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Education, Energy, and the
Environment Committee

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area



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The Senate of Maryland ANNAPOLIS, MARYLAND 21401

SB 168 - CAD Protections

I am Senator Bryan Simonaire presenting SB 168.

As you are aware from last sessions' Confined Aquatic Disposal (CAD) legislation, I have been trying to work with the Port Administration over the proposed dumping of toxic Baltimore Harbor dredge material in front of our overburden communities.

These are the same communities that have had to deal with multiple coal burning power plants being built within a stone's throw, having hazardous and toxic dumping areas being constructed in their back yards, multi-million-gallon sewage plants built intertwined within their communities and a land-based massive dredge containment area right next door.

Thankfully our efforts have put a temporary pause on the CAD pilot program that was going full steam ahead until our community found out about it.

Remember, this was going to be a test to see if the concept works in larger areas and more volatile currents. If the tests didn't go well, then my district communities would have been devastated.

So based on my legislation, the Department organized their own internal workgroup and invited us to be part of it.

While they have been very gracious, it feels more like they are just going through the motions to get to their desired outcome.

So, here we are today with new legislation to try to help communities that have been constantly dumped on in various ways for decades.

At some point, we have to say enough is enough and provide a little environmental justice.

Many of these families have lived there for decades and while they aren't wealthy waterfront owners with mansions, they are good commonsense folks who love their families and want to protect them. If they were mansions, I guarantee the Port Administration would have never selected this area.

So, this bill prohibits approving the construction of CAD cells, if they are located within 5 miles of a residential overburdened community.

A 'overburdened community' is defined in Maryland law, and it is basically a community that is already dealing with excessive environmental waste from former decisions and placement of toxic materials.

This bill is in response to the State constantly dumping more in areas that have high levels of environmental health concerns.

This is not new as there is a prohibition on dumping dredge material within 5 miles of the Hart Miller Island. Now, Hart Miller Island is a state park and Maryland wanted to maintain its beauty and environmental cleanliness, so they banned dumping anymore dredge material including CAD cells.

Do our overburdened communities deserve any less protection than out State parks?

What I am asking for is a statewide prohibition of approving the construction of CAD cells in areas that have already been the target of excessive environmentally harmful materials for decades.

Let Marylanders know that the goal of environmental justice isn't just protections from private industries, but also from state agencies participating in those same damaging practices.

For all these reasons, I ask for your favorable consideration.