



# CHESAPEAKE BAY FOUNDATION

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## House Bill 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)**

**Date:** March 13, 2026

**To:** Environment & Transportation Committee

**Position:** **FAVORABLE**

**From:** Gussie Maguire  
MD Staff Scientist

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The Chesapeake Bay Foundation (CBF) **SUPPORTS House Bill 1268** which requires certain permit applicants to the Department of the Environment to include a Baseline Understanding of Risk, Disparities, and Environmental Needs or BURDEN Report. Types of permits requiring this assessment include air quality control permits, wastewater discharge permits for facilities such as mines, landfills, and animal feeding operations, sewage sludge permits, operating permits for hazardous materials and nuclear waste facilities, and Title V air quality permits.

BURDEN Reports must include the EJ scores for census tracts within 1.5 miles of the site and include existing pollution sources impacting at-risk census tracts as well as existing public health stressors. Applications for permits that would worsen those stressors could only be approved if there were no reasonable alternative. Public notice processes for permits would include making BURDEN Reports available to the public for review and comment. The bill directs the Department to improve its outreach and notice effectiveness to overburdened communities, improving their ability to self-advocate. Finally, maximum civil penalties for permit violations in at-risk census tracts would be increased 75%; at least 25% of the revenue would go towards supplemental environmental projects in at-risk census tracts.

This bill responds to historic inequities, where poor communities, often communities of color, have been forced to share space with disproportionate numbers of industrial facilities, landfills, incinerators, power plants, and other pollution sources. Overburdened communities face health impacts as well as damage and lack of safe access to natural spaces. Emissions and discharges from multiple facilities within a single watershed place undue stress on the waterway and its surroundings. Requiring an analysis of the environmental and health burdens already impacting an area will help the Department of the Environment make informed decisions about where it can responsibly allow for additional permitted discharges, emissions, and other industrial impacts.

**CBF urges the Committee's FAVORABLE report on HB 1268.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*