

Environment, Social
Governance

E•S•G

Permitting
Requirements

**LEGISLATION
JANUARY 2026**

**ENVIRONMENT &
TRANSPORTATION
COMMITTEE**

**DARK MONEY
FUNDED NONPROFIT
ADVOCACY
GROUPS AND
MD LEGISLATURES**

**EQUALITY IN
INFRASTRUCTURE**

**PERMITTING AND
EVOLVING
STATE APPROACHES
TO ENVIRONMENTAL
JUSTIC**

COAL COMBUSTION

RESIDUALS

By-Products and Effects on Human Health



Review Authors

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HB1065 COAL ASH POLICY ENVIRONMENT & TRANSPORTATION COMMITTEE

03 MARCH 2026

TO: MARYLAND GENERAL ASSEMBLY

FOR: Delegate Mary Lehman, Maryland District 21

FROM: Brandywine TB Southern Region Neighborhood Coalition (BTB Coalition)

POSITION: FAVORABLE

Dear Chair and Members of the Environment and Transportation Committee;

On behalf of the Brandywine TB Southern Region Neighborhood Coalition — a community-based organization representing residents with **40 years of lived experience** at the frontlines of coal ash contamination — we submit this testimony in **FAVOR** of HB0902|SB0425 (2025) and its complementary legislation, HB1065 (2026).

We do not come before you merely as policy advocates. We come as the community that has **drunk the water, breathed the air, and raised our children** in the shadow of one of Maryland's largest coal ash ponds. When experts call Brandywine a "ticking time bomb," they are not speaking about a distant problem. They are speaking about our homes, our health, and our future.

Why These Bills Matter — Together

Last year, we submitted analysis concerning HB1193/SB1122. This year, we see a path forward through **two complementary bills**:

- **HB0902|SB0425** establishes the regulatory framework, fee structure, and oversight needed to finally address legacy coal ash contamination.
- **HB1065** creates the market incentives, workforce investments, and community safeguards to ensure that cleanup creates **opportunity** — not just disposal.

These bills work together. One cleans up the past. The other invests in the future. Both are necessary.

What We Bring to the Table

We are not intermediaries. We are not consultants who parachute in and out. We are your constituents — the families who have borne this burden for half a century.

Our testimony is offered as an **education tool** for all levels of government: local, state, and federal. We have watched agencies fail us. We have filed Title VI complaints. We have documented contamination with our own hands. We have the receipts — and the scars.

We ask that this Committee see us not as a "stakeholder" to be managed, but as **partners** in designing solutions that work for the people most affected.

Our Offer to You

As community practitioners with decades of organizing and advocacy experience, we stand ready to assist in tailoring specific sections of this legislation to ensure it works for Maryland's most impacted communities. In particular, we offer our expertise in:

- **Funding mechanisms** that direct resources to communities — not just intermediaries
- **Community advisory structures** that give residents real power, not just seats
- **Workforce provisions** that ensure jobs created by coal ash reuse go to the people who suffered the pollution
- **Health monitoring protocols** designed with and for impacted families

We do not ask for a seat at the table as a courtesy. We have earned it.

CONCLUSION

For over 40 years, Brandywine has been a dumping ground. That ends now — not with symbolism, but with **structural power** embedded in law.

These bills, taken together, represent Maryland's best chance to turn decades of environmental racism into a model of environmental justice. We urge a **FAVORABLE** report on HB0902|SB0425 and a commitment to advancing HB1065 in the 2026 session.

We welcome the opportunity to meet with Committee members, answer questions, and continue this work in partnership.

In solidarity and urgency,

Thank you for your considerable time and attention.

Respectfully submitted,



Kamita Gray

Community Law/Policy Architect & Legislative Consultant

President – BTB Coalition

Parliamentarian | Board of Directors – South County Economic Development Association (SCEDA)

ECCB Directorial Chair – ECCB Community Citizens Board, Neighborhood Leadership Council (NLC)

In solidarity, Brandywine/TB Southern Region Neighborhood Coalition; and the Executive Community Citizen's Board (ECCB) Neighborhood Leadership Council (NLC)

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2-PAGE EXECUTIVE SUMMARY

MARYLAND COAL ASH LEGISLATION: A COMPLEMENTARY APPROACH TO ENVIRONMENTAL JUSTICE

HB0902|SB0425 (2025) and HB1065 (2026)

Date: March 3, 2026

Submitted by: Brandywine TB Southern Region Neighborhood Coalition (BTB Coalition)

Position: FAVORABLE

THE MOMENT

For over 40 years, the Brandywine community has lived in the shadow of one of Maryland's largest coal ash ponds—a 140-acre "ticking time bomb" leaking arsenic, lead, lithium, and selenium into groundwater and feeding toxic plumes into local streams. We have watched agencies fail us, filed Title VI civil rights complaints, and documented contamination with our own hands.

Today, Maryland stands at a crossroads. Two complementary pieces of legislation offer a path forward that is unprecedented in the nation:

- **HB0902|SB0425 (2025)** establishes the regulatory framework, fee structure, and oversight needed to finally address legacy coal ash contamination.
- **HB1065 (2026)** creates the market incentives, workforce investments, and community safeguards to ensure that cleanup creates opportunity—not just disposal.

Together, they represent a "**Regulation + Investment**" strategy that addresses both the environmental hazards of coal ash and the economic disparities faced by overburdened communities.

WHY THESE BILLS WORK TOGETHER

| Issue Area | HB0902|SB0425 Contribution | HB1065 Contribution | The Synergy |
|-----|-----|-----|-----|

| **Legacy Ponds** | Oversight committee + fee structure for monitoring | Market demand for excavated ash | HB0902 pays for oversight; HB1065 pays for removal |

| **Groundwater** | Monitoring and corrective actions | Safe transport standards | Identifies problem + ensures solution doesn't create new ones |

| **Environmental Justice** | EJ representative on committee (advisory) | **Mandated jobs** in impacted communities + local hiring | From symbolic seats to economic stake |

| **Beneficial Reuse** | Exempts reused ash from fees | Safety standards + procurement preference | Incentives + guardrails |
| **Funding** | Fee-based (\$2.30/ton) | Grant-based + federal leverage | Diversified, sustainable funding |

MARYLAND'S NATIONAL LEADERSHIP

No other state in the region has combined strict regulatory oversight with **mandatory community workforce investments** and **state procurement preferences**:

State	Regulatory Framework	Community Investment	Market Incentives
Virginia	Strong (2019 law)	Limited hearings	None

State	Regulatory Framework	Community Investment	Market Incentives
North Carolina	Strong (CAMA 2014)	Some transparency	None
Maryland (Proposed)	Strong	Strong (jobs, local hiring, prevailing wage)	Strong (procurement preference)

This three-legged stool approach positions Maryland as a national model.

THE COMMUNITY AT THE TABLE: NOT JUST INTERMEDIARIES

A recurring failure in environmental justice is "**intermediary capture**"—where consultants and nonprofits speak for communities rather than creating mechanisms for communities to speak for themselves. To prevent this, we urge the following **Direct-Seat Provisions** be incorporated:

Mechanism	What It Does
Reserved Seats	At least 2 directly impacted residents on Coordinating Committee
Co-Sign Authority	Community veto power over closure plans and permits
Direct Funding	5% of fee revenue to community-led organizations (not intermediaries)
Community-Led Health	Joint ownership of health data + independent studies
Independent Technical Assistance	Community-hired engineers, toxicologists, lawyers
Accountability Hearings	Annual public hearings <i>in impacted communities</i> , not Annapolis
Lived Experience Standard	Recognizes residents as experts in law

WHAT WE ASK

1. **FAVORABLE report on HB0902|SB0425**—the foundation upon which community investment will be built.
2. **Commitment to advancing HB1065 in 2026**—the "Justice" component that ensures Brandywine and similar communities benefit directly.
3. **Adoption of Direct-Seat Provisions** to ensure that those who have borne the burden for 50 years hold real power in decisions about their future.

THE BOTTOM LINE

For over 40 years, Brandywine has been a dumping ground. These bills, taken together, offer a rare opportunity: not just to remove the poison from our backyards, but to ensure that the cleanup creates jobs, careers, and economic opportunity for the residents who have suffered.

HB0902 cleans up the past. HB1065 invests in the future. Regulation without investment leaves communities behind. We do not ask for a seat at the table as a courtesy. We have earned it.

Contact: For questions or to schedule community testimony, please refer to the ECCB Neighborhood Leadership Council.

ANALYSIS OF MARYLAND COAL ASH LEGISLATION

HB0902 | SB0425 (2025) AND HB1065 (2026)

Date: March 3, 2026

Subject: Analysis of Complementary Coal Ash Management and Community Investment Legislation

EXECUTIVE SUMMARY

Maryland is considering two complementary pieces of legislation that together form a comprehensive approach to coal ash management. **HB0902|SB0425 (2025)** establishes the regulatory framework, fee structure, and oversight mechanisms necessary for proper coal ash disposal and remediation. **HB1065 (2026)** builds upon this foundation by creating market incentives for beneficial reuse, mandating community investment, and ensuring that environmental justice communities—like Brandywine—benefit directly from remediation efforts.

When viewed together, these bills represent a **"Regulation + Investment"** strategy that addresses both the environmental hazards of coal ash and the economic disparities faced by overburdened communities.

PART I: HB0902 | SB0425 (2025) – THE "FRAMEWORK" BILLS

Bill Purpose

To establish comprehensive regulatory oversight, fee structures, and interagency coordination for coal ash management in Maryland.

Key Provisions

Component	Description
Fee Structure	Imposes a \$2.30 per ton fee on coal ash disposal to fund regulatory programs
Coordinating Committee	Establishes an interagency committee to oversee coal ash management, including a representative from the Commission on Environmental Justice and Sustainable Communities
Federal Alignment	Requires Maryland to adopt regulations implementing federal EPA guidelines, including the Steam Electric Power Generating Effluent Guidelines and Legacy Coal Combustion Residuals Rule
Beneficial Use Exemption	Exempts coal ash destined for beneficial reuse from disposal fees
Expanded Testing	Broadens the list of contaminants requiring testing beyond federal requirements

Strengths Identified

- Creates dedicated oversight structure
- Aligns Maryland with federal standards
- Incorporates environmental justice representation
- Establishes funding mechanism through fees

Identified Gaps (Per Coalition Testimony)

- Does not specify how fees are allocated for remediation
 - Lacks strict standards for beneficial reuse safety
 - Limited public participation requirements
 - No direct community benefit provisions
 - Does not address economic transition for impacted communities
-

PART II: HB1065 (2026) – THE "IMPLEMENTATION & INCENTIVE" BILL

BILL PURPOSE

To create market demand for coal ash beneficial reuse, establish community workforce requirements, and ensure environmental safety in recycling operations.

Key Provisions

Component	Description
Grant Program	Creates the Coal Combustion By-Product Materials Grant Program within MDE to award grants to manufacturers using Maryland-sourced coal ash
Procurement Preference	Requires state government projects (>50% state-funded) to give preference to bids using certified Maryland-sourced coal ash
Community Workforce Requirements	Mandates that grant recipients create jobs in communities impacted by coal ash generation, pay prevailing wage, prioritize local hiring, and utilize apprenticeship programs
Environmental Safety Standards	Requires MDE to adopt regulations ensuring reused coal ash meets strict standards for leaching, transport safety, and contaminant monitoring
GHG Reduction Measurement	Requires demonstration of greenhouse gas emissions reductions through coal ash reuse compared to conventional materials
Reporting & Transparency	Annual reporting on tonnage used, jobs created (disaggregated by impacted communities), and environmental incidents

Key Innovations

- **Environmental Justice Integration:** Directly ties economic benefits to communities that suffered environmental harms
- **Cradle-to-Grave Safety:** Requires environmental review of sources *and* transport methods to prevent air/water contamination during movement
- **Measurable Outcomes:** Mandates tracking of jobs, emissions reductions, and environmental incidents
- **Community Benefits Agreements:** Incorporates prevailing wage and local hiring standards

PART III: COMPLEMENTARY ANALYSIS – HOW THE BILLS WORK TOGETHER

The "Stick and Carrot" Framework

| Issue Area | HB0902|SB0425 (2025) Contribution | HB1065 (2026) Contribution | Synergy |

|-----|-----|-----|-----|

| **Legacy Pond Remediation** | Establishes oversight committee and fee structure to fund monitoring | Creates market demand for excavated ash, making removal economically viable | HB0902 pays for oversight; HB1065 pays for removal by creating value |

| **Groundwater Protection** | Requires monitoring and corrective actions for contamination | Ensures that excavated ash is transported safely and does not create new contamination risks | HB0902 identifies the problem; HB1065 ensures the solution doesn't create new problems |

| **Environmental Justice** | Includes EJ representative on coordinating committee (advisory) | **Mandates** jobs, local hiring, and workforce investments in impacted communities | HB0902 gives communities a seat at the table; HB1065 gives them economic stake in the outcome |

| **Beneficial Reuse** | Exempts reused ash from fees (encourages recycling) | Sets strict safety standards for reuse and creates state procurement preference | HB0902 removes disincentives; HB1065 creates incentives *and* safety guardrails |
| **Funding** | Fee-based (industry pays for oversight) | Grant-based (leveraging federal funds and state procurement) | Diversifies funding streams and reduces burden on state general fund |

| **Transparency** | Coordinating committee provides interagency oversight | Requires public reporting on jobs, environmental incidents, and tonnage | Creates multiple layers of accountability |

PART IV: ADDRESSING THE BRANDYWINE COALITION'S CONCERNS

The Brandywine TB Southern Region Neighborhood Coalition's testimony (pages 17-20) outlines specific needs for strong legislation. Here is how the complementary bills address each concern:

Coalition Request 1: "Strict Groundwater and Surface Water Protections"

- **HB0902|SB0425:** Requires groundwater monitoring and corrective actions
- **HB1065:** Requires environmental review of transport methods to prevent new contamination during ash movement
- **Combined Effect:** Protects water resources during both storage *and* remediation

Coalition Request 2: "Closure and Cleanup of Legacy Coal Ash Ponds"

- **HB0902|SB0425:** Establishes framework for closure oversight
- **HB1065:** Creates market demand for excavated ash through procurement preference
- **Combined Effect:** Makes full excavation (not "cap-in-place") economically feasible

Coalition Request 3: "Environmental Justice Provisions"

- **HB0902|SB0425:** Includes EJ representative on coordinating committee
- **HB1065:** Requires jobs in impacted communities, local hiring, and prevailing wage
- **Combined Effect:** Moves from symbolic representation to tangible economic investment

Coalition Request 4: "Funding for Remediation and Transition"

- **HB0902|SB0425:** Creates fee structure (\$2.30/ton)
- **HB1065:** Creates grant program to leverage federal infrastructure funding
- **Combined Effect:** Multiple funding streams for long-term remediation

Coalition Request 5: "Promoting Beneficial Reuse"

- **HB0902|SB0425:** Exempts reused ash from fees
- **HB1065:** Creates state procurement preference for reused ash *with* safety standards
- **Combined Effect:** Encourages reuse while ensuring it is done safely

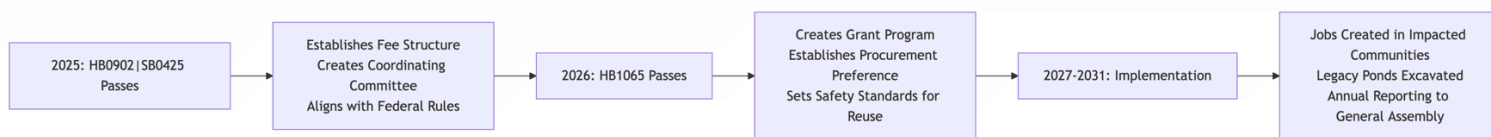
PART V: COMPARISON WITH OTHER STATES

State	Regulatory Framework	Community Investment	Market Incentives	Combined Approach	
Virginia	Strong (2019 law banning cap-in-place)	Limited public hearings	No procurement preference	Strong regulation, weak community investment	
North Carolina	Strong (CAMA 2014)	Some public transparency	No procurement preference	Strong regulation, weak market incentives	
Maryland (Proposed)	Strong (HB0902)	SB0425)	Strong (HB1065 workforce requirements)	Strong (HB1065 procurement preference)	Comprehensive: Regulation + Investment + Incentives

Maryland's Advantage: No other state in the region has combined strict regulatory oversight with *mandatory* community workforce investments and state procurement preferences. This three-legged stool approach positions Maryland as a national leader.

PART VI: IMPLEMENTATION TIMELINE & DEPENDENCIES

Critical Dependency: HB1065 relies on the regulatory infrastructure established by HB0902|SB0425 to ensure that coal ash being reused is properly classified, tracked, and monitored. Conversely, HB0902|SB0425's goal of full excavation is made more achievable by the market demand created in HB1065.



PART VII: RECOMMENDATIONS FOR ADVOCATES

For Supporting HB0902|SB0425 (2025)

1. **Emphasize that it is the foundation** upon which community investment (HB1065) will be built
2. **Request amendments** to specify how fee revenue will be allocated for remediation in EJ communities
3. **Strengthen public participation** requirements in the coordinating committee structure

For Supporting HB1065 (2026)

1. **Frame it as the "Justice" component** – the bill that ensures Brandywine and similar communities benefit directly
2. **Highlight the workforce provisions** – jobs, apprenticeships, prevailing wage, local hiring
3. **Emphasize safety standards** – address concerns about transport and leaching explicitly
4. **Connect to federal funding** – position Maryland to compete for Infrastructure Investment and Jobs Act dollars

Strategic Messaging

- "HB0902 cleans up the past; HB1065 invests in the future."
- "From pollution to prosperity: Turning Brandywine's burden into Brandywine's jobs."
- "Regulation without investment leaves communities behind."

PART VIII: CONCLUSION

The combination of **HB0902|SB0425 (2025)** and **HB1065 (2026)** represents a sophisticated, two-phase approach to one of Maryland's most persistent environmental justice challenges.

- **HB0902|SB0425** provides the essential regulatory backbone: oversight, fees, monitoring, and coordination.
- **HB1065** provides the transformative community investment: jobs, local hiring, safety standards, and market incentives.

Together, they ensure that:

1. Coal ash is properly managed (**Safety**)
2. Legacy ponds are excavated and cleaned up (**Remediation**)
3. Communities like Brandywine share in the economic benefits (**Justice**)
4. Reused ash does not create new environmental harms (**Sustainability**)
5. Progress is tracked and reported publicly (**Transparency**)

For the Brandywine TB Southern Region Neighborhood Coalition and similar communities, this complementary legislative package offers a rare opportunity: not just to remove the poison from their backyards, but to ensure that the cleanup creates jobs, careers, and economic opportunity for the residents who have borne this burden for 50 years.

Source Documents: 11FEB25_HB0902|SB0425 Coal Ash Testimony, 11FEB25_HB0902|SB0425 Legislation Review, HB1065 (2026) Bill Text

SECTION: ENSURING THE COMMUNITY & THE BTB SITS AT THE TABLE — NOT JUST THE INTERMEDIARIES

THE PROBLEM: INTERMEDIARY CAPTURE

A recurring challenge in environmental justice legislation is what advocates call "**intermediary capture**" —where well-intentioned laws create structures that invite consultants, nonprofit intermediaries, and professional advocates to speak *on behalf* of communities, rather than creating mechanisms for communities to speak *for themselves*. The Brandywine TB Southern Region Neighborhood Coalition's testimony explicitly warns against this, noting their role as "community practitioners" who have "lived realities" — not just policy experts passing through.

The coalition's testimony states: "*This report is to be used as an education tool for those at the local, the state, and federal level governmental agencies.*" This framing positions the community as the *teacher*, not the *taught* — a distinction that must be encoded in legislation.

THE SOLUTION: DIRECT-SEAT PROVISIONS

To ensure that Brandywine and similarly impacted communities hold decision-making power directly — not filtered through intermediaries — the complementary legislative package should include the following structural requirements:

1. RESERVED SEATS FOR IMPACTED RESIDENTS (NOT JUST REPRESENTATIVES)

Current Gap: HB0902|SB0425 includes a representative from the *Commission on Environmental Justice and Sustainable Communities* — a necessary but insufficient step. This is still an intermediary body.

Proposed Mechanism:

- Require that the Coordinating Committee established under HB0902|SB0425 include **at least two (2) directly impacted residents** from communities hosting coal ash facilities, selected through a community-driven process (not appointed by the Governor or MDE alone).
- Define "directly impacted resident" as an individual residing within **five (5) miles** of an active or legacy coal ash disposal site for a minimum of five years.
- Provide **compensation, childcare, transportation, and language access** to remove barriers to participation.

Why It Matters: A representative from a commission, no matter how well-intentioned, cannot replicate the lived experience of someone who drinks the water, breathes the air, and watches their children play near the ash ponds.

2. COMMUNITY VETO OR CO-SIGN AUTHORITY

Current Gap: Advisory committees often advise; they do not decide. Communities are consulted, then ignored.

Proposed Mechanism:

- Grant the Community Advisory Committees (CACs) proposed in the testimony **co-sign authority** on:
 - Closure plan approvals
 - Groundwater monitoring protocol changes
 - Beneficial reuse project permits within their watershed
- Require that any decision contested by the CAC trigger an automatic **independent review** and public hearing before MDE can proceed.

Why It Matters: Power is not presence. Communities must have the ability to *stop* harmful decisions, not just comment on them.

3. DIRECT FUNDING TO COMMUNITY-BASED ORGANIZATIONS (NOT THROUGH INTERMEDIARIES)

Current Gap: HB1065 creates a grant program for manufacturers and mentions community benefits, but does not specify how community organizations access resources to participate meaningfully.

Proposed Mechanism:

- Establish a **Community Participation Fund** within the Coal Ash Remediation Fund, allocating no less than **5% of total fee revenue** to:
 - Hire independent technical advisors chosen by the community (not MDE or utilities)
 - Support community-led health monitoring and data collection
 - Fund community outreach and education efforts designed by residents for residents
- Require that these funds be distributed directly to **qualified community-based organizations** with governing boards composed of at least 51% impacted residents — **not** to large intermediary nonprofits or consultants unless explicitly contracted by the community.

Why It Matters: When funding flows through intermediaries, priorities shift. Direct funding ensures the community sets the agenda.

4. COMMUNITY-LED HEALTH MONITORING

Current Gap: HB1065 requires health monitoring but does not specify who designs it or owns the data.

Proposed Mechanism:

- Establish a **Community Health Equity Board** for each affected region, co-chaired by a resident representative and a public health official.
- Require that all health monitoring protocols be **co-designed** with impacted residents, addressing the specific concerns raised in the testimony (cancer rates, respiratory illness, developmental disorders).
- Grant communities' **joint ownership** of health data, with the right to publish findings independently.
- Mandate that utilities fund **independent epidemiological studies** selected by the Community Health Equity Board, not studies controlled by the utility or its consultants.

Why It Matters: The testimony references "thirty pieces of silver" and "Judas" — a searing indictment of previous failures where agencies and companies controlled the narrative. Communities must own their own data.

5. TRANSPARENT SELECTION PROCESSES FOR ADVISORY BODIES

Current Gap: Advisory committee members are often appointed behind closed doors, resulting in "community leaders" who do not actually live in the community.

Proposed Mechanism:

- Require a **public, transparent nomination and selection process** for all resident seats on coal ash oversight bodies.
- Mandate that selection criteria prioritize:
 - Length of residence in impacted area
 - History of community organizing or advocacy
 - Freedom from financial conflicts (e.g., not employed by utility companies or their contractors)
- Prohibit sitting elected officials from occupying "community" seats (they have their own representation).

Why It Matters: The Brandywine Coalition's testimony emphasizes "constituents having the lived realities." Those constituents must choose who speaks for them.

6. RIGHT TO INDEPENDENT TECHNICAL ASSISTANCE

Current Gap: Communities face utilities and agencies with teams of lawyers, engineers, and scientists. Residents face them with lived experience and little else.

Proposed Mechanism:

- Establish a **Community Technical Assistance Program** that provides grants for communities to hire their own:
 - Environmental engineers
 - Hydrogeologists
 - Toxicologists
 - Legal counsel
- Ensure these experts answer **only to the community**, not to MDE or the utility.
- Require that all technical reports produced by utilities be shared with community-hired experts on the same timeline as agency review.

Why It Matters: The testimony references EPA Civil Rights Title VI complaints and MDE failures. Communities need their own experts to translate agency data into community power.

7. ANNUAL COMMUNITY ACCOUNTABILITY HEARINGS

Current Gap: HB1065 requires annual reports to the Governor and General Assembly — but not to the people most affected.

Proposed Mechanism:

- Require that, in addition to legislative reporting, utilities and MDE appear at **annual public hearings held in the impacted community** (not in Annapolis) to:
 - Present remediation progress
 - Disclose groundwater monitoring results
 - Report on job creation and local hiring metrics
 - Respond to community questions under oath if necessary
- Require that these hearings be held at times and locations accessible to working residents, with interpretation and childcare provided.

Why It Matters: Accountability to Annapolis is not accountability to Brandywine. The people who suffered must be the people who judge success.

8. CODIFYING THE "LIVED EXPERIENCE" STANDARD

Current Gap: Legislation often defaults to credentialism — valuing degrees over experience.

Proposed Mechanism:

- Amend the definition of "expert" or "stakeholder" in both bills to explicitly include **"individuals with lived experience in communities hosting coal ash facilities"** as recognized experts for purposes of:
 - Testimony
 - Committee service
 - Grant review panels
 - Permit decisions
- Require state agencies to develop protocols for compensating lived-experience experts at rates commensurate with technical consultants.

Why It Matters: The Brandywine Coalition's testimony is expertise — 40 years of watching, documenting, and surviving. The law should name that reality.

SUMMARY: FROM CONSULTATION TO POWER

The difference between intermediaries and community is the difference between **speaking about** and **speaking as**. Intermediaries can advocate; only residents can testify to the taste of the water, the smell of the air, the fear in a parent's heart.

This complementary legislative package has the potential to be national model — but only if it embeds the community **at the table, with a vote, with resources, and with power.**

Mechanism	What It Does
Reserved Seats	Ensures residents are present
Co-Sign Authority	Ensures residents have power
Direct Funding	Ensures residents set priorities
Community-Led Health	Ensures residents own data
Transparent Selection	Ensures residents choose leaders
Independent TA	Ensures residents have expertise
Accountability Hearings	Ensures residents judge progress
Lived Experience Standard	Ensures residents are valued

As the Brandywine Coalition's testimony concludes: *"In solidarity."* That word means nothing without structure. These provisions provide it.

"For over 40 years, Brandywine has endured catastrophic environmental racism... This legislation meaningfully limits pollution, mitigates health harms, and addresses systemic inequities." — Brandywine TB Southern Region Neighborhood Coalition Testimony

Let us ensure it also **transfers power.**