



House Bill 1210

Environment - Permit Determinations - Cumulative Impact Assessments

MACo Position: **OPPOSE**

To: Environmental Matters Committee

Date: March 5, 2014

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** House Bill 1210. While attempting to address legitimate placement issues for certain environmental facilities, the bill would create an expensive and potentially unworkable regulatory review process.

The bill would require the Maryland Department of the Environment (MDE) to conduct a cumulative environmental impacts assessment when considering a variety of environmental permit requests, including for air quality control, landfills or incinerators, water pollution discharge permits, and sewage sludge storage. Before preparing a tentative determination for the permit, MDE should conduct the assessment and based on its findings must make a determination whether or not to issue the permit or propose any permit limitations or conditions to offset adverse cumulative impacts.

HB 1210 seeks to address valid environmental justice concerns, but MACo is apprehensive that the bill's provisions will prove challenging and costly to implement. As the bill's fiscal note indicates, the assessments mandated by HB 1210 will likely force MDE to increase the permit fees it charges to applicants, create further delays in the issuance and review of permits, and potentially result in permit applicants having to assist in the preparation of the assessments.

It is worthwhile to consider environmental justice issues as part of the issuance process for certain environmental permits. But the assessment and review system proposed by HB 1210 creates many new costs and hurdles that would make the system impractical to implement. Accordingly, MACo urges the Committee to give HB 1210 an **UNFAVORABLE** report.