



### **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)**

**Bill Title:** SB978 CHERISH Act of 2025

**Position:** SUPPORT (FAV)

**To:** Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee

**From:** Trina Seldon of Out for Justice Inc

**Date:** 2/25/2025

My name is Trina Seldon, I am the Founder and Executive Director of Out for Justice. **Out for Justice, Inc. (OFJ)** is an organization led by individuals who are both directly and indirectly impacted by the criminal justice system. We advocate for the reform of policies and practices that adversely affect successful reintegration into society. We accomplish our mission through the three E's: 1) ENGAGE formerly incarcerated individuals, families, and friends through grassroots outreach and community events; 2) EDUCATE our member base and communities on the policies and practices impacting our communities and navigating the legislative process for reform; 3) EMPOWER those impacted by the criminal justice system to utilize their voices and experiences to enact tangible change. I am writing **in support of 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).**

Over the past 2 years, our members have learned of the links between environmental racism and mass incarceration. Their direct experiences and outcomes from the fellowship highlight the intersection between environmental racism and mass incarceration. For far too long the systemic links between environmental racism and public safety have been ignored, unexplored, and unaddressed in modern policy solutions. Thanks to extensive research by organizations like the Prison Ecology Project and books like Lawrence T. Brown's *Black Butterfly: The Harmful Politics of Race and Space in America* and Harriet A. Washington's *A Terrible Thing to Waste: Environmental Racism and Its Assault on the American Mind*, we have an abundantly clear and concise picture of how environmental racism directly contributes to negative public safety outcomes. We have before us an opportunity to move Maryland forward and correct racist infrastructure that still to this day disproportionately impacts Black, Brown, and low-income Baltimoreans, especially those residing in Black Butterfly neighborhoods.



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 within the Black Butterfly in Baltimore, City. Our state doesn't consider how industry impacts a community's health when permits are issued. The carceral community, inside or returned, is often not consulted about where these projects are located, 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 2 clear examples of communities that should not house anymore polluting facilities and should be remediated as quickly as possible:

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 Black, low-income, and resemble the same maps from racist redlining. Our people living in this area have pollution-burden associated health outcomes, and it is time we explore holistically this impact on public safety.

East Baltimore, specifically near the Pulaski Industrial Area, is overburdened with polluting facilities. Constellations operates its Philadelphia Road Constellation Power Station(61 megawatt facility<sup>1</sup>) 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

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



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 storage<sup>2</sup>. The traffic on 895 and Pulaski Highway also burdens the surrounding communities. This community does not need another polluting facility.

People living in highly-polluted areas should not have to worry about more polluting facilities opening up in their communities. We cannot continue to discard our communities at the front and back end of their lives. 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, I urge a favorable report.

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