



October 15, 2023

To: Maryland Department of the Environment

Subject: Progressive Maryland's comments on Maryland's Climate Pathways Draft Report

Dear Susan Casey and the Maryland Department of the Environment,

We thank Maryland's Department of the Environment and Mark Stewart in particular for allowing us to comment on Maryland's Draft Climate Pathways Report. Progressive Maryland was able to observe and participate in many of the listening sessions, including the session for elected officials, at Morgan State University, and virtually. We also appreciate the recognition of how important it is to center the most impacted people in Maryland's clean energy transition, and our comments will focus attention on addressing the concerns of overburdened and disadvantaged Marylanders that were not adequately addressed in the draft report.

Progressive Maryland's Environmental Justice Task Force is working in partnership with other local organizations to address community concerns in the Baltimore neighborhoods of Westport and Cherry Hill, and the state as a whole. Shutting down polluting facilities like trash incinerators can contribute to the significant reduction of carbon emissions in the power generation sector and would reduce toxic air pollution, especially in areas overburdened with environmental justice concerns who bear a disproportionate share of health impacts.¹

Feedback from communities located in sacrifice zones should be incorporated into Maryland's Climate Pathways. Baltimore's BRESKO/WIN Waste incinerator produces 653,000 tons CO₂², the equivalent yearly emissions of ~140,000 vehicles, is the single largest stationary source of pollution in Baltimore.³ However, it is just one of over 70 polluting industries in South Baltimore that poison the air, ground, and waters adjacent to them. These communities are unified in their rejection of the continued operation of polluting facilities in their neighborhoods.⁴ It is critical that the final report adequately addresses environmental justice concerns while achieving health, social, and economic cobenefits for overburdened and vulnerable Marylanders. This report should be as bold as the legislation that triggered its development.

¹Tangri, Niel. "Waste incinerators undermine clean energy goals." Public Library of Science, Climate, vol. 2, no. 6, 2023.

²Aubourg, Matthew, et al. "Community-driven research and capacity building to address environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore." Frontiers in Epidemiology, vol. 3, Sept. 2023, <https://doi.org/https://doi.org/10.3389/fepid.2023.1198321>.

³ Using EPA's average vehicle emissions of 4.6 tons CO₂/yr

⁴ As of the submission of these comments, Progressive Maryland has collected hundreds of signatures on our petition to eliminate subsidies for trash incineration in Maryland from South Baltimore residents in Cherry Hill and Westport

Mikal's Testimony

We want to share the story of Mikal, a single dad of one, lifelong MDer, who moved to Cherry Hill, a neighborhood adjacent to the Baltimore incinerator, in 2018. After my colleague SirJames knocked on his door and talked to him about his environmental concerns in his community, he decided to join our Environmental Justice Task Force. However, in 2021 he began to deal with respiratory symptoms which have now worsened and continue to significantly impact his life.

As a result, he had to step away from working on the task force and was not able to attend the Baltimore listening session. However, he allowed me to share his story and message on his behalf at the event.

Once a healthy man, Mikal and his doctor now strongly believe that the poor air quality in his community has contributed to his respiratory issues. There are over 70 polluting industries concentrated in South Baltimore, the single largest stationary source being the waste incinerator.

"I would wake up with chest pain and shortness of breath, some days were okay, some weren't"

In some of our conversations on his EJ concerns, he complained about the horrible air quality in his neighborhood and the exposed coal trains that passed his neighborhood.

"Sometimes it would smell like garbage. Sometimes you could smell a distinct smell that is hard to describe but you can recognize. The air gets thick and sticky and it's hard for me to breathe"

Mikal and his family are just one example of many impacted by environmental racism and injustice in the city and beyond. Tragically, he worries not only about how pollution impacts him but above all, how it impacts his daughter, and that if she stays in Cherry Hill, that her health will also deteriorate.

For the sake of those most vulnerable including the youth and the hundreds of thousands in Baltimore City that suffer from some sort of respiratory issue like asthma, please include pathways that thoroughly address public health concerns while also providing reductions in pollution and emissions. A model that projects 51 fewer cases of instances of respiratory issues is a drop in the bucket in a city where 65,000 people suffer from asthma.

Equity and Environmental Justice

We must ensure that communities in Maryland that have historically been neglected in terms of investment are not just included but prioritized. Without intentional outreach encompassing all Marylanders, Maryland's clean energy transition cannot be comprehensive nor successful.

1. More meaningfully engage overburdened communities in the Climate Pathways input process, including more opportunities to learn about the report and provide input
2. Establish environmental impact review requirements before construction of infrastructure projects
 - a. Require disclosure of pollution, emissions, displacement, and future impacts from the project.
 - b. Provide adequate opportunities for public input and 90-day minimum review periods.
 - c. Embed local grassroots organizations into these review processes to establish a foundation of community oversight.
3. Establish a specialized department that can distribute resources and technical assistance to communities burdened by long standing pollution issues.
 - a. Provide adequate and easily accessible funding channels available for all households, including those where multiple languages are spoken, who wish to engage in the transition to a zero emissions economy.

Waste Management

It is unacceptable that Maryland burns its trash, and trash from other states and countries⁵, to get rid of its waste and/or create energy. Public opinion, including within Maryland, aligns with this assertion.⁶ It's also unacceptable that this energy is considered "renewable" by the state and is subsidized through the Renewable Portfolio Standard.⁷ Embracing and investing in zero waste has the ability to reduce the majority of emissions in this category, while providing significant health cobenefits through improved air quality and economic opportunities.⁸

1. Maryland should embark on an immediate transition away from burning trash as a waste management tool by incorporating zero waste strategies and waste reduction initiatives.
 - a. Develop additional infrastructure to handle large scale recycling and composting in communities without access to such facilities.
 - b. Establish mechanisms to divert organic and recyclable waste from landfills and incinerators.

⁵ C40 Knowledge Hub, "Why solid waste incineration is not the answer to your city's waste problem," C40 Cities Climate Leadership Group, Inc., 2019.

⁶ *ibid*

⁷ Public Service Commission, "Maryland Renewable Portfolio Standard Fact Sheet", <https://www.psc.state.md.us/electricity/wp-content/uploads/sites/2/MD-RPS-Fact-Sheet-2.pdf>

⁸ Tangri, et al. "Zero Waste to Zero Emissions: How reducing waste is a climate gamechanger," *Gaia*, October 2022.

- c. Expand on educational initiatives to inform public on recycling and composting, including distributing free reusable bags and developing public messaging.
 - i. Develop partnerships with local organizations like schools, nonprofits, to ensure information and resources are disseminated to the most vulnerable in our communities.
 - d. Provide support for existing and new small scale composting and recycling organizations and initiatives at the local level.
- 2. Eliminate state subsidies for polluting and unclean sources of energy
 - a. Eliminate waste incineration from Tier 1 of Maryland's Renewable Portfolio Standard.
 - b. Eliminate the introduction of polluting industries into Maryland's Renewable Portfolio Standard including biomass and biogas.
 - c. Establish a 100% clean energy standard that limits qualifying resources to only those that are truly renewable and are non-emitting, non-combustible resources.
- 3. Identify opportunities for leveraging funding sources to develop composting and recycling infrastructure.
- 4. Explore ways to source clean energy to Baltimore's steam loop/district heating
 - a. Utilize existing infrastructure to provide clean heating and cooling which will achieve additional emission reductions while avoiding costs of replacing the system

Green Jobs

It is critical to support the development of a green workforce in Maryland. These training programs and certifications will empower individuals in communities of color, disproportionately impacted areas, and low-income communities by equipping them with the skills and qualifications essential for success in the green economy.

- 1. Support the development of programs that create a green workforce, especially in areas with limited economic opportunity.
 - a. Develop and expand programs that partner with existing institutions like community/technical colleges, apprenticeship programs, unions, to engage in green workforce development.
 - b. Establish partnerships with local and small-scale community recycling and composting organizations to provide economic opportunities for community members.

Transportation

Historically, there has been a lack of transportation investment in low-income and Black and Brown communities. Prioritizing investment in transit will have the added cobenefits of providing access to quality housing, jobs, education, food, healthcare, and amenities. We are happy to see incorporation of the Advanced Clean Cars II, Advanced Clean Trucks, and Advanced Clean Fleets regulations integrated into the report. However, focus has largely centered on electric vehicle incentives and infrastructure, which is important, but does little to

support households without vehicles nor does it address the continued dependence on cars and trucks as a primary source of travel.

1. Invest in and expand public transportation options in low-income and Black and Brown communities to ensure quality, affordability, and equitable access to clean methods of transportation.
 - a. Direct Federal transportation funds towards public transportation projects and infrastructure.

Cap and Trade

We recognize that there are a host of benefits for both cap and trade and carbon pricing schemes but their harms must be discussed and contended with should Maryland choose to incorporate either scheme. Cap and trade schemes allow for certainty with regards to the amount of emissions reductions over time by capping emissions, but they also allow lagging or deeply unclean industries to sell off their pollution in exchange for reductions in emissions from other industries. In this scenario, a trash incineration company like BRESKO can avoid reducing emissions by buying off their pollution from a company who has been able to reduce emissions. This produces no change to the environmental injustice that occurs as these industries continue to pollute at existing levels. On the other hand, a carbon tax system would avoid this scenario by charging for each amount of pollution, thus financially incentivizing a polluter to reduce emissions. However, carbon taxes do not necessarily require an emitter to reduce emissions if they have the means to pay the tax.

If Maryland decides to implement cap and trade, serious consideration is required to avoid harms of such a scheme which would allow for continued negative impacts on the environment by dirty industries, especially in overburdened communities like South Baltimore.

1. Prohibit cap and trade permits for industries from being grandfathered in for free. Rather, existing *business as usual* emissions should be the starting point for emission permits.
2. Require stringent and frequent reporting standards and publicly release emissions and trade data from industries.
3. Direct revenue collected from carbon taxes should be directed towards developing community resilience and addressing environmental justice concerns.

Thank you.

Signed,

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