

Dean_PRKN Testimony in Support of SB 425.docx.pdf

Uploaded by: Betsy Nicholas

Position: FAV



POTOMAC
RIVERKEEPER®
NETWORK

3070 M Street, NW
Washington, DC 20007
202.888.2037 (main)
www.prknetwork.org

Testimony in Support of SB 425 – Coal Ash Cleanup and Accountability Act

Hearing Date: February 11, 2025

Position: **FAVORABLE**

Dear Chair Feldman and Members of the Senate Energy, Environment, and Education Committee:

I am submitting this testimony on behalf of Potomac Riverkeeper Network in support of SB902, the Coal Ash Cleanup and Accountability Act. This bill is a necessary step to ensure the responsible management, cleanup, and oversight of coal ash contamination in Maryland, protecting our communities, waterways, and public health. I have a map attached to my testimony that shows the locations of all of the coal ash sites in Maryland.

The Ongoing Threat of Coal Ash Pollution

Coal ash, also known as coal combustion residuals (CCR), is a toxic byproduct of burning coal for power generation. It contains hazardous substances such as arsenic, lead, mercury, and chromium—pollutants that have been directly linked to cancer, neurological damage, reproductive harm, and other severe health issues.

Despite the 2015 federal CCR rules, compliance has been dismal, with a **2019 Earthjustice and Environmental Integrity Project report revealing that 91% of monitored power plants were violating these regulations**. Maryland is no exception. The **Brandywine coal ash landfill has been identified as one of the worst contamination sites in the country**, leaching toxic chemicals into local groundwater supplies.

There are **over 70 coal ash disposal sites across Maryland, amounting to more than 50 million tons of coal ash waste**. Many of these sites continue to pollute our environment, particularly in communities of color and low-income neighborhoods, making coal ash contamination a severe environmental justice issue.

Federal Inaction and the Need for State Leadership

Although the U.S. Environmental Protection Agency (EPA) issued **new 2024 regulations** aimed at addressing legacy coal ash contamination, the **potential for federal rollbacks poses a significant risk**. As seen in past attempts to weaken federal environmental protections, any rollback could delay or dismantle vital cleanup requirements, leaving communities vulnerable.



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc.
a 501(c)3 tax-exempt nonprofit organization #54-1982624 EarthShare # 87828 * CFC # 87828
Recognized as "one of the best small nonprofits" by the Catalogue for Philanthropy



For this reason, **Maryland must take independent action** to codify and enforce these federal protections at the state level. SB902 ensures that Maryland will not rely solely on federal enforcement but instead take proactive steps to protect its residents.

How SB902 Addresses the Problem

SB902 provides a **comprehensive approach** to coal ash regulation and cleanup by:

1. **Codifying Federal Regulations in State Law** – Ensuring that Maryland **finalizes regulations within 12 months** to align with the May 2024 EPA rules on coal ash disposal and effluent guidelines.
2. **Expanding Groundwater Monitoring Requirements** – Adding boron, vanadium, and hexavalent chromium to the list of contaminants that must be assessed due to their severe health risks.
3. **Establishing a Statewide CCR Coordination Committee** – Creating a committee within six months to oversee coal ash monitoring, remediation, and regulatory compliance.
4. **Reforming the Fee Structure** – Redirecting coal ash fees to **fund cleanup and oversight efforts**, generating an estimated \$3.2 million annually, which would cover ongoing enforcement and remediation efforts.

Lessons from HB1193 and Other State Actions

In 2024, similar concerns led to the introduction of **HB1193**, which sought to improve groundwater and surface water monitoring, enforce proper disposal methods, and ensure community participation in remediation efforts. That bill highlighted how **state action is critical** in holding polluters accountable, especially given the history of corporate inaction and regulatory neglect.

Other states have also taken decisive action. In **North Carolina, 2015 legislation forced cleanup at multiple contaminated coal ash sites**, setting a precedent for Maryland to follow. Likewise, **Virginia's 2019 legislation mandated the safe disposal of 28 million tons of coal ash**, an initiative that successfully prioritized public health over industry convenience.

Why Maryland Must Act Now

Coal ash contamination is **not just an environmental issue—it is a public health crisis**. Families across Maryland, particularly those living near sites like Brandywine, Faulkner, and Westland, **have been suffering for years due to inaction**. Leaking coal ash ponds continue to threaten drinking water sources, and the lack of proper enforcement only exacerbates the problem.

By passing SB902, Maryland will:

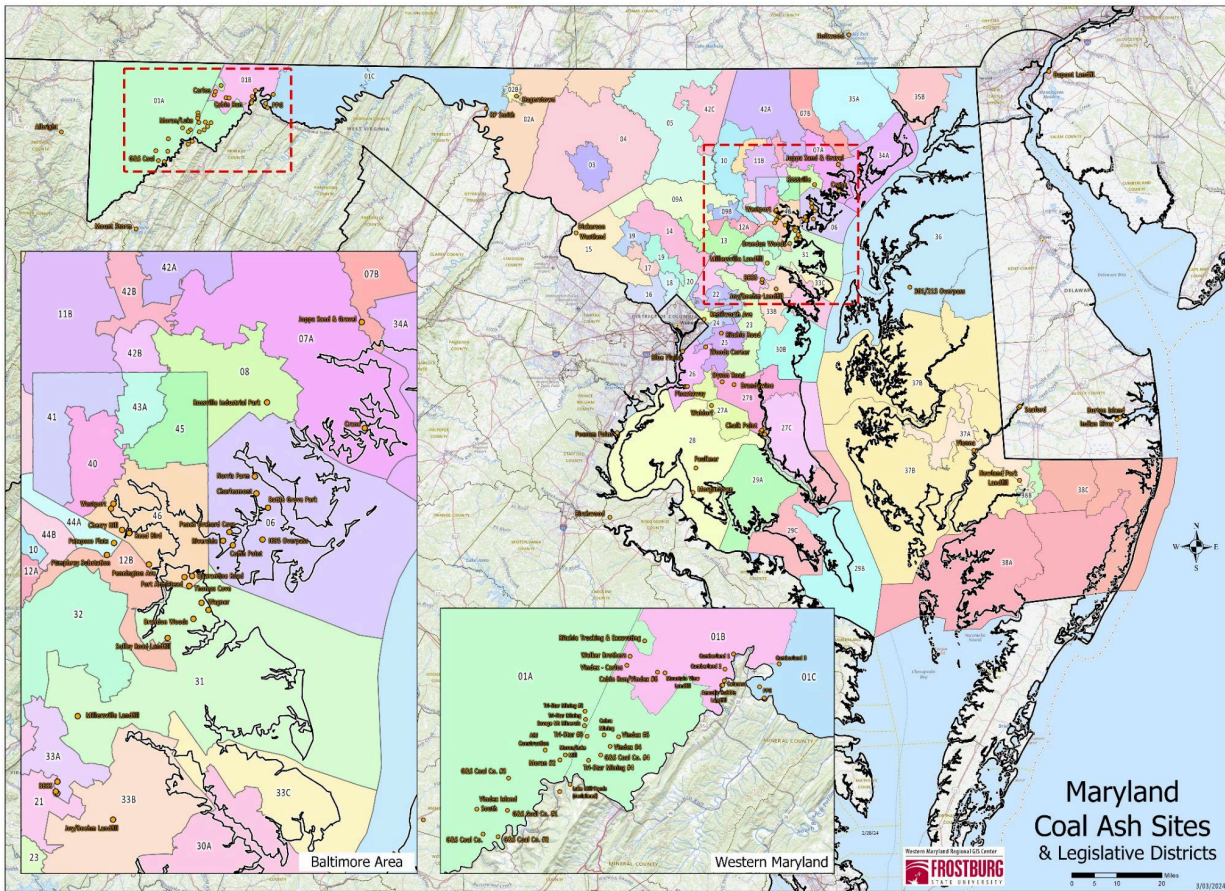
- ✓ **Ensure proper cleanup of toxic coal ash sites**
- ✓ **Prevent further groundwater contamination**
- ✓ **Protect vulnerable communities disproportionately affected by pollution**
- ✓ **Establish independent state oversight to enforce accountability**

This bill is **not just necessary—it is long overdue**. For the health and safety of Maryland's residents and the protection of our treasured waterways, I urge this committee to issue a **FAVORABLE report** for SB902.

Thank you for your time and consideration.

Dean Naujoks, Potomac Riverkeeper
Potomac Riverkeeper Network

Dean@prknetwork.org



Testimony in Support of SB 425.docx.pdf

Uploaded by: Betsy Nicholas

Position: FAV



POTOMAC
RIVERKEEPER®
NETWORK

3070 M Street, NW
Washington, DC 20007
202.888.2037 (main)
www.prknetwork.org

Testimony in Support of SB 425 – Coal Ash Cleanup and Accountability Act

Hearing Date: February 11, 2025

Position: **FAVORABLE**

Dear Chair Feldman and Members of the Senate Energy, Environment, and Education Committee:

I am submitting this testimony on behalf of Potomac Riverkeeper Network and the 13 organizations listed below in support of SB425, the Coal Ash Cleanup and Accountability Act. This bill is a necessary step to ensure the responsible management, cleanup, and oversight of coal ash contamination in Maryland, protecting our communities, waterways, and public health.

The Ongoing Threat of Coal Ash Pollution

Coal ash, also known as coal combustion residuals (CCR), is a toxic byproduct of burning coal for power generation. It contains hazardous substances such as arsenic, lead, mercury, and chromium—pollutants that have been directly linked to cancer, neurological damage, reproductive harm, and other severe health issues.

Despite the 2015 federal CCR rules, compliance has been dismal, with a **2019 Earthjustice and Environmental Integrity Project report revealing that 91% of monitored power plants were violating these regulations**. Maryland is no exception. The **Brandywine coal ash landfill has been identified as one of the worst contamination sites in the country**, leaching toxic chemicals into local groundwater supplies.

There are **over 70 coal ash disposal sites across Maryland, amounting to more than 50 million tons of coal ash waste**. Many of these sites continue to pollute our environment, particularly in communities of color and low-income neighborhoods, making coal ash contamination a severe environmental justice issue.

Federal Inaction and the Need for State Leadership

Although the U.S. Environmental Protection Agency (EPA) issued **new 2024 regulations** aimed at addressing legacy coal ash contamination, the **potential for federal rollbacks poses a significant risk**. As seen in past attempts to weaken federal environmental



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc.
a 501(c)3 tax-exempt nonprofit organization #54-1982624 EarthShare # 87828 * CFC # 87828
Recognized as "one of the best small nonprofits" by the Catalogue for Philanthropy



protections, any rollback could delay or dismantle vital cleanup requirements, leaving communities vulnerable.

For this reason, **Maryland must take independent action** to codify and enforce these federal protections at the state level. SB902 ensures that Maryland will not rely solely on federal enforcement but instead take proactive steps to protect its residents.

How SB902 Addresses the Problem

SB902 provides a **comprehensive approach** to coal ash regulation and cleanup by:

1. **Codifying Federal Regulations in State Law** – Ensuring that Maryland **finalizes regulations within 12 months** to align with the May 2024 EPA rules on coal ash disposal and effluent guidelines.
2. **Expanding Groundwater Monitoring Requirements** – Adding boron, vanadium, and hexavalent chromium to the list of contaminants that must be assessed due to their severe health risks.
3. **Establishing a Statewide CCR Coordination Committee** – Creating a committee within six months to oversee coal ash monitoring, remediation, and regulatory compliance.
4. **Reforming the Fee Structure** – Redirecting coal ash fees to **fund cleanup and oversight efforts**, generating an estimated \$3.2 million annually, which would cover ongoing enforcement and remediation efforts.

Lessons from HB1193 and Other State Actions

In 2024, similar concerns led to the introduction of **HB1193**, which sought to improve groundwater and surface water monitoring, enforce proper disposal methods, and ensure community participation in remediation efforts. That bill highlighted how **state action is critical** in holding polluters accountable, especially given the history of corporate inaction and regulatory neglect.

Other states have also taken decisive action. In **North Carolina, 2015 legislation forced cleanup at multiple contaminated coal ash sites**, setting a precedent for Maryland to follow. Likewise, **Virginia's 2019 legislation mandated the safe disposal of 28 million tons of coal ash**, an initiative that successfully prioritized public health over industry convenience.

Why Maryland Must Act Now

Coal ash contamination is **not just an environmental issue—it is a public health crisis**. Families across Maryland, particularly those living near sites like Brandywine, Faulkner, and Westland, **have been suffering for years due to inaction**. Leaking coal ash ponds continue to threaten drinking water sources, and the lack of proper enforcement only exacerbates the problem.

By passing SB902, Maryland will:

- ✓ **Ensure proper cleanup of toxic coal ash sites**
- ✓ **Prevent further groundwater contamination**
- ✓ **Protect vulnerable communities disproportionately affected by pollution**
- ✓ **Establish independent state oversight to enforce accountability**

This bill is **not just necessary—it is long overdue**. For the health and safety of Maryland's residents and the protection of our treasured waterways, I urge this committee to issue a **FAVORABLE report** for SB902.

Thank you for your time and consideration.

Sincerely,

Betsy Nicholas, Vice President of Programs and Litigation
Potomac Riverkeeper Network
Betsy@prknetwork.org

Robin Broder, Acting Executive Director
Waterkeepers Chesapeake
robin@waterkeeperschesapeake.org

Ted Evgeniadis, Lower Susquehanna Riverkeeper
Lower Susquehanna Riverkeeper Association
Ted@lowsusriverkeeper.org

Alice Volpitta, Baltimore Harbor Waterkeeper
Blue Water Baltimore
avolpitta@bluewaterbaltimore.org

Jim Brown, ASLA
Director of Policy
Audubon Mid-Atlantic
jim.brown@audubon.org

Susan Stevens Miller, Senior Attorney
Earthjustice
smiller@earthjustice.org

Matt Stegman,
Chesapeake Bay Foundation

Marisa Olszewski
Maryland League of Conservation Voters
molszewski@mdlcv.org

Fred Tutman

Patuxent Riverkeeper
FredT@paxriverkeeper.org

Taylor Swanson
Assateague Coastkeeper

Peter Alexander
HoCoMD Environmental Action

Elle Bassett, South, West and Rhode Riverkeeper
Arundel Rivers Foundation

Ben Ford, Miles Wye Riverkeeper
ShoreRivers

Dave Arndt
Maryland Legislative Coalition – Climate Justice Wing

Dean_PRKN Testimony in Support of SB 425.docx.pdf

Uploaded by: Dean Naujoks

Position: FAV



POTOMAC
RIVERKEEPER®
NETWORK

3070 M Street, NW
Washington, DC 20007
202.888.2037 (main)
www.prknetwork.org

Testimony in Support of SB 425 – Coal Ash Cleanup and Accountability Act

Hearing Date: February 11, 2025

Position: **FAVORABLE**

Dear Chair Feldman and Members of the Senate Energy, Environment, and Education Committee:

I am submitting this testimony on behalf of Potomac Riverkeeper Network in support of SB902, the Coal Ash Cleanup and Accountability Act. This bill is a necessary step to ensure the responsible management, cleanup, and oversight of coal ash contamination in Maryland, protecting our communities, waterways, and public health. I have a map attached to my testimony that shows the locations of all of the coal ash sites in Maryland.

The Ongoing Threat of Coal Ash Pollution

Coal ash, also known as coal combustion residuals (CCR), is a toxic byproduct of burning coal for power generation. It contains hazardous substances such as arsenic, lead, mercury, and chromium—pollutants that have been directly linked to cancer, neurological damage, reproductive harm, and other severe health issues.

Despite the 2015 federal CCR rules, compliance has been dismal, with a **2019 Earthjustice and Environmental Integrity Project report revealing that 91% of monitored power plants were violating these regulations**. Maryland is no exception. The **Brandywine coal ash landfill has been identified as one of the worst contamination sites in the country**, leaching toxic chemicals into local groundwater supplies.

There are **over 70 coal ash disposal sites across Maryland, amounting to more than 50 million tons of coal ash waste**. Many of these sites continue to pollute our environment, particularly in communities of color and low-income neighborhoods, making coal ash contamination a severe environmental justice issue.

Federal Inaction and the Need for State Leadership

Although the U.S. Environmental Protection Agency (EPA) issued **new 2024 regulations** aimed at addressing legacy coal ash contamination, the **potential for federal rollbacks poses a significant risk**. As seen in past attempts to weaken federal environmental protections, any rollback could delay or dismantle vital cleanup requirements, leaving communities vulnerable.



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc.
a 501(c)3 tax-exempt nonprofit organization #54-1982624 EarthShare # 87828 * CFC # 87828
Recognized as "one of the best small nonprofits" by the Catalogue for Philanthropy



For this reason, **Maryland must take independent action** to codify and enforce these federal protections at the state level. SB902 ensures that Maryland will not rely solely on federal enforcement but instead take proactive steps to protect its residents.

How SB902 Addresses the Problem

SB902 provides a **comprehensive approach** to coal ash regulation and cleanup by:

1. **Codifying Federal Regulations in State Law** – Ensuring that Maryland **finalizes regulations within 12 months** to align with the May 2024 EPA rules on coal ash disposal and effluent guidelines.
2. **Expanding Groundwater Monitoring Requirements** – Adding boron, vanadium, and hexavalent chromium to the list of contaminants that must be assessed due to their severe health risks.
3. **Establishing a Statewide CCR Coordination Committee** – Creating a committee within six months to oversee coal ash monitoring, remediation, and regulatory compliance.
4. **Reforming the Fee Structure** – Redirecting coal ash fees to **fund cleanup and oversight efforts**, generating an estimated \$3.2 million annually, which would cover ongoing enforcement and remediation efforts.

Lessons from HB1193 and Other State Actions

In 2024, similar concerns led to the introduction of **HB1193**, which sought to improve groundwater and surface water monitoring, enforce proper disposal methods, and ensure community participation in remediation efforts. That bill highlighted how **state action is critical** in holding polluters accountable, especially given the history of corporate inaction and regulatory neglect.

Other states have also taken decisive action. In **North Carolina, 2015 legislation forced cleanup at multiple contaminated coal ash sites**, setting a precedent for Maryland to follow. Likewise, **Virginia's 2019 legislation mandated the safe disposal of 28 million tons of coal ash**, an initiative that successfully prioritized public health over industry convenience.

Why Maryland Must Act Now

Coal ash contamination is **not just an environmental issue—it is a public health crisis**. Families across Maryland, particularly those living near sites like Brandywine, Faulkner, and Westland, **have been suffering for years due to inaction**. Leaking coal ash ponds continue to threaten drinking water sources, and the lack of proper enforcement only exacerbates the problem.

By passing SB902, Maryland will:

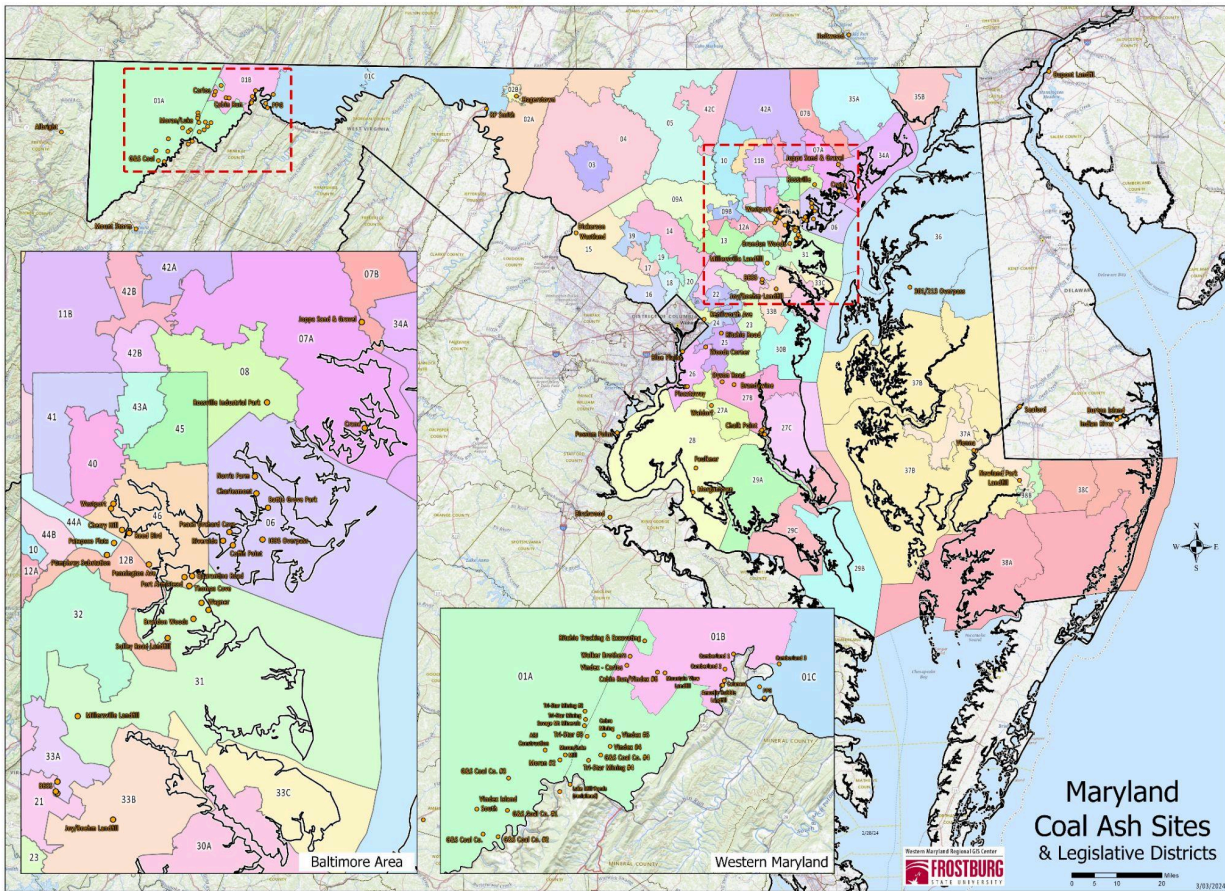
- ✓ **Ensure proper cleanup of toxic coal ash sites**
- ✓ **Prevent further groundwater contamination**
- ✓ **Protect vulnerable communities disproportionately affected by pollution**
- ✓ **Establish independent state oversight to enforce accountability**

This bill is **not just necessary—it is long overdue**. For the health and safety of Maryland's residents and the protection of our treasured waterways, I urge this committee to issue a **FAVORABLE report** for SB902.

Thank you for your time and consideration.

Dean Naujoks, Potomac Riverkeeper
Potomac Riverkeeper Network

Dean@prknetwork.org



SB425 - Written Testimony.pdf

Uploaded by: Jose Coronado Flores

Position: FAV



Testimony in SUPPORT of SB425

Environment - Coal Combustion By-Products - Fees, Coordinating Committee, and Regulations

Senate - Education, Energy, and Environment Committee

Jose Coronado-Flores , On Behalf of CASA

February 11, 2025

Dear Honorable Chair Feldman and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of SB425 - Environment - Coal Combustion By-Products - Fees, Coordinating Committee, and Regulations**. CASA is the largest immigrant services and advocacy organization in Maryland, and in the Mid-Atlantic region, with a membership of over 60,000 active Black and Latino immigrants and working families in Maryland.

In particular, CASA is invested in seeing this bill pass, because our members are residents in communities like Brandywine and Westport. Our members are also overwhelmingly low-income immigrants who have a difficult time accessing health services, which makes them especially vulnerable to the health impacts of these waste sites. We also want to stand alongside communities that have been historic dumping grounds for the waste from dirty energy production.

In the Westport area in Baltimore, the community already knows the air is polluted from nearby industry, waste facilities, and major roads. However, with two coal ash waste sites also in close proximity, the effects of pollution may also be impacting the land and water. SB425 sets to establish a Statewide Coal Combustion By-product Coordinating Committee which will work on necessary data collection and remediation.

We need data and plans to deal with this waste, and SB425 sets out to accomplish this, so that we can be on the real path towards remediation and justice for these communities. For these reasons, CASA urges a favorable report.

Jose Coronado-Flores

Research and Policy Analyst

jcoronado@wearecasa.org, 240-393-7840

SB 425 Environment - Coal Combustion By-Products -

Uploaded by: Mariana Rosales

Position: FAV

Tuesday, February 11, 2025

TO: Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee; and Committee Members

FROM: Mariana Rosales, The Nature Conservancy, Director of Climate; Cait Kerr, The Nature Conservancy, State Policy Manager

POSITION: Support SB 425 Coal Combustion By-Products - Fees, Coordinating Committee and Regulations

The Nature Conservancy (TNC) supports SB 425, offered by Senator Jackson. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering science-based, on-the-ground solutions that secure clean water and healthy living environments for our communities, reducing greenhouse gas emissions, and increasing resilience in the face of a changing climate.

SB 425 bill represents an essential step in strengthening Maryland's approach to regulating coal combustion by-products (CCBs), enhancing coordination on environmental oversight, and ensuring the long-term protection of our natural resources and public health.

Coal combustion by-products contain harmful pollutants such as arsenic, mercury, and heavy metals that can leach into groundwater, pollute waterways, and pose risks to public health and ecosystems. SB 425 seeks to address these concerns by updating the regulatory framework and providing necessary oversight to mitigate these risks. Specifically, the bill establishes the Statewide Coal Combustion By-Products Coordinating Committee, which will facilitate information sharing, monitoring, and discussions on remedial actions at CCB sites across Maryland. This committee's work is critical to ensuring a transparent and science-based approach to addressing the environmental and public health concerns associated with coal combustion waste.

Additionally, the bill strengthens the Maryland Department of the Environment's regulatory authority by requiring it to adopt updated regulations that align with federal guidelines on coal combustion residuals. These regulations will enhance monitoring, improve disposal and storage standards, and ensure that past and present disposal sites are managed responsibly. TNC strongly supports these provisions as they will help prevent future contamination and promote stronger accountability for managing coal combustion by-products. The bill's inclusion of a minimum fee for generators of coal combustion by-products ensures that there is a dedicated funding mechanism to support regulatory efforts and environmental oversight. It is an important step in making sure that those responsible for generating CCBs contribute to their safe management and remediation.

In conclusion, SB 425 brings a well-balanced approach to addressing the harmful effects of coal combustion by-products while improving interagency coordination and environmental oversight. TNC urges the committee to support this legislation as it aligns with Maryland's commitment to public health, environmental protection, and climate resilience.

Therefore, we urge a favorable report on SB 425.

SB 425 - CBF - FAV.pdf

Uploaded by: Matt Stegman

Position: FAV



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 425 Coal Combustion By-Products - Fees, Coordinating Committee, and Regulations

Date: February 11, 2025
To: Education, Energy, and the Environment Committee

Position: **FAVORABLE**
From: Matt Stegman,
MD Staff Attorney

Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 425, the Coal Ash Cleanup and Accountability Act. The bill will ensure that coal ash material is responsibly managed and regulated, that there is appropriate oversight of cleanup efforts, and the financial resources exist to address this ongoing environmental and public health concern.

SB 425 takes a comprehensive approach to addressing coal ash regulation and cleanup. First, the bill requires the State to act swiftly and finalize regulations within 12 months to adopt the May 2024 EPA guidance on coal ash disposal and effluent. Next, it expands groundwater monitoring requirements to include known contaminants that pose significant risk to aquatic life and human health, including boron and chromium. Further, the bill establishes a coordinating committee to oversee cleanup efforts. Finally, the bill reforms the coal ash cleanup fee structure to generate an estimated \$3.2 million annually that would cover ongoing enforcement and remediation efforts.

There are at least 70 coal ash disposal sites across the state of Maryland that account for more than 50 million tons of waste material. This is a pressing problem that requires State action to protect our vulnerable waterways, especially those in environmentally overburdened communities.

CBF urges the Committee's FAVORABLE report on SB 425.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

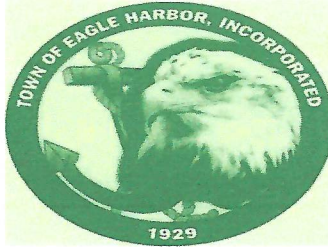
The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

Coal Ash Testimony.pdf

Uploaded by: Noah Waters

Position: FAV

TOWN OF EAGLE HARBOR



SENATE EDUCATION, ENERGY AND ENVIRONMENT COMMITTEE

FEBRUARY 11, 2025

SB425 ENVIRONMENT – COAL COMBUSTION BY-PRODUCTS

SUPPORT

February 7, 2025

Good afternoon, Chair Feldman, Vice Chair Kagan, and committee members,

For the record I am Eagle Harbor Mayor Noah Waters, and I am asking for your favorable report on SB425.

SB425 ensures that Maryland communities remain protected regardless of potential federal backsliding, ensures that the producers of coal ash waste pay for the government oversight of the cleanup of legacy sites, and provides local communities proximate to legacy coal ash disposal sites a voice in the cleanup of these sites.

Coal ash, also known as coal combustion residuals (CCRS), is produced primarily from the burning of coal in coal-fired power plants. After over 100 years of burning coal, U.S. power plants have produced over 5 billion tons of coal ash and most of this has been dumped on the land and in coal ash surface impoundments and ponds.

“Coal ash contains toxic chemicals including arsenic, boron, cobalt, chromium, lead, lithium, mercury, radium, selenium, and other heavy metals, which have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm.”¹ These toxic chemicals do not stay in these dump sites; they migrate downward into groundwater, run-off into our creeks, streams, rivers and bays, and are transported in the air. They do not just go away on their own.

Eagle Harbor is a small town in lower Prince George’s County and is downstream from the Brandywine Ash Management Facility that has been leaching coal ash into our groundwater for decades. It is considered one of the most contaminated coal ash sites in the United States.

¹ <https://waterkeeperschesapeake.org/buried-but-not-forgotten-coal-ash-in-the-chesapeake/>.

“CHERISH THE PAST--PLAN THE FUTURE”

In 2021, due to concerns about contaminants in the water and soil, the town requested that the Maryland Department of Environment (MDE) test the quality of the water for contaminants due to decades of coal combustion at the neighboring Chalk Point Power Plant. MDE did not test the water, or the soil and the residents of Eagle Harbor were left with no better understanding of the contaminants in their water and no obvious recourse to determine the source of the contaminants. To date, no efforts have been made to clean up the water that we use from our wells to drink, bathe, and to clean. *The water could affect our health and wellbeing.*

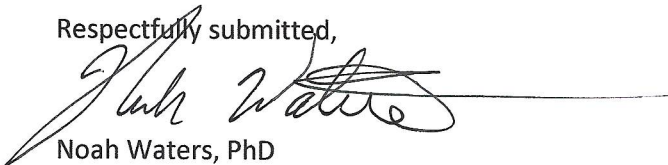
SB425 aims to protect surface water, ground water, drinking water and adjacent communities from toxic chemicals in the millions of tons of coal ash that the Maryland Department of Natural Resources (DNR) estimates has been dumped by coal-fired power plants throughout the state.

This bill:

- Requires MDE to publicize by October 1, 2026, state regulations that mirror the effluent guidelines and legacy coal ash disposal site regulations from the EPA notice of May 2024.
- Provides MDE with the authority to go beyond the May 2024 EPA final regulations, if necessary, to protect human health and the environment. This could include targeting specific additional sites “for cause,” such as a site where coal ash was used as fill but is leaching toxic contaminants and therefore posing a risk to human health and the environment.
- Requires MDE to increase fees by December 1, 2025, on the power companies whose generators that produced coal ash waste to ensure effective oversight of the implementation of the new regulations.
- Creates a statewide Coal Combustion By-Products Coordinating Committee to help ensure that science and community involvement continue to help guide the implementation of the new regulations.

We, the residents of Eagle Harbor, as well as all Marylanders, should no longer have to incur the toxic impacts of this industry’s careless and harmful actions in failing to clean up the tons of coal ash that has been produced by their facilities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Noah Waters", with a horizontal line extending to the right from the end of the signature.

Noah Waters, PhD

Mayor

Town of Eagle Harbor, Maryland

“CHERISH THE PAST--PLAN THE FUTURE”

SB0425_IndivisibleHoCo_FAV.pdf

Uploaded by: Peter Alexander

Position: FAV



SB0425

Environment - Coal Combustion By-Products - Fees, Coordinating Committee, and Regulations

Testimony before Education, Energy, and the Environment

Hearing February 11, 2025

Position: Favorable

Dear Chair Feldman, Co-Chair Kagan, and members of the committee, my name is Peter Alexander, and I represent the 900+ members of Indivisible Howard County. Indivisible Howard County is also an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today **in support of SB0425**, which would cut pollution from Maryland's highway system by investing in public transit, walking, and biking. We thank Senator Jackson for sponsoring this important legislation.

Coal Combustion Residuals (CCR, coal ash) pollution is a serious environmental and public health crisis here on Maryland. It is a problem that has only grown in urgency with new data revealing the widespread presence of legacy coal ash sites in the Chesapeake Bay watershed. Coal ash contains hazardous pollutants, including arsenic, boron, cobalt, chromium, lead, lithium, mercury, radium, selenium, and other heavy metals which can leach into groundwater, surface water, and the air, posing severe health risks to nearby communities.

SB0425 will (1) Codify federal EPA regulations, (2) Expand Assessment Monitoring of toxic coal ash components, (3) Establish a Statewide CCR Coordination Committee, and (4) Change the current fee structure to ensure that MDE has funding to manage coal ash pollution.

SB0425 is a critical step toward protecting Maryland's drinking water, public health, and the Chesapeake Bay from the long-term threats of coal ash pollution.

We respectfully urge a favorable report.

Peter Alexander, PhD
District 9A
Woodbine, MD 21797

08B2E944-1343-4CFA-9943-77C61074CA6C.pdf

Uploaded by: Michael Jackson

Position: FWA



SB0425/243621/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

07 FEB 25
14:16:32

BY: Senator M. Jackson
(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENT TO SENATE BILL 425

(First Reading File Bill)

On page 5, in line 3, strike “governing legacy coal combustion residuals” and substitute “. Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments.”; in line 4, strike “9” and substitute “8”; in line 10, after “tested” insert “as part of assessment monitoring”; strike beginning with “arsenic” in line 12 down through “(ii)” in line 13; in line 14, strike “(iii)” and substitute “(ii)”; strike beginning with “cadmium” in line 14 down through “(iv)” in line 15; strike in their entirety lines 16 and 17; and in lines 18 and 19, strike “(vii)” and “(viii)”, respectively, and substitute “(iii)” and “(iv)”, respectively.

SB425Amendment1.pdf

Uploaded by: Michael Jackson

Position: FWA



SB0425/813725/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

29 JAN 25
14:36:45

BY: Senator Jackson

(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENT TO SENATE BILL 425

(First Reading File Bill)

On page 3, in line 24, strike "AND"; and in line 29, after "QUALITY" insert "; AND

(5) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY:

(I) ONE MEMBER FROM EACH OF THE MOST APPROPRIATELY ENGAGED COMMUNITY ASSOCIATIONS THAT HAVE RAISED CONCERNS ABOUT THE ADVERSE IMPACT OF COAL COMBUSTION BY-PRODUCT SITES IN THEIR COMMUNITY; AND

(II) ONE REPRESENTATIVE OF LOCAL GOVERNMENT FROM EACH OF THE MOST APPROPRIATELY ENGAGED COMMUNITIES THAT HAVE RAISED CONCERNS ABOUT THE ADVERSE IMPACT OF COAL COMBUSTION BY-PRODUCT SITES IN THEIR COMMUNITY".

On page 4, in line 21, after "ENVIRONMENT" insert a comma; in the same line, strike the second "AND"; and in line 22, after "COMMITTEE," insert "AND THE HOUSE ECONOMIC MATTERS COMMITTEE,".

SB425Amendment2.pdf

Uploaded by: Michael Jackson

Position: FWA



SB0425/843923/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

05 FEB 25
10:32:26

BY: Senator Jackson, M.
(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENT TO SENATE BILL 425

(First Reading File Bill)

On page 1, in the sponsor line, after "Senator" insert "M.".

SB425Testimony2025.pdf

Uploaded by: Michael Jackson

Position: FWA

MICHAEL A. JACKSON
Legislative District 27
Calvert, Charles and
Prince George's Counties

Budget and Taxation Committee

Subcommittees

Pensions

Procurement

Chair, Public Safety, Transportation,
and Environment



Miller Senate Office Building
11 Bladen Street, Suite 3 West
Annapolis, Maryland 21401
410-841-3700
800-492-7122 Ext. 3700
Michael.Jackson@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY – SENATE BILL 425

***ENVIRONMENT – COAL CUMBUSTION BY-PRODUCTS –
FEES, COORDINATING COMMITTEE, AND REGULATIONS
EDUCATION, ENERGY, AND THE ENVIRONMENT
COMMITTEE***

FEBRUARY 11, 2025

Chair Feldman, Vice Chair Kagan, and Committee Members:

Senate Bill 425 is a piece of legislation aimed at mitigating the environmental and public health impacts of coal ash and to bridge any gaps that may exist between state and federal regulations.

To accomplish this end, the bill would do a few things. The Maryland Department of Environment would be required to initiate state coal ash disposal regulations mirroring and potentially exceeding those established by the federal Environmental Protection Agency (in May 2024) and to increase base fees for power generators who produce coal ash waste. Additionally, a statewide committee to ensure the implementation of the related regulations would be created.

The legislation is simply a means to protect public health and to give the Maryland Department of Environment the necessary tools to protect Maryland residents from the harmful and disease-causing chemical byproducts created from burning coal.

For the reasons listed above, I ask for a favorable report of Senate Bill 425.