

House Bill 1406 – SUPPORT

Certificate of Public Convenience and Necessity - Environmental Impact Analysis and Existing Burden Report

(CHERISH Our Communities Act for energy-generating facilities)

House Economic Matters Committee

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 environmentalist, 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 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. And we've now been told that they must be kept open until 2029 because the PJM grid operator and BG&E and multiple states on the PJM grid have made poor decisions about electricity reliability as they transitioned away from fossil fuel power plants. I began engaging with the state in 2016 after learning that the entire Greater Baltimore area had been declared a sulfur dioxide non-attainment zone by the EPA because of the power plants next to my home. I fought for an SO2 monitor in my community. I also asked for a study of health data of residents living near the power plant and MDE told me that "it was not possible." In 2018, as required by the legislation that I helped to promote, MDE installed a SO2 monitor in nearby Riviera Beach which was described by the EPA in its 2022 report as antiquated and buggy. At MDE's request, the EPA allowed MDE to remove the monitor instead of replace it. The EPA was forced to disregard the data from the monitor. **Our community has never had actual physical monitoring of its SO2 levels or other toxins emitted by coal burning including NO2, particulates, mercury, and other heavy metals.**

I have been in discussions with Talen Energy, the owner of both power plants, since 2019 on behalf of my community. Talen planned then to shutter these power plants by 2025. Unfortunately, given the now ravenous demand of data centers for electricity – both in VA and now MD -- I don't see that these extreme polluters will ever be shuttered – or they'll be replaced with natural gas boilers which emit toxins that are almost as unhealthy for nearby residential communities. There are thousands of homes within 5 miles of these power plants. And now the future of our health rests on largely economic decisions that the state must make about electricity regulation as electricity demand rises and supply

and electricity consumers remain largely unregulated. However, these decisions impact much more than economic considerations.

We have anecdotal evidence of higher respiratory, cardiac, cancer, and neurological disease in our community – likely due to the power plants next to us. And I myself suffer from asthma, AFIB, and am a cancer survivor. When the winds from the power plants blow our direction, I have trouble breathing and my AFIB flares up. But, the state continues to refuse to implement effective air quality monitoring in our area or conduct a 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. Our communities suffer from economic and home value burdens along with the health burdens. 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 has to pay for social services when we're unable to work and need uncovered medical care.

We have suffered environmental injustice for decades. The last thing we need is more polluting power plants near our homes. But, right now, we're expected to bear the brunt of the pollution from fossil fuel power generation and medical incineration to generate electricity for the state and the entire PJM grid. And, to add insult to injury, we are bearing the additional burden of enormous electricity bills that all ratepayers are having to absorb because of poor planning. But, we will not sacrifice our health for cheap electricity. **Our health is a matter that has economic impacts for our communities, businesses that employ us, and the state and it is continuing to be degraded by the pollution from coal, fossil-fuel, and waste burning power generation. These costs have not been properly assessed.**

While I completely understand the need for a reliable and resilient energy grid in Maryland, the weight of the economic and health burdens of that should not be born on the back of environmentally overburdened communities. 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 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 House Bill 1406. **We've paid for polluting industries and power generation with our health for too long. It's time for environmental justice in our energy decision making and permitting, comprehensive compliance monitoring, analysis, and enforcement, and addressing the economic burdens on community health and prosperity in pollution overburdened communities.**

House Bill 1406 along with other synergistic bills proposed in this legislative session will create the necessary infrastructure to create a measured approach to balancing the burden of pollution on Maryland's most overburdened communities. I strongly support House Bill 1406 and its commitment to environmental justice for overburdened communities regarding power generation. This bill is a landmark for future bills that evaluate and regulate the permits for polluters based on quantitative cumulative measurement of pollution burdens to communities. The state must stand up for environmental justice and fairness. If polluting power generation plants must be sustained and built, then please consider the total impact to communities struggling with pollution and spread out the burden fairly. Most importantly, consider the economics and fairness of health for all Maryland citizens.

Sincerely,

John S. Garofolo

Stoney Beach, Curtis Bay, MD