



TO: House Environment & Transportation Committee

FROM: Mid-Atlantic Petroleum Distributors Association & Mid-Atlantic Propane Gas Association

DATE: March 10, 2026

RE: **OPPOSE HOUSE BILL 1268** – Environmental Permits – Requirements for Burden Analysis, Issuance and Renewal, and Public Participation

The Mid-Atlantic Petroleum Distributors Association (MAPDA) is a regional trade association representing energy marketers throughout Maryland, Delaware, and the District of Columbia. MAPDA member companies supply motor and heating fuel products sold in the region including gasoline, diesel fuel and heating fuels. MAPDA members also own and operate Maryland, Delaware, and DC's gas stations and convenience stores.

The Mid-Atlantic Propane Gas Association (MAPGA) represents propane marketers, suppliers, distributors, and equipment manufacturers across Maryland. MAPGA members provide clean-burning energy to residential, commercial, agricultural, and industrial customers in the state. Members have more than 243,000 retail accounts, 80,000 primary home heating customers in Maryland, and generate more than \$794 million in economic activity annually.

On behalf of Maryland's energy marketers, which operate bulk fuel terminals and energy logistics facilities across Maryland, MAPDA & MAPGA respectfully submit this testimony in opposition to House Bill 1268 and request an unfavorable committee report.

Maryland's energy sector is at a critical juncture. MAPDA & MAPGA members continue to provide a practical and economical energy source for our state's residents and commercial businesses.

We share the goal of protecting public health and ensuring meaningful community engagement in environmental decision-making. Maryland already maintains one of the most rigorous environmental permitting systems in the country, administered by the Maryland Department of the Environment (MDE). However, HB1268 would introduce significant regulatory uncertainty, expanded discretionary authority, and substantial permitting delays that could undermine energy reliability and infrastructure investment in our state.

First, HB1268 creates a new cumulative "burden" review framework without clearly defined technical standards. The bill requires MDE to evaluate broad environmental and public health indicators in designated "at-risk" census tracts, yet it does not establish objective thresholds or measurable criteria for approval versus denial. This lack of clarity makes it difficult for energy marketers to plan projects,



allocate capital, or determine compliance pathways. Predictable, science-based permitting standards are essential for long-term infrastructure investment.

Second, the bill would disproportionately impact critical energy infrastructure. Bulk fuel terminals are historically located in port and industrial corridors — areas that may qualify as at-risk census tracts under the bill’s definitions. Although HB1268 is sector-neutral on its face, its practical effect would concentrate regulatory risk on fuel storage and distribution facilities that are essential to heating supply, aviation fuel, emergency response operations, and regional transportation networks. Increased uncertainty in permitting decisions could discourage modernization projects and delay infrastructure upgrades that often improve environmental performance.

Third, HB1268 significantly expands procedural requirements, including extended public comment periods, enhanced reporting obligations, and the potential for additional hearings. While public participation is important, layering additional procedural steps onto existing environmental review processes will likely lengthen permit timelines and increase administrative backlogs. For facilities requiring routine permit renewals, even modest delays can disrupt operations and create avoidable compliance risks.

Fourth, the bill introduces a heightened standard that may allow permit denial based on cumulative community impact unless a “compelling public interest” is demonstrated. This shift from compliance-based review to a broader discretionary standard creates legal and financial uncertainty for existing facilities that have long operated in compliance with state environmental laws. It also increases the likelihood of litigation and administrative appeals, further extending project timelines.

Finally, Maryland’s environmental programs already require detailed analysis of air emissions, water discharges, and hazardous materials management. House Bill 1268 risks duplicating or complicating these established regulatory frameworks rather than improving measurable environmental outcomes. A more targeted approach — focused on clear standards, defined methodologies, and reasonable timelines — would better balance environmental protection with infrastructure reliability and economic stability.

For these reasons, we respectfully urge the committee to issue an unfavorable committee report on HB1268.