



Senate Bill 96
MDE Permitting Authority Bill
March 5, 2024
Favorable

CHARTER MEMBERS
*Representing over 1800
homeowners*

Patricia Monroe
SCEJC Chair and
President, South Lawn Citizens
Association

Tolson Banner Executive
Director, Prince George's County
Community Development
Corporation

Staci Hartwell
Chair Emerita, NAACP
MD State Conference
Environmental and Climate
Justice Committee

Herbert Jones
President, Tantallon North Area
Civic Association

Sharon Lawrence
Board Secretary, Livingston
Woods Homeowners Association

Dee Smith
Strategic Advisor

Zeno St. Cyr, II
Co-Founder, Greater South
County Coalition for Absolute
Progress

Ron Weiss
President, Indian Head
Highway Area Action Council

**SOUTH COUNTY
ENVIRONMENTAL
JUSTICE COALITION**
6316 Oxon Hill Road, 11
Oxon Hill, MD 20750-0011

Dear Chairman Feldman, Vice Chair Kagan, and members of the Senate Education, Energy, and Environment Committee,

My name is Patricia Monroe. I am a resident of District 26, the President of South Lawn Citizens Association and Chair of the South County Environmental Justice Coalition (SCEJC). I am submitting this testimony in support of Senate Bill 96.

I have lived in South Lawn for 20 plus years. My community is very high risk for diesel particulate matter at 90 – 95%, air toxins for cancer at 80-90% and for traffic proximity and related respiratory health issues and thyroid disease at a rate of 90-95%.

For generations, Maryland has made decisions about locating harmful, unhealthy, and dangerous facilities in ways that have overburdened many communities in the state, especially communities of color like where I live in Oxon Hill, Prince George's County, Maryland. Our state doesn't consider how industry impacts a community's health or our climate when permits are issued. Local communities, like mine, are not consulted about where these projects are sited, and in many cases, have been intentionally left entirely out of the process. The PEPCO Battery Energy Storage System is just one example of how the residents were not included in the decision process to place something with health and safety risks in their neighborhood.

The risk of thermal runaway and toxins released into the environment should that have been an incident would have been catastrophic. While the original siting at the Gaylord and National Harbor had the opportunity to fight against something so risky being placed in their neighborhoods, the residents of South Lawn and surrounding neighborhoods did not have this opportunity, as they were not included in the discussions or the decision making at any level.

The Maryland Department of the Environment (MDE) Permitting Authority Bill is a small, but very important, step in addressing environmental racism and injustices in Maryland. The bill would allow MDE to add conditions to permits, or even in some cases, to deny a permit for a facility to add pollution to a community that is already suffering a pollution burden over 75% of other Marylanders. This just makes sense – there is no point in identifying the unjust impacts to a community if those impacts can't be considered in decisions to allow more pollution.

This legislation will:

- Require MDE to conduct an environmental justice evaluation for covered permits in “covered communities,” meaning any census tract with an ‘EJ Score’ above 75, placing the community in the top quarter of the state for disparate pollution burdens, toxic exposures, and other social and health vulnerabilities. These permits include a subset of new and/or renewal pollution permits for some of Maryland’s biggest industrial polluters that pollute above an established threshold.
- Authorize MDE to respond to its environmental justice evaluation by denying, OR imposing conditions on new or renewal permits that would increase pollution in covered communities.
- Authorize MDE to impose conditions on renewal permits even when they would not increase pollution to proactively address environmental justice concerns and prevent further harm.
- Requires MDE to create a webpage of covered pending permits in covered communities and allows MDE to increase permit fees to cover the costs of implementation.

This legislation does not solve these problems that have occurred over generations, but it takes a first step towards justice and equality that is greatly needed. Our communities will no longer stand for being the dumping grounds for the state and we need this bill to pass so that MDE will be allowed to consider environmental injustice impacts when issuing new and renewing permits to pollute.

I respectfully urge this committee to return a favorable report on SB96.

Patricia Monroe

Chair, South County Environmental Justice Coalition