRETARY’S**”; in the same line, after “**DESIGNEE**” insert “**;**”

(4) THE SECRETARY OF PLANNING, OR THE SECRETARY’S DESIGNEE”;

in line 16, strike “**(4)**” and substitute “**(5)**”; in line 18, strike “**AT LEAST THREE, BUT NOT MORE THAN SIX,**” and substitute “**THREE**”; strike beginning with “**AT**” in line 21 down through “**FIVE**” in line 23 and substitute “**THREE**”; and in line 23, after “**COMMUNITIES**” insert “**;****AND**”

(III) THREE REPRESENTATIVES OF NONGOVERNMENTAL ORGANIZATIONS WITH EXPERTISE REGARDING:

- 1. SOLID WASTE; OR**
- 2. WATER POLLUTION**”.

On page 14, in line 8, after “**SHALL**” insert “**;**”

(1) DISCUSS”;

in lines 8 and 9, strike “**ADVISE THE DEPARTMENT AND THE POWER PLANT RESEARCH PROGRAM ON**”; in line 10, after “**STORAGE**” insert “**;**”

(2) ADDRESS RISKS TO HUMAN HEALTH AND THE ENVIRONMENT RELATED TO THE MANAGEMENT OF COAL COMBUSTION BY-PRODUCTS; AND

(Over)

(3) IDENTIFY STRATEGIES TO PROMOTE AND INCENTIVIZE:

(i) ENCAPSULATED BENEFICIAL USE OF COAL COMBUSTION BY-PRODUCTS; AND

(ii) THE ECONOMIC REDEVELOPMENT OF PRIOR COAL COMBUSTION SITES”;

in lines 10 and 11, strike “AND ITS IMPACT ON THE HEALTH AND SAFETY OF NEIGHBORING COMMUNITIES”; and after line 11, insert:

“(H) THE ADVISORY COUNCIL SHALL MEET AT LEAST ONCE EACH YEAR.”.

HB1193 LEHMAN TESTIMONY.pdf

Uploaded by: Mary Lehman

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**HB 1193 ENVIRONMENT – COAL COMBUSTION BY-PRODUCTS
SUPPORT WITH AMENDMENTS**

GOOD AFTERNOON CHAIR WILSON, VICE CHAIR CROSBY, AND COLLEAGUES. FOR THE RECORD I'M DELEGATE MARY LEHMAN ASKING YOUR FAVORABLE REPORT OF HB 1193 WITH AMENDMENTS.

HB 1193 AIMS TO PROTECT SURFACE WATER, GROUND WATER, AND DRINKING WATER PLUS THE OVERALL ENVIRONMENT FROM THE POLLUTING EFFECTS OF ABOUT 700 MILLION TONS OF COAL ASH THAT THE MD DEPT. OF NATURAL RESOURCES ESTIMATES HAS BEEN LEFT BY COAL-FIRED POWER PLANTS AT APPROXIMATELY 68 SITES THROUGHOUT THE STATE.

COAL ASH, ALSO KNOWN AS FLY ASH OR COAL COMBUSTION RESIDUALS (CCRs), IS PRODUCED PRIMARILY FROM THE BURNING OF COAL IN COAL-FIRED POWER PLANTS. "COAL ASH CONTAINS HAZARDOUS POLLUTANTS INCLUDING ARSENIC, BORON, COBALT, CHROMIUM, LEAD, LITHIUM, MERCURY, RADIUM, SELENIUM, AND OTHER HEAVY METALS, WHICH HAVE BEEN LINKED TO CANCER, HEART AND THYROID DISEASE, REPRODUCTIVE FAILURE, AND NEUROLOGICAL HARM."¹

WHILE THE FEDERAL EPA PROMULGATED REGULATIONS IN 2015 TO ADDRESS COAL ASH POLLUTION, "MOST COAL ASH DUMPS REMAIN UNREGULATED DUE TO SWEEPING EXEMPTIONS FOR LEGACY COAL ASH PONDS AND INACTIVE LANDFILLS,"² INCLUDING MANY IN MARYLAND.

¹ <https://waterkeeperschesapeake.org/buried-but-not-forgotten-coal-ash-in-the-chesapeake/>.

² <https://waterkeeperschesapeake.org/buried-but-not-forgotten-coal-ash-in-the-chesapeake/>.

ADDITIONALLY, WHILE THE EPA RECENTLY PROPOSED NEW REGULATIONS IN 2023, THESE PROPOSED RULES WILL SEEK TO SET A NATIONAL STANDARD AND ARE UNLIKELY TO SUFFICIENTLY ADDRESS THE COAL ASH PROBLEM IN MARYLAND. FOR EXAMPLE, THE AGENCY IS NOT EXPECTED TO ADDRESS COAL ASH THAT WAS DUMPED OFF SITE, AWAY FROM THE POWER PLANT, OR USED AS FILL. IN THE EARLY 1990'S ANNE ARUNDEL COUNTY PASSED A LAW ENCOURAGING THE USE OF COAL ASH AS FILL IN THE PROCESS OF RECLAIMING OLD SAND AND GRAVEL PITS. THERE OF COURSE WAS NO RECOGNITION AT THE TIME THAT COAL ASH USED IN THIS WAY WOULD NOT STAY STATIONARY BUT WOULD MIGRATE OFFSITE.

POWER PLANTS IN MARYLAND HAVE HISTORICALLY DUMPED THEIR COAL ASH INTO UNLINED LANDFILLS THAT CAN LEAK AND "POLLUTE GROUNDWATER AND SURFACE WATERWAYS."³ IN 2024, ALL BUT TWO COAL FIRED POWER PLANTS IN MARYLAND HAVE BEEN PHASED OUT, HOWEVER, THE POLLUTION HAS REMAINED. AT A BRIEFING BEFORE THE ENVIRONMENT AND TRANSPORTATION COMMITTEE IN JANUARY 2024, DNR IDENTIFIED AT LEAST 68 SITES WHERE COAL ASH REMAINS IN VARYING STATES WITH EVIDENCE THAT IT CONTINUES TO POLLUTE OUR ENVIRONMENT AND POSE SERIOUS HEALTH RISKS TO MARYLANDERS.

AS OF FEB. 29, 2024, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES THROUGH ITS POWER PLANT RESEARCH PROGRAM HAS IDENTIFIED AT LEAST 68 COAL ASH SITES ACROSS 13 COUNTIES. HOWEVER, BECAUSE OF THE POTENTIAL FOR ASH TO MIGRATE AND POLLUTE SURFACE AND GROUND WATER, AIR AND SOIL, THE, RESIDENTS IN *EVERY* MARYLAND COUNTY ARE AT RISK OF BEING EXPOSED TO COAL ASH CONTAMINATION.

EARTHJUSTICE'S ENVIRONMENTAL INTEGRITY PROJECT RELEASED A REPORT IN 2022 THAT FOUND THAT 91% OF COAL ASH SITES IN THE US ARE "CURRENTLY POLLUTING GROUNDWATER ABOVE FEDERAL HEALTH STANDARDS WITH TOXIC POLLUTANTS."⁴ THIS BILL ADDRESSES THE URGENT NEED TO REGULATE AND CLEAN UP THESE TOXIC COAL-ASH SITES.

³ <https://waterkeeperschesapeake.org/buried-but-not-forgotten-coal-ash-in-the-chesapeake/>.

⁴ <https://earthjustice.org/feature/coal-ash-states/maryland>.

FUTHERMORE, WATER KEEPERS OF THE CHESAPEAKE AND OTHER ADVOCACY GROUPS CONSIDER COAL ASH POLLUTION “AN ENVIRONMENTAL JUSTICE ISSUE BECAUSE HISTORICALLY A HIGH NUMBER OF COAL-FIRED POWER PLANTS AND COAL ASH LANDFILLS HAVE BEEN SITUATED IN LOW INCOME COMMUNITIES OF COLOR.”⁵

THIS BILL REQUIRES POWER PLANTS TO:

- IDENTIFY ALL OF THEIR ONSITE AND OFFSITE COAL ASH DISPOSAL SITES;
- IDENTIFY KNOWN AND POTENTIAL LEAKS OF CONTAMINATION TO GROUND AND SUFRACE WATER;
- DEVELOP AND SUBMIT CLOSURE PLANS FOR THEIR COAL ASH STORAGE SITES INCLUDING A PLAN CONCERNING THE EXTRACTION OF THE COAL ASH WASTE WITH EITHER A DOUBLE LINED LANDFILL OR RECYCLING FOR ENCAPSULATED BENEFICIAL REUSE IN CONCRETE SO THAT THE HAZARDOUS CHEMICALS ARE BOUND; AND
- PAY A FEE TO COVER ADMINISTRATIVE COSTS OF MANAGING AND PERMITTING REMOVAL OF THIS WASTE.

HB 1193 ALSO MANDATES THE CREATION A COMMUNITY ADVISORY COUNCIL, CONSISTING OF LOCAL RESIDENTS FROM IMPACTED COMMUNITIES WHO WILL FINALLY HAVE A SAY ABOUT THE CLEANUP AND THE SAFETY OF THEIR COMMUNITIES.

THERE ARE ADDITIONAL AMENDMENTS TO THIS BILL THAT:

1. DIRECT MDE TO WRITE WATER QUALITY MONITORING REGULATIONS IN PLACE OF THE MONITORING SPECIFICATIONS CURRENTLY OUTLINED IN THE BILL.
2. STRIKE ALL OF THE TRANSPORTATION PLANNING REQUIREMENTS, INCLUDING LOCAL HIRING AND ORGANIZED LABOR PROVISIONS.
3. CREATE A NEW FEE ON INDUSTRY.
4. MAKE ALTERATIONS TO THE COMMUNITY ADVISORY COUNCIL.

MARYLANDERS SHOULD NO LONGER HAVE TO INCUR THE TOXIC IMPACTS OF THIS INDUSTRY’S CARELESS AND HARMFUL ACTIONS IN FAILING TO CLEANUP THE TONS OF COAL ASH THAT HAS BEEN PRODUCED FROM THEIR FACILITIES.

⁵ <https://waterkeeperschesapeake.org/buried-but-not-forgotten-coal-ash-in-the-chesapeake/>.

HB 1193 IS A STEP FORWARD IN CLEANING UP OUR COMMUNITIES, GIVING LOCAL RESIDENTS A SAY IN THAT PROCESS, AND HOLDING POWER PLANTS ACCOUNTABLE FOR THE POLLUTION THEY CAUSED.

THANK YOU AND I URGE A FAVORABLE REPORT.

FAV_HB1193 Coal Combustion By-Products.pdf

Uploaded by: Robin Broder

Position: FAV



Maryland Conservation Council
Protecting Maryland's Natural Heritage Since 1969



SIERRA CLUB
MARYLAND CHAPTER

HB1193 - Coal Combustion By-Products

Hearing Date: Wednesday, March 7, 2024

Position: FAVORABLE (with sponsor amendments)

Dear Chair Wilson and Members of the Economic Matters Committee:

Waterkeepers Chesapeake and the below signed organizations urge a FAVORABLE report for HB1193 - Coal Combustion By-Products as amended by the sponsor. HB1193 will require an assessment of groundwater and surface water contamination from coal ash, prioritization of coal ash storage and disposal sites for encapsulated beneficial reuse or disposal in a double-lined landfill with leachate collection systems, establishment of a long-term regulatory fee for surface impoundments of coal ash, and require community input on remediation and recycling plans encourage local hiring of workers from the impacted communities.

The Problem

Maryland has a toxic problem that has been buried and often forgotten or ignored – the ash and residual materials from the generations of burning coal. **Maryland's Power Plant Research Program has identified 50 million tons of coal ash in the state of Maryland at 70 different sites** (see coal ash site map below). Coal ash, also referred to as coal combustion residuals (CCRs) or byproducts (CCBs), is produced primarily from the [burning of coal in coal-fired power plants](#). Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, radium, selenium, and other heavy metals, which have been linked to [cancer, heart and thyroid disease, reproductive failure, and neurological harm](#). Without proper management, these contaminants can pollute groundwater and surface waterways and the air causing severe health issues.

Riverkeepers and other groups have spent several years [taking action](#) to ensure the cleanup of toxic coal ash at these sites. Back in 2013, Maryland Department of the Environment issued a Consent Order, based on information provided by Potomac Riverkeeper and Patuxent Riverkeeper, along with Environmental Integrity Project, that the coal ash landfills operated by GenOn at Brandywine, Faulkner, and Westland landfills were leaching toxic chemicals into groundwater and had contaminated numerous private drinking water wells of residents. This order required payment of a fine of \$1.8 million dollars to the state of Maryland, as well as remediation of these sites. Unfortunately, for two of the sites –

Faulkner and Brandywine Fly Ash Landfills – virtually nothing has been accomplished since that time and residents continue to suffer harm from this toxic pollution.

Why Maryland Needs to Act Now

Many of our communities have been impacted by the legacy of toxic coal ash that has been stored in leaking ponds along the banks of the Potomac, Patuxent, Susquehanna and many other rivers and streams in the Chesapeake Bay region. **Coal ash is an environmental justice issue because historically a high number of coal-fired power plants and coal ash landfills have been situated in low income communities of color such as Brandywine and the Baltimore area** (see map of coal ash sites below).

The [EPA's 2015 Coal Ash Rule](#) created the first-ever safeguards for coal ash disposal, and ushered in an era of rapid closure of coal-fired power plants. Unfortunately, there is very little compliance with those rules as documented in a [report](#) released in March 2019 by Earthjustice and Environmental Integrity Project revealed widespread coal ash contamination in 39 states — and at more than 91 percent of the power plants monitored, all in violation of EPA's Rules. It cited the Brandywine coal ash landfill in the Patuxent River watershed as one of the 10 worst coal ash contamination cases in the country.

The EPA is poised to enact new regulations to address legacy pollution from the coal fired power plants. The [EPA proposed to establish regulatory requirements for inactive surface impoundments](#) — shallow pits used to store waste — of coal ash at inactive facilities. EPA also proposed to establish groundwater monitoring, corrective action, closure, and post-closure care requirements for all facilities (regardless of how or when the coal ash was placed). Based on the shockingly poor compliance with the 2015 rules, even if these regulations are finalized, **we are not confident that there will be significant improvement without independent state enforcement authority**. In fact, all of the progress on cleaning up contaminated coal ash sites and remediation drinking water supplies of affected communities, has come through state legislative actions such as the 2015 legislation in North Carolina to require groundwater and surface water monitoring as well as extraction of coal ash waste that either was contaminating or had the potential to contaminate water supplies. And in 2019, Potomac Riverkeeper Network, James Riverkeeper, Southern Environmental Law Center, and a host of other advocates and community groups worked to pass legislation that mandated the safe disposal of 28 million tons of toxic coal ash Dominion Energy has stored on the banks of the Potomac, James and Elizabeth Rivers, contaminating the communities in these areas. This bill set a national precedent for how to safely remove a legacy of toxic coal ash stored along our waterways in our region and across the nation. **We call on Maryland to act, too.**

What the Bill Will Do

HB1193 will require an assessment of groundwater and surface water contamination from coal ash, prioritization of coal ash storage and disposal sites for encapsulated beneficial reuse or disposal in a double-lined landfill with leachate collection systems, establishment of a long-term regulatory fee for surface impoundments of coal ash, and require community input on remediation and recycling plans and a certain percentage of workers hired be from the local, impacted communities.

Given the urgency and wide-impact of this toxic coal ash legacy in Maryland, we respectfully request that the committee give a FAVORABLE report for HB1193.

Contact: Robin Broder, Deputy Director, Waterkeepers Chesapeake,
robin@waterkeeperschesapeake.org

Betsy Nicholas, VP of Programs
Dean Naujoks, Potomac Riverkeeper
Brent Walls, Upper Potomac Riverkeeper
Potomac Riverkeeper Network

Elle Bassett
South, West & Rhode Riverkeeper
Arundel Rivers Federation

Ted Evgeniadis
Lower Susquehanna Riverkeeper & Executive
Director
Lower Susquehanna Riverkeeper Association

Fred Tutman
Patuxent Riverkeeper

Alice Volpitta
Baltimore Harbor Waterkeeper
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Evan Isaacson
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Tom Taylor
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Beaverdam Creek Watershed Watch Group

Greg Bowen
Executive Director
American Chestnut Land Trust

Virginia Smith
Indivisible HoCoMD

HB1193_IndivisibleHoCo_FAV_Virginia Smith.pdf

Uploaded by: Virginia Smith

Position: FAV



HB1193

Environment - Coal Combustion By-Products

Testimony before House Economic Matters Committee

Hearing March 7, 2024

Position: Favorable

Dear Chair Wilson and Vice-Chair Crosby, and members of the committee, my name is Virginia Smith, and I represent the 700+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today **in support of HB1193**, which would require the owner or operator of a coal combustion by-products unit to submit certain reports and plans, including water surveys, to the Department of the Environment and the Power Plan Research Program. We thank Delegate Lehman and many of her colleagues for introducing this important legislation.

Coal ash has been found to contain many hazardous pollutants, including arsenic, chromium, and lead, which can lead to cancer, heart disease, thyroid disease, reproductive failure, and many other serious health conditionsⁱ. Unfortunately, Maryland currently has at least 21 coal ash dumpsites, and the industry data itself shows that 91% of the coal ash plants are polluting the local ground waterⁱⁱ. I think these statistics show why something needs to be done.

HB1193 includes numerous requirements that would force the coal industry to identify the coal ash disposal sites, both on and offsite, as well as where potential leaks could lead to drinking water contamination. It also contains requirements for industry to fund replacement water to the communities impacted and pay administrative costs to remove the waste. All aspects of this bill are needed to ensure that these areas are cleaned up and that local communities continue to receive access to clean water for drinking and life.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report.

Virginia Smith
Columbia, MD 21044

ⁱ <https://earthjustice.org/feature/coal-ash-contaminates-our-lives>

ⁱⁱ <https://earthjustice.org/feature/coal-ash-states/maryland>

HB1193Testimony03072024.pdf

Uploaded by: Herbert Jones

Position: FWA

HB1193 - Coal Combustion By-Products

Hearing Date: Thursday, March 7, 2024

In Tantallon and communities across the state, we have witnessed firsthand the devastating

Position: FAVORABLE (with sponsor amendments)

Comments by Herbert H. Jones III – Member of the South County Environmental Justice Coalition

Before the Economic Matters Committee:- Chaired by the Honorable Delegate C.T.Wilson

Good afternoon, Chairman Wilson, Committee Members –my name is Herbert H. Jones III, founding member of the South County Environmental Justice Coalition and the president of the Tantallon North Area Civic Association in Prince George's County, Maryland. We represent over 1800 homeowners in the area. I am here today to urge a favorable report for HB1193 - Coal Combustion By-Products as amended by the sponsor. This bill is critical for the health and well-being of communities like mine that have been adversely impacted by the toxic legacy of coal ash along with a history of environmental injustices.

Our community has been saddled with the burden of having to deal with the aftermath of burning coal, a practice that has left behind millions of tons of coal ash containing hazardous pollutants. These pollutants, including arsenic, lead, mercury, and others, pose serious risks to public health, causing cancer, heart diseases, reproductive issues, and neurological harm. The situation is dire, with coal ash contaminating groundwater, surface waterways, and even the air we breathe, not to mention the impact on our housing values and environmental/health effects of coal ash pollution. Our drinking water sources have been compromised, our health has been put at risk, and our environment has been degraded. The time for action is now.

HB1193 presents a comprehensive approach to addressing the coal ash crisis. By requiring assessments of groundwater and surface water contamination, prioritizing safe storage and disposal of coal ash, establishing regulatory fees, and ensuring community input in remediation plans, this bill lays the groundwork for meaningful change. Additionally, the advisory council's role to include impacted community members ensures that those most affected have a stake in the cleanup process.

It is imperative that Maryland acts swiftly to confront this environmental injustice. The EPA's 2015 Coal Ash Rule has proven insufficient, with widespread violations and continued contamination. State intervention is necessary to protect the health and rights of Maryland residents.

I urge this committee to consider the urgency of the situation and to support HB1193. By doing so, you will not only safeguard the health of communities like mine but also uphold principles of environmental justice and accountability.

Thank you for your attention to this critical issue.

Herbert H. Jones III

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HB1193Testimony03072024.doc

CCAN testimony for coal byproducts .pdf

Uploaded by: Jamie DeMarco

Position: FWA



**Testimony in Support of Better Buildings Act
HB1193
Environment and Transportation Committee
3/7/2024**

**Jamie DeMarco, Maryland Director
Chesapeake Climate Action Network Action Fund**

On behalf of the Chesapeake Climate Action Network Action Fund, I urge a favorable report on HB1193.

No one should worry that there is mercury, cadmium, or arsenic in their drinking water. Coal contains heavy metals that can contaminate water sources near coal plants. This legislation would help ensure that communities living near and around coal power plants have their drinking water protected from contamination.

Best,
Jamie

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HB1193 Testimony.pdf

Uploaded by: Sharon Lawrence

Position: FWA

Sharon Lawrence

HB1193- Coal Combustion By-Product

Position: FAVORABLE (with sponsor amendments)

Hearing Date March 7, 2024

Dear Chairman Wilson and Members of the Economic Matters Committee:

My name is Sharon Lawrence, I am a member of the Board of Directors for the Livingston Woods HOA, and I am submitting this my written support for HB1193-Coal Combustion By-Products. This bill represents a unique opportunity for Maryland to not only address the environmental challenges posed by coal ash but also to harness its potential for economic growth and job creation through recycling and reuse initiatives.

For decades, Maryland has grappled with the aftermath of burning coal, a practice that has left behind millions of tons of coal ash containing hazardous pollutants. These pollutants, including arsenic, lead, mercury, and others, pose serious risks to public health, causing cancer heart diseases, reproductive issues, and neurological harm. Emissions from burning coal also include other heavy metals, which have been linked to developmental damage in humans and animals. We must also consider both fly ash and bottom ash, which are residues created when power plants burn coal. The situation is dire, with coal ash contaminating groundwater, surface waterways, and even the air we breathe. Both the Clean Air Act and the Clean Water Act require industries to reduce pollutants released into the air and water.

The beneficial use of coal ash holds immense promise for our state. By repurposing coal ash for various applications such as cement, bricks and even ceramics, we can achieve significant environmental, economic, and performance benefits. Notably, the recycling and reuse of coal ash can lead to reduced reliance on virgin resources, lower greenhouse gas emissions, decrease cost associated with coal ash disposal and improved strength and durability of materials.

One of the most compelling aspects of coal ash reuse is its role in reducing CO₂ emissions. For every ton of coal ash used in making cement, one ton of CO₂ is saved from being emitted into the atmosphere. This presents a tangible and impactful way to combat climate change while simultaneously addressing the coal ash disposal problem and permanently removing the threat of coal ash to our drinking water supplies.

It is concerning to note that the United States is currently importing coal ash for use in making cement, while tons of coal ash remain unused and potentially harmful when left in the ground. By enacting HB1193, Maryland can reverse this trend and unlock the full potential of coal ash within our state.

Moreover, the recycling and reuse of coal ash have the potential to create local jobs and stimulate economic growth. By investing in innovative technologies and infrastructure for coal ash reuse, Maryland can foster a burgeoning industry that generates employment opportunities and bolster our economy.

Sharon Lawrence

HB1193- Coal Combustion By-Product

Position: FAVORABLE (with sponsor amendments)

Hearing Date March 7, 2024

In conclusion, HB1193 represents a win-win solution for Maryland. By promoting the recycling and reuse of coal ash, we can simultaneously address environmental challenges, reduce CO2 emission, create local jobs, and boot our economy. I passionately urge this committee to support HB1193 and seize the opportunity to harness the full potential of coal ash for the benefit of our state and future generations.

Thank you in advance for your attention to this very important matter.

Sincerely,

Sharon Lawrence

LWHOA

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