

House Bill 1035 – Oppose
Public Utilities – Electricity Generation Planning – Procurement, Permitting,
and Co-Location
MD House of Delegates

My name is John Garofolo. I am a recently retired federal test and measurement scientist, a computer scientist, an Anne Arundel Watershed Steward, a citizen environmental advocate for my area, and I have previously been on the board of directors of my community association. I also created the volunteer Anne Arundel Patapsco Environmental Coalition because my area of northern Anne Arundel County along the tidal Patapsco River has been struggling with polluters for decades. I have lived in the community of Stoney Beach for 20 years – a beautiful 62-acre peninsula community in Curtis Bay in Northern Anne Arundel County. It would be an oasis if it wasn't surrounded by polluters.

My home and many others are within 1000 feet of the coal-powered Brandon Shores power generation station and even closer to the Wagner power-generation station which was recently converted from coal to other fossil fuels. Our community literally chokes on the fumes of these polluters. We have anecdotal evidence of higher respiratory, cardiac, cancer, and neurological disease in our community and unusual occurrences of these diseases. And I myself suffer from asthma, AFIB, and am a cancer survivor. **When the winds from the power plants next to my home blow our direction or is still, I have trouble breathing and my AFIB flares up.**

Our community has suffered environmental injustice because of these polluters and many others in our area for decades. **The last thing we want is for these old polluters to be replaced with new polluters that we'll be stuck with for decades.** While natural gas is currently being highly touted, it still emits NO₂ which is a respiratory irritant which can contribute to asthma and heart disease. And, if not optimally run, natural gas power plants can emit carcinogenic benzene. They also emit some amount of raw methane – a worse greenhouse gas than CO₂. And they emit CO₂. They are not climate, environment, or community friendly.

Our community has been communicating with Talen Energy for years to plan an end to the pollution that we're being subjected to. We were thrilled to learn in 2019 that Talen planned to shutter both plants by 2025. And Anne Arundel County promised to rezone the area for a purpose more beneficial to surrounding communities – in the vein of what has been done at virtually all other decommissioned polluting power plants in the state. Sadly, the PJM pushback and RMR that came out of left field was already an unwelcome setback. And the challenge of unquenchable energy demands by data centers not even in our state that we are forced to support is frightening. But, the replacement of these polluters with new polluters would be catastrophic for my community and for communities for miles around.

Our work as engaged citizens began in 2015 with the declaration of the entire greater Baltimore area being declared a non-attainment zone for SO₂. We fought hard for a SO₂ monitor for our area since

there was none nearby. Unfortunately, the monitor that MDE was forced to install in 2018 through legislation never worked and its data was disregarded by the EPA and it was decommissioned in 2022. So, we still have no idea how much of this toxic chemical we've been exposed to or other toxic and carcinogenic chemicals emitted by these power plants. While the SO2 mitigation system installed on Brandon Shores in 2010 reduced pollutants, it didn't eliminate them and we still see soot and coal dust appearing around our homes.

Unfortunately, the state continues to refuse to implement effective air quality monitoring in our area or conduct a community health study for fear that it might uncover inconvenient truths. Moreover, our health is threatened by many polluters within just 5 miles of our community including the enormous expanding MPA Cox Creek Dredge Material Containment facility, a petroleum/asphalt processing plant, a chemical plant, multiple toxic material dumps, the horribly polluting Curtis Bay Energy medical incinerator - which is the largest in the country, the CSX coal terminal, and even a radioactive Superfund site. And, we are only two and a half miles directly across the Patapsco from Sparrows Point in which cleanup operations from the pollution from Bethlehem Steel have been ongoing for years. And there are countless other highly contaminated legacy pollution sites within our Zip Code. In addition to the smoke from the power plants, I often also smell the horrible odors of sewage from the waste water treatment plant near my community and the toxic plasticky odor of the Curtis Bay Energy medical waste incinerator nearby. We have so many sources of air pollution that we may never escape them. And our soil is contaminated as is the tidal Patapsco and the sediment in it by benzo(a)pyrene – a carcinogenic chemical created from coal burning. We need a break!

Our communities suffer from economic and home value burdens along with the health burdens from all of these sources of pollution. **Even real estate apps now grade communities on their pollution burden. And mine and homes for miles around have a low score.**

And we have no idea how much the pollution around us has impacted our ability to work because of illness or to the organizations which depend on us and the state and municipalities which have to pay for social services when we're unable to work and need uncovered medical care. The health effects of pollution have largely uncaptured impacts on our state's economy – from significant health costs for citizens, insurers, and the state, to sick days and unemployment that impact businesses, to strain on our medical system, and to depressed home values. We have suffered environmental injustice for decades. The last thing we need is more polluters near our homes. **The hidden costs of pollution to our communities have not been properly measured and assessed. They most certainly should figure into decisions about permitting polluters and recovering costs from known polluters in ways that support overburdened communities.**

While I completely understand the need for reliable energy and the challenges that the state is wrestling with, the weight of the economic and health burdens of that should not be born on the back of environmentally overburdened communities concentrated in particular areas such as the tidal Patapsco. The burden needs to be measured, understood, and fairly shared. Moreover, the negative impacts of

pollution need to be reversed in overburdened communities like those in and near Curtis Bay and around the tidal Patapsco by removing polluters, more heavily monitoring known ones and ensuring their compliance, and constraining permits for modifications which would add to pollution burdens. More effective monitoring can largely be accomplished through automation as pollution sensing technology has improved and become much more economical. Communities need to be made aware of the impacts to their health and the state needs to create an analysis of health data to address the hidden costs of pollution. And communities need to be alerted when there are high-pollution days caused by coal and fossil fuel and waste burning. Part of these critical needs can be addressed by Senate Bill 978.

We've paid for polluting industries with our health for too long. It's time for environmental justice in energy generation permitting, comprehensive compliance monitoring, analysis, and enforcement, and addressing the economic burdens on community health and the cumulative and comprehensive impact of pollution on overburdened communities and the other stakeholders who are indirectly impacted by pollution. And a process is needed that that is more inclusive for impacted communities. Overburdened communities shouldn't have to play jump rope with the existing permitting process that is designed to work against them. And they shouldn't have to continue to pay with their health for the convenience of the rest of the state.

Senate Bill 1035 opens the door to make it easier to replace existing polluting power plants with newer polluting power plants that will never go away. If necessary, I would favor an extension of the RMR while the state takes the proper time to dig into the data and deliberate on creating an energy resiliency plan that is fair and that minimizes the pollution footprint of energy generation in the Maryland – especially for overburdened communities.

I strongly oppose House Bill 1035 and the door it would open for more environmental injustice for overburdened communities. In sharp contrast, the legislation proposed in House Bill 978 would send us on the right trajectory. Maryland can lead the way for environmental justice. We can solve our energy challenges with a carefully thought-out process that doesn't sacrifice the health of already overburdened communities. Maryland should lead the way on leveling the environmental justice playing field for all while it addresses energy resiliency and it should refrain from replacing one polluting power plant with another. We need a fair and just energy generation plan for Maryland.

Sincerely,

John S. Garofolo
Stoney Beach, Curtis Bay, MD