

March 13, 2026

**HB 1268: 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**

**Position: Favorable with Amendment**

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Southern Maryland Electric Cooperative (SMECO), a member-owned electric cooperative and not-for-profit organization based in Hughesville that provides electricity to more than 180,000 member accounts in Charles, St. Mary's, Calvert and southern Prince George's County, supports HB 1268 with an amendment.

We support the fundamental purpose of this legislation: to require the Maryland Department of the Environment (MDE) to analyze cumulative environmental and public health burdens before issuing or renewing certain individual environmental permits in overburdened communities. The bill's requirements for comprehensive Burden Reports, enhanced public participation, and the "compelling public interest" standard for new or increased pollution sources in at-risk census tracts represent a necessary advancement of environmental justice in Maryland.

However, to ensure statutory clarity and effective implementation, we respectfully urge the Committee to report HB 1268 favorable with the following amendment:

**Proposed Amendment:**

Add to §1701. Definitions a new subsection defining the "Maryland EJ Tool" as follows:

**"MARYLAND EJ TOOL" MEANS THE ENVIRONMENTAL JUSTICE SCREENING AND MAPPING TOOL MAINTAINED BY THE DEPARTMENT, INCLUDING ITS ASSOCIATED EJ SCORE AND UNDERLYING ENVIRONMENTAL, DEMOGRAPHIC, AND HEALTH INDICATORS, AS UPDATED BY THE DEPARTMENT THROUGH REGULATION.**

**Justification for the Amendment:**

- **Provides clarity:** The bill repeatedly references the EJ Tool and EJ Score, but without a definition, their legal meaning could be ambiguous.
- **Ensures consistency:** MDE updates the tool periodically; defining it ensures that the bill always refers to the official, regulated version.
- **Supports implementation:** A clear definition helps applicants, communities and regulators understand exactly which data source governs permit decisions.

Without the proposed definition of the Maryland EJ Tool, the statutory foundation for these critical protections remains ambiguous. This simple amendment provides the necessary clarity while preserving the Department's authority to adapt the tool as data and science evolve.

We respectfully request that the Committee issue a favorable report on HB 1268 with the inclusion of the definitional amendment for the Maryland EJ Tool.