



Committee: Education, Energy, and the Environment Committee

Testimony on: SB0978 – Environmental Permits – Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health – CHERISH Our Communities Act)

Position: Favorable

Hearing Date: February 25, 2025

Submitted on behalf of Chesapeake Physicians for Social Responsibility (CPSR). CPSR is a statewide evidence-based organization of over 900 physicians and other health professionals and supporters that addresses existential public health threats: nuclear weapons, the climate crisis, and the issues of pollution and toxic effects on health, as seen through the intersectional lens of environmental, racial, and social justice.

CPSR strongly supports the CHERISH Act (SB0978). [As defined in the bill's text,](#)¹ this legislation would allow the Maryland Department of the Environment (MDE) to factor in a community's environmental justice score² and existing pollution burden before approving new project permits. Without legal authority to use environmental justice scoring, MDE cannot adequately protect these communities from adverse environmental and public health impacts. As healthcare professionals dedicated to preventing harm and promoting public health, we see firsthand the devastating consequences of environmental injustice on our patients and their families. The CHERISH Act represents a critical opportunity to address these inequities.

Currently, when evaluating a permit application, the MDE only considers the environmental impact of the new project in isolation. It does not take into account the existing environmental burdens that many communities face. Environmental justice scoring,² which is a calculation of the pollution burden faced by underserved communities, is not currently used to make permitting decisions, as the MDE does not have the express legal authority to do so. The CHERISH Act requires consideration of a community's environmental justice score and its current pollution burden before the MDE can make a final determination on new permits. If the new permit would increase the pollution burden on an already overburdened community, the permit would not be granted without meaningful conditions imposed and a meaningful community benefits agreement. Other states such as New York³ and New Jersey⁴ have passed similar legislation.

Health impacts of environmental injustice. While in medical training at the Johns Hopkins School of Medicine, we have seen the harmful consequences of environmental pollution on our patients, who come from all over the city. In particular, patients who live near facilities such as the BRESCO incinerator⁵, Curtis Bay Energy incinerator⁶, and CSX coal export terminal⁶ are exposed to

disproportionate amounts of pollutants such as particulate matter (PM 2.5) and nitrogen oxides (NOx), that contribute to a variety of health conditions, such as respiratory issues, heart conditions, cancer, premature death, and more. The impact of PM 2.5 alone from the BRESKO incinerator is estimated to result in health consequences costing nearly 22 million dollars per year in Maryland.⁵ These facilities, among others, are also located in majority Black and low-income communities that already face increased systemic barriers to healthcare access. It is estimated that 20% of children in Baltimore, where these polluting facilities are prevalent, have asthma, which is more than twice the national rate of 9%.⁷ Children who were seen in the emergency department or hospitalized for asthma were more likely to be Black and lower income.⁷ Overall, Baltimore City has a rate of asthma-related hospitalizations that is almost 3 times higher than the national average and over 2 times higher than the Maryland average.⁸ Passing the CHERISH Act would play an important role in preventing these numbers from increasing, as these already overburdened communities would be more protected from new projects that could add to the pollution burden.

Curtis Bay is a key example of an area in Maryland that faces numerous environmental injustices and social inequities. It is home to an extensive list of industrial activities causing significant pollution, including the CSX open-air coal terminal, medical waste incinerator, BRESKO incinerator, Quarantine Road landfill, Patapsco Wastewater Treatment Plant, concrete crushing plants, asphalt manufacturing, chemical plants, oil and gas terminals, and heavy diesel truck traffic releasing black carbon.⁶ In addition to facing the chronic health impacts from constant pollution, members of vulnerable communities like Curtis Bay are also at higher risk of exposure to dangerous incidents related to these industrial facilities, such as the coal dust explosion at the CSX terminal in 2021, which resulted in property damage and left coal dust on nearby homes and schools.⁹ Curtis Bay is in the 99th percentile nationwide in terms of its high concentration of and proximity to facilities at enhanced risk of explosions, leaks, or spills of hazardous materials.⁶ In 2017, a fire in Curtis Bay destroyed 10 homes and displaced almost two dozen residents, and it was suspected that the nearby fire hydrants were dry.¹⁰ This community also has some of the worst water quality scores in the Baltimore region, largely due to sewage overflows.¹¹ It is critical for the MDE to account for the substantial, existing risks to health and wellbeing in neighborhoods like these through environmental justice scoring when considering any new permits.

The CHERISH Act aligns with our shared values of fairness, justice, and public health. It gives communities a seat at the table, ensuring that their voices are heard and their needs are met. It also provides a framework for balancing economic development with the imperative to protect those most vulnerable to environmental harm. By adopting the CHERISH Act, Maryland can set a powerful example of prioritizing equity and health in environmental decision-making. We urge you to **support the CHERISH Act (SB0978)** and take this essential step toward a healthier, more equitable Maryland.

Sincerely,
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References

1. <https://mgaleg.maryland.gov/2025RS/bills/sb/sb0978F.pdf>
2. https://mde.maryland.gov/Environmental_Justice/Pages/EJ-Screening-Tool.aspx<https://www.nysenate.gov/legislation/bills/2021/S8830>
3. <https://www.nysenate.gov/legislation/bills/2021/S8830>
4. https://www.njleg.state.nj.us/bill-search/2020/S232/bill-text?f=S0500&n=232_S3
5. <https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>
6. https://mde.maryland.gov/programs/permits/AirManagementPermits/Documents/FINAL_Full_CB%20Collab_%20Report.pdf
7. https://abell.org/wp-content/uploads/2022/02/2020_Abell_pediatric20asthma_FINAL-web20dr.pdf
8. <https://www.environmentalintegrity.org/wp-content/uploads/2017/12/Baltimore-Asthma.pdf>
9. <https://www.cbsnews.com/baltimore/news/curtis-bay-baltimore-coal-schools-csx/>
10. <https://www.wbalTV.com/article/nearly-2-dozen-residents-displaced-in-curtis-bay-fire/10255102>
11. <https://bluewaterbaltimore.org/2023reportcard/>