



**Maryland Department of the Environment**

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# States and Cumulative Impacts

**Cumulative Impacts Workgroup**

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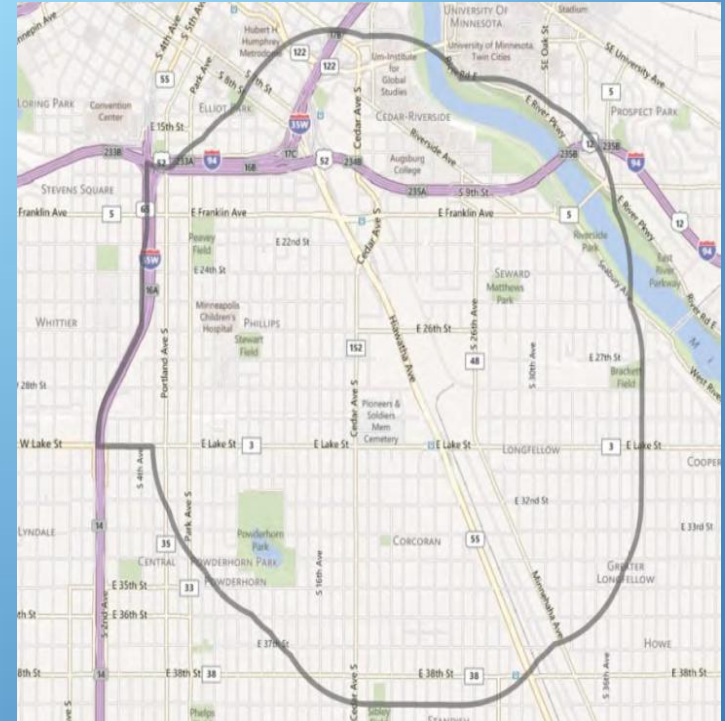
# Summary

- MDE has been tracking what other states are doing on cumulative impacts
- Minnesota has a specific cumulative impact program related to permitting
- A few other state's have other EJ related programs
- Many state programs are still in development



# Minnesota

- Minnesota Pollution Control Agency (MPCA) is required to analyze and consider cumulative levels and effects for proposed air permitting projects in a specific area of South Minneapolis.
- Area around the South Minneapolis Residential Soil Contamination Site (superfund site)





# Minnesota, cont.

- **The permit applicant, with MPCA's review and approval, is responsible for completing five steps for a cumulative levels and effects analysis for air permits:**
  - 1. Determine pollutants and emission rates** for the maximum possible emissions of criteria pollutants and air toxics from a project
  - 2. Use computer modeling** to calculate maximum air concentrations or risks using an *“air dispersion model”*





# Minnesota, cont.

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**3. Determine the study area**, based on a comparison of modeled air concentrations with screening levels

**4. Include environmental health information** in the cumulative levels and effects analysis

**5. Form cumulative levels and effects report-** include report in air permit application





# Minnesota, cont.

- Two facilities that have recently gone through the cumulative levels and effects analysis in South Minneapolis are:
- **Abbott Northwestern Hospital**
- **Metro Transit Hiawatha Light Rail O and M Facility**





# California

- **CalEnviroScreen**

- a screening tool that determines what communities in California are burdened by or vulnerable to pollution
- currently being used to develop policy and concentrate resources in environmentally disadvantaged communities
- CalEnviroScreen 2.0, the latest version of CalEnviroScreen, is currently being drafted. The public comment period for the draft closed on June 2, 2014.





# California, cont.

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- CalEnviroScreen is **not currently being used for determining cumulative impacts** in permitting
- “The CalEnviroScreen score is not an expression of health risk, and does not provide quantitative information on increases in cumulative impacts for specific sites or projects. Accordingly, the tool is not intended to be used as a health or ecological risk assessment for a specific area or site.”







# New Jersey

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- New Jersey's Environmental Justice Advisory Council (EJAC) released a report in 2009 entitled "Strategies for Addressing Cumulative Impacts in Environmental Justice Communities."
- This report lays out recommendations to NJDEP regarding cumulative impacts and possible regulations on cumulative impacts.
- NJ has developed a preliminary geographic information system-based screening tool





# New Jersey, Cont.

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- In 2011 NJDEP started the early stages of developing a method to address cumulative impacts
- **NJDEP Internal Cumulative Impact Workgroup** has been tasked with:
  - Evaluating other methods and developing their own method for determining cumulative impacts
  - Determining what data should be used to indicate environmentally burdened areas
  - Restricting methods to statewide analysis, rather than analyses of various communities





# Connecticut

- Focus on **enhanced public participation in EJ communities**
- **Applicants** seeking a permit for a new or expanded "applicable facility" that is proposed to be located in an "environmental justice community" **must file and receive approval for an EJ Public Participation Plan** prior to filing permit application.





# Connecticut, cont.

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- **EJ Community is defined as:**
  - a US census block for which 30% or more of the population consists of low income persons who are not institutionalized and have an income below 200% of the federal poverty level
  - a depressed municipality
- **Applicable Facility is defined as:**
  - an electric generating facility with a capacity greater than 10 megawatts; sludge or solid waste incinerators or combustors; sewage treatment plants; certain waste facilities; some new or expanded landfills, waste incinerators; CAA major sources of air pollution.





# Connecticut, cont.

- **Applicants must:**

1. **File a meaningful public participation plan**

- Meaningful participation means residents have an opportunity to participate in the process in a way that may influence the agency's decision; the applicant seeks out and facilitates public participation.

2. **Receive written Department approval** of the plan prior to filing an application

3. **Consult with the chief elected official** of the town to evaluate the need to enter into a community environmental benefit agreement





# Maryland Department of the Environment

## Contact Information

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