



Committee: Environment and Transportation

Testimony on: HB649

Organization: Dorchester Citizens for Planned Growth (DCPG)

Submitted by: Fred Pomeroy, President

Position: Favorable

Hearing Date: February 23, 2022

Dear Chairman Barve and committee members:

Thank you for allowing our testimony in **support** of HB649 – Environmental – Discharge Permits – Inspections and Administrative Continuations. Dorchester Citizens for Planned Growth (DCPG) is an environmental organization located in Dorchester County. We urge you in the strongest possible terms to vote favorably on HB649.

I am writing to offer testimony about the urgent need to correct an ongoing environmental crisis in Maryland, namely the lack of oversight and strict enforcement by the Md. Dept. of Environment- which continues to cause degradation of our waterways and threatens public health. My testimony focuses on an example of this failure which I am sadly all too familiar with - the case of the illegal pollution discharge caused by the Valley Proteins chicken rendering plant in Linkwood, Dorchester County.

In 2014, our local citizen's group, DCPG, learned that Valley Proteins was applying to MDE to supersize its wastewater discharge permit for industrial dumping into the upper tributary of the Transquaking River. To us, the requested increase was staggering. We had been conducting periodic and independently analyzed water testing at six sites in Dorchester and while all of the sites were reflecting various degrees of pollution, the numbers from our testing of the Transquaking were by far the highest. The values for nitrogen and particularly phosphorus were way above what was considered an allowable baseline. The fecal coliform sampling was also dangerously high, and often there was virtually no dissolved oxygen present in the water. These numbers were undoubtedly contributing to events of toxic algal blooms, dead pet dogs, and fish kills we were hearing about anecdotally from residents of the watershed.

We expressed our concerns directly to MDE at an informational hearing held in 2014 at the Cambridge Public Library. Trying to wade through byzantine chemical flow charts presented by the industry at this meeting was daunting, but one underlying fact seemed indisputable: if the point source discharge flow from Valley Proteins was quadrupled - from approx. 150,000 gals/ day to the requested increase of 575,000 gals/day - a river that was already on the verge of dying would be completely overwhelmed.

*Dorchester
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Again, this was in 2014. We are now coming up on the eight year anniversary of this informational hearing and MDE has still not completed the process of determining safe discharge limits for the industry's effluent as called for under the Clean Water Act. In fact, MDE's record of regulation of this polluting industry has for the past eight years been governed by a vague process called "administrative continuance." **Administrative continuance has allowed VP to continue to pollute the Transquaking while their industrial operation has expanded. Administrative continuance has relied on self-reporting by VP, which has too often meant non-reporting. Administrative continuance is the equivalent of allowing the fox to guard the hen house, or in this case the offal from many hen houses.**

DCPG calls on the Maryland legislature to step in and stop this travesty. We also call on MDE to carry out their stated duty, which is to restore the environment and protect the public health of Marylanders, rather than acting as an enabler for irresponsible industry. **When passed, HB 649 will have an important remedial effect on a regulatory process that has gone dangerously awry.** This legislation is long overdue and should be passed in the current session. Thank you for your work on behalf of all Maryland citizens.

Fred Pomeroy
President
Dorchester Citizens for Planned Growth