



**Testimony on:** HB1268 – Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)

**Committee:** Environment and Transportation

**Organization:** Maryland Legislative Coalition Climate Justice Wing

**Submitting:** Gwen DuBois

**Position:** Favorable

**Hearing Date:** March 13, 2026

Dear Chair Korman and Committee Members:

Thank you for allowing our testimony today in strong support of HB1268. The Maryland Legislative Coalition Climate Justice Wing, a statewide coalition of 32 grassroots and professional organizations focused on climate justice, urges you to vote favorably on HB1268.

HB1268 would require a new application or renewal for an environmental permit for a facility located in an at-risk census tract to include a report describing the environmental and public health burdens and require the Department of the Environment (MDE) to issue a determination as to whether approving the permit will cause or contribute to adverse environmental or public health stressors. In short, the bill will require MDE to take environmental justice scores, cumulative pollution burden, and public input into account when making decisions whether to issue or renew a permit for an industrial source. Given the experience of Maryland's overburdened communities, this bill will provide a way for MDE to better evaluate future permits and permit renewals.

A Baltimore City Health Department map shows that for 2018, the most recent year reported, life expectancy at birth in Curtis Bay area was among the lowest in Baltimore.<sup>1</sup> A few years before that, a group of high school students in Curtis Bay learned about an incinerator that a company in Albany, New York, was planning to build a mile from their school. They organized petitions, then protests asking the Maryland Department of the Environment to pull a permit that had already been violated by this proposed largest trash-burning incinerator in the United States. After 2 years of actions, and legal help from an organization of environmental lawyers, they were successful and MDE finally pulled the permit. Today that community is still home to 70 sources of industrial air pollution. In 2017, the city Board of Health reported that Curtis Bay had

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<https://www.arcgis.com/apps/mapviewer/index.html?url=https://services1.arcgis.com/mVFRs7NF4iFitgbY/ArcGIS/rest/services/Lifexp/FeatureServer/0&source=sd>

a higher death rate from respiratory illness, heart disease, all cancer and lung cancer compared to the death rate for Baltimore.<sup>2</sup>

Win Waste, Maryland's largest trash incinerator, is in south Baltimore. Monetized health costs for one year from air pollution and particulate matter PM2.5 alone cost Maryland over 22 million dollars according to a 2017 report.<sup>3</sup> Now advocates from South Baltimore have filed a civil rights complaint with the Environmental Protection Agency on behalf of people who are suffering.<sup>4</sup>

Curtis Bay Energy runs the largest medical waste to energy facility in the country. In 2023, the facility was fined \$1.75 million for improperly incinerating its waste. In 2024, the company was sued again by the state. The Curtis Bay Energy incinerator is receiving medical waste from as far away as Florida and Canada with Maryland supplying a minority of the waste and Baltimore only 7%. Nevertheless, residents downwind are being subjected to pollution coming out of its smokestack from out-of-state sources.<sup>5</sup>

An October 2024 study published in a peer reviewed journal, demonstrated that dust collected in two residential sites in Curtis Bay, was from the CSX coal terminal, consistent with what residents have been claiming.<sup>6</sup> This is one of two Baltimore coal terminals supplying 30% of U.S. exports to countries across the globe. These coal exports are worsening the global climate crisis, while Curtis Bay residents suffer the local health impacts from coal dust and PM 2.5 pollution in their own neighborhood. In November 2024, residents of Curtis Bay and across Baltimore packed a MDE public hearing, asking that the CSX air pollution permit not be renewed. MDE issued a new operating permit with conditions, and a year later in November 2025, CSX Transportation sued asking the Surface Transportation Board to block parts of MDE's operating permit.

Residents of Prince George's County are fighting for their own right to breathe clean air. Brandywine, a community that is 67% black, has experienced inexcusable environmental and racial injustice. It has four power plants.<sup>7</sup> They have to fight against another (gas fired) power plant coming to their area. In addition, diesel trucks, groundwater pollution from a military toxic waste dump, and PM2.5 from a coal ash<sup>8</sup> are some examples of why this bill is needed. The coal ash dump was recently rated the 7<sup>th</sup> worst such site in the nation.<sup>9</sup>

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<sup>2</sup> <https://www.thebanner.com/community/public-health/what-its-like-to-live-in-the-epicenter-of-toxic-pollution-QN7KNX5F3ZDH5KG3HE7YRDPPNQ/>

<sup>3</sup> <https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>

<sup>4</sup> <https://www.cbf.org/news-media/newsroom/2024/maryland/south-baltimore-advocates-file-civil-rights-complaint-on-incinerator-pollution>

<sup>5</sup> <https://www.baltimorebrew.com/2024/08/09/baltimore-medical-waste-incinerator-still-pollutes-burning-trash-from-as-far-away-as-florida/>

<sup>6</sup> <https://www.sciencedirect.com/science/article/pii/S0048969724069997>

<sup>7</sup> <https://dbknews.com/2021/02/23/environmental-racism-brandywine-coronavirus-power-plants/>

<sup>8</sup> <https://grist.org/justice/in-maryland-one-community-is-taking-a-stand-against-environmental-racism/>

<sup>9</sup> [https://phys.org/news/2022-11-maryland-sites-polluting-coal-ash.html#google\\_vignette](https://phys.org/news/2022-11-maryland-sites-polluting-coal-ash.html#google_vignette)

Maryland's citizens should not have to fight for the right to breathe healthy air in their own neighborhood or the right for their children to have the same life expectancy as children in other neighborhoods. It should not take lawsuits and public marches and rallies for MDE to make environmentally just permit decisions. By changing the law, MDE will be required to take environmental justice scores and cumulative pollution burdens into account when making permit decisions for the kinds of industrial facilities damaging the health of communities like Curtis Bay and Brandywine. For these reasons, we strongly support HB1268 and urge a favorable vote in committee.

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Cedar Lane Unitarian Universalist Church Environmental Justice Ministry

Chesapeake Earth Holders

Chesapeake Physicians for Social Responsibility

Climate Law and Policy Project

Climate Communications Coalition

Climate Parents of Prince George's

Climate Reality Greater Maryland

ClimateXChange

Coming Clean Network, Union of Concerned Scientists

DoTheMostGood Montgomery County

Echotopia

Elders Climate Action Maryland

Fix Maryland Rail

Glen Echo Heights Mobilization

Greenbelt Climate Action Network

HoCoClimateAction

Howard County Indivisible

Maryland Legislative Coalition

Maryland Energy Advocates

Maryland Third Act

Mizrahi Family Charitable Fund

Mobilize Frederick

Montgomery County Faith Alliance for Climate Solutions

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