



# 2024 Legislative Priority

## MDE Permitting Authority

HB 0024 / SB 0096

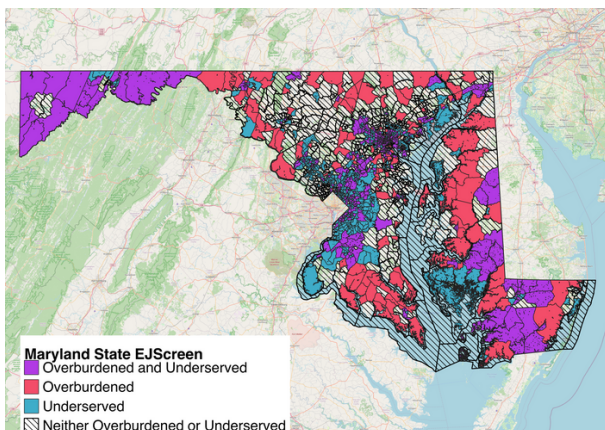
Maryland LCV Position: **Favorable with Amendments**

### BACKGROUND

The 2022 Climate Solutions Now Act enhanced Maryland's ability to address environmental injustice by defining "overburdened" and "underserved" communities within state law. However, Maryland's existing laws and permitting practices have fallen short of embedding this information in its decision-making, so we have not seen progress addressing inequitable pollution distribution. HB 24/SB 96 authorizes the Maryland Department of the Environment (MDE) to consider environmental justice (EJ) in its permitting process, using tools like the MDE EJ Screen mapping tool for better-informed decisions.

- Current permitting practices are insufficient to prevent new pollution or mitigate harm from current pollution sources in the most overburdened communities in Maryland.
- This bill requires MDE to conduct an EJ analysis on permits submitted in communities with an EJ score above 75, which are the communities who have the highest pollution burden and the largest barriers to access resources. It also enables MDE to use the information from the EJ analysis to inform its permit decision. The types of facilities that emit pollution contributing to these disparities are primarily not part of the category of permits (§1-601(a)) included in HB 24.
- Maryland LCV supports an amendment to add Title 5 air permits to the list of covered permits in this bill, which are the most relevant to pollution sources in overburdened communities and for people's health.

Strengthening Maryland's commitment to environmental justice by embedding equity in MDE's permitting process and prioritizing pollution sources most harmful to human health.



***Overburdened and Underserved Communities in Maryland***

### WHAT THIS MDE PERMITTING BILL WILL DO WITH AMENDMENTS

- Enables MDE to make decisions using EJ tools it has developed.
- Builds on definitions from the Climate Solutions Now Act to prevent inequitable pollution distribution.
- Expands the list of permits requiring an environmental justice analysis, ensuring meaningful coverage for overburdened communities.

### WHY IT'S IMPORTANT FOR MARYLAND

As our state addresses current climate and justice crises, it is vital for Maryland to ensure that its environmental policies and practices are equitable, protecting all communities from the disproportionate impact of pollution. By enhancing the MDE's permitting authority, Maryland can lead by example in creating a greener, more just state for current and future generations.

The Maryland League of Conservation Voters educates and activates people to take equitable and just political actions for clean water, healthy air and climate-resilient communities.

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