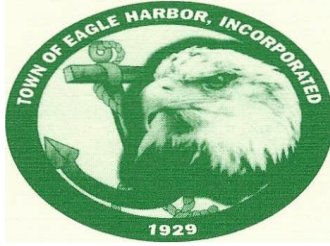


TOWN OF EAGLE HARBOR



HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE

MARCH 11, 2025

HB902 ENVIRONMENT – COAL COMBUSTION BY-PRODUCTS

SUPPORT

March 11, 2025

Good afternoon, Chair Korman, Vice Chair Boyce, and committee members,

For the record I am Eagle Harbor Mayor Noah Waters, and I am asking for your favorable report on HB902.

HB902 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/>.

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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.*

HB902 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,

Noah Waters, PhD

Mayor

Town of Eagle Harbor, Maryland

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