

FAVORABLE Testimony for SB978

Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)

Senate - Education, Energy, and Environment Committee

Jose Coronado-Flores on Behalf of the MD Grassroots Environmental Justice Workgroup

February 28th, 2025

Dear Honorable Chair Feldman and Members of the Committee,

The MD Grassroots Environmental Justice Workgroup is pleased to offer **favorable testimony in support of Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)**. We, the undersigned, are a table of grassroots organizations that engage in power building to undertake environmental and social justice initiatives in our communities all across Maryland while dismantling all forms of structural racism. Our organizing is concentrated in low-income, Black and Brown communities disproportionately bearing the burden of environmental issues and we seek to uplift and protect these voices throughout our advocacy.

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 and low-wealth communities. Our state doesn't consider how industry impacts a community's health when permits are issued. Local communities are often not consulted about where these projects get sited, and in many cases, have been left out entirely of this process.

In the transition to a net-zero state as imposed by the Climate Solutions Now Act, Maryland has the opportunity to accelerate emissions reductions in the cities and neighborhoods that deserve it the most - those most overburdened. No additional polluters should be permitted in any community with an EJ score in the upper 75th percentile.

The CHERISH Act does two critical things: allows MDE to reject or alter environmental permits based on an environmental justice (EJ) score, which is based on current pollution levels, community health, and the demographics of a community and requires facilities that are granted permits to pay into a Cumulative Impacts Mitigation Fund Agreement aimed at addressing health issues the facility will cause. Here are 5 clear examples of communities that should not house anymore polluting facilities and should be remediated as quickly as possible:

Ex. Census Tract 8040.01 for example, where East Riverdale and Bladensburg meet in Prince George's County. This low-income immigrant community has an exposure score in the top 83% and overall score EJ score in the top 96%. The residents of this community are exposed to countless toxins and are in proximity to hazardous materials. Their homes lie in close proximity to the Bladensburg Industrial Park and a number of highly polluting industrial facilities, including Aggregate Industries' Bladensburg Asphalt Division, Aggregate Industries' Bladensburg ReadyMix Concrete & Hot Mix Asphalt Plant, DC Materials and the Recycle One Processing Facility & Transfer Station. Annapolis Road, which splits into

Route 450 and Landover Road as well as Edmonston Road and Kenilworth Avenue, also passes by these apartments, overburdening communities during peak traffic and commuter hours.

EX. Census tract 2504.02 in Baltimore City, which encompasses parts of Brooklyn Park and is adjacent to Cherry Hill, has a total EJ score in the 99.6% and a matching overburdened environmental subscore in the top 99%. The data from these 2 communities explicitly outlines how seriously overburdened some of our communities are. The effects of living in polluted communities can range from cancer, asthma, low birth weights in newborns, to daily discomfort. The BRESKO Trash Incinerator, CSX Terminal, Patapsco Wastewater Treatment, a variety of concrete and asphalt plants, Curtis Bay Energy Medical Waste Incinerator, petroleum terminals, landfills, and other facilities are all located within this strip of land. The communities here are overwhelmingly low-income and the majority of the inhabitants are residents of color. People living in this area are nearly guaranteed to have pollution-burden associated health outcomes.

EX. East Baltimore, specifically near the Pulaski Industrial Area, is overburdened with polluting facilities. Constellations operates its Philadelphia Road Constellation Power Station(61 megawatt facility¹) next to the Baltimore Recycling Center Processing Facility & Transfer Station. Both these facilities are just part of a network of polluting facilities less than a mile from each other. Schuster Concrete is a single metal linked fence from row homes. Among the many other toxic polluting facilities in the area is the Petroleum Fuels and Transfers Company(PF&T), which is equipped with fuel burners and millions of gallons of petroleum of storage². The traffic on 895 and Pulaski Highway also burdens the surrounding communities. This community does not need another polluting facility.

EX. Brandywine and the nearby communities have two permitted gas-fired power plants within 5 miles of each other. These two facilities - the KMC Thermo Mattawoman and Parkways Generating Keys Energy Center - are surrounded by an upper middle-class African-American community. The community is also full of materials distributors like sand, gravel, concrete, and other industrial products which run-off and guarantee daily heavy and medium duty truck transit.

EX. Lincoln Park, Rockville MD was an original place for African-American homeownership in Rockville³. It also became the adjacent neighborhood to the East Gude Landfill and industrial park. Today, this neighborhood is next to the Washington Gas Peak Shavings gas-fired power station, 4 active concrete and asphalt plants, and retired East Gude landfill-gas power plant(site of an underground landfill). Additionally, industrial traffic on East Gude Drive constantly pollutes the air.

People living in highly-polluted areas should not have to worry about more polluting facilities opening up in their communities. Therefore, the ability for a permit to be denied or altered based on the living history of pollution and who lives there is a critical next step to improving the quality of life for residents in Maryland's polluted communities. For these reasons, we urge a favorable report.

¹<https://www.constellationenergy.com/our-company/locations/location-sites/philadelphia-road-generating-station.html>

² <https://apexoil.com/location/baltimore-north-md/>

³https://www.washingtonpost.com/realestate/history-endures-as-change-comes-to-rockvilles-lincoln-park-neighborhood/2020/12/08/0e9956d0-292a-11eb-8fa2-06e7cbb145c0_story.html

The Maryland Just Power Alliance (Action In Montgomery (AIM), People Acting Together in Howard (PATH), Anne Arundel Connecting Together (ACT))

Baltimore Transit Equity Coalition

Black Girls Vote

CASA

Centro de Apoyo Familiar

Interfaith Power and Light (DC.MD.NoVA)

Out for Justice

Progressive Maryland