

Committee: Environment and Transportation
Testimony on: HB1058 – Emission Standards, Ambient Air Quality Standards, and Solid Waste Management – Local Authority
Submitting: Deborah A. Cohn
Position: Favorable
Hearing Date: February 26, 2025

Dear Chair Korman and Committee Members:

Thank you for allowing my testimony today in strong support of HB1058.

Maryland law has long recognized that local political jurisdictions may adopt local ordinances, rules and regulations pertaining to clean air and solid waste management as long as the local standards are at least as stringent as the state or federal standard. This approach provides local jurisdictions greater autonomy over activities having significant impact on local responsibilities without undermining the relevant state or federal standard.

HB1058 clarifies that with respect to emission standards, air quality standards and solid waste management standards set by the Maryland Department of the Environment, local jurisdictions may request that MDE in addition adopt a separate local standard for that jurisdiction that is at least as stringent as the state standard. A regulated entity might try to challenge the local standard as conflicting with and preempted by the state standard. The bill clarifies that the local standard cannot be construed as conflicting with the state standard provided it is technically feasible for the regulated entity to comply with both standards.

HB1058 also clarifies that counties may set more stringent emissions standards and ambient air quality standards related to county water and sewerage plans under similar conditions.

Finally, HB1058 clarifies that local jurisdiction may adopt local ordinances, rules and regulations applicable to refuse disposal systems and solid waste provided the standards are at least as stringent as state standards and that these standards may not be deemed to conflict with state standards.

The causes, severity and complexity of emissions of pollutants, the particular challenges in meeting air quality standards, the composition and level of local solid waste and complexity and costs involved in its disposal vary significant from one county to another. These issues, however, are fundamentally local responsibilities. Because the costs of and ability to pay for these local services vary significantly among counties, minimal state standards are critical. Certain local jurisdictions, to address more complex systems, may need to set more stringent standards. HB1058 provides these jurisdictions the freedom to set those standards under certain limitations designed to ensure that the local standards cannot be deemed to conflict with the state standards.

For these reasons, I urge this Committee to issue a favorable report on HB1058.