



TESTIMONY FOR HB0161

Northeast Maryland Waste Disposal Authority – Evaluation and Termination of Bond Authority (Northeast Maryland Waste Disposal Authority Sunset Act)

Bill Sponsor: Delegate Korman

Committee: Environment and Transportation

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0161 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

HB161 would implement recommendations of the State Transparency and Accountability Reform Commission (“the Commission”), a bipartisan commission convened in 2021 to review and investigate the operations and structures of quasi-governmental agencies in Maryland. The Northeast Maryland Waste Disposal Authority (the “Waste Disposal Authority” or “Authority”), one of the quasi-governmental agencies the commission reviewed, duplicates the activities of other quasi-governmental agencies in everything but trash incineration.

The Commission recommended that all quasi-governmental agencies in Maryland receive a periodic sunset review, and specifically named the Waste Disposal Authority as a candidate for review. HB161 directs the Department of Legislative Services to conduct an independent review and report to the legislature recommendations. Simply as a matter of good governance and fiscal responsibility, the continued existence of the Waste Disposal Authority should be reviewed.

Two other important reasons to consider sunseting the Waste Disposal Authority are:

- equitable public health treatment (the toxins released by the incinerators are dangerous to the surrounding communities);
- the Authority’s role in hampering the development of policies to divert organic waste from the waste stream. Organic waste is the primary source of methane emissions from Maryland’s waste and meaningful diversion of organic waste would be a significant step forward for both public health and achieving Maryland’s greenhouse gas reduction goals.

Montgomery County’s experience with the Waste Disposal Authority is illustrative of how the Authority impedes development of sustainable solid waste policies. When Montgomery County initially turned to the Waste Disposal Authority for technical support to develop an “Aiming for Zero Waste” plan, the Authority relied upon its pre-approved list of “on-call consultants,” while excluding from this list other nationally renowned experts in sustainable solid waste management planning.

Instead, it sought engineering firms with a bias toward waste-to-energy and landfill solutions. The Authority's chosen consultant for Montgomery County, HDR, concluded, among other things that: (1) incineration would create fewer greenhouse gasses than would landfilling using an EPA model that did not count diversion of organics waste from the waste stream in the calculation; (2) the County could not increase its recycling rate significantly, and (3) the costs to upgrade the incinerator could reach as high as \$62.7 million. HDR also concluded that the lifecycle disposal costs for incineration would be cheaper on a per ton basis than either truck or rail haul to landfill.

Since the issuance of the HDR report, our County Executive has pledged to close the incinerator. At a public meeting in January 2019, the County Executive expressed concerns about the Authority's process ("I question whether the consultants we have are the right consultants to make the switch over we want to make. Is the consultant willing to work on it in the frame of mind that we want to do?... We only do so poorly because we tolerate people not abiding by what our goals are.").

To provide an alternative perspective to the Authority's consultants conclusions and recommendations, the County Executive subsequently procured the services of nationally recognized Zero Waste consultants to develop a report (at a fraction of the cost of the HDR report). The consultants reported that Montgomery County could significantly reduce its waste through a range of actions, including: reuse and repair programs; universal collection of recycling, organics and trash for all generators; deconstruction, construction, and demolition debris recycling requirements; establishment of a resource recovery park; and a comprehensive organics management strategy. They also provide a specific timeline and strategy for closing the incinerator and sending residual waste to a well-managed landfill. This is an example of the different outcomes that can result from a jurisdiction's choice of consultants for developing a long-term strategic plan, and of the results that have come from using the Waste Disposal Authority's on-call consultants.

Baltimore City's Mayor has also pledged not to renew the City's contract with its incinerator (formerly known as Wheelabrator). Importantly, community activists have long fought to close that incinerator largely because it is a significant contributor to childhood asthma rates in the surrounding communities. In December 2017, the Abell Foundation, in conjunction with the Environmental Integrity Project, published a study entitled "Asthma and Air Pollution in Baltimore City." The study found that Baltimore's asthma rate is three times greater than the rest of Maryland and that the highest incidence of asthma occurred in those zip codes that are adjacent to major emitters of air pollution: 21230, in which the Baltimore City incinerator is located, and 21226, in which other major facilities are located. The Baltimore incinerator is the single largest stationary source of Nitrogen oxide in Baltimore. According to the Baltimore City Health Department, the average life expectancies for babies born to families in Cherry Hill, Curtis Bay and Brooklyn are all less than 70, a decade less than the statewide average. In Westport, residents are more than twice as likely to die of lung cancer than those in the Guilford or Homeland neighborhoods of North Baltimore. The Chesapeake Bay Foundation estimated that the facility's emissions cost Maryland \$21.8 million in health care expenses annually, and \$55 million overall in annual health expenses.

Similarly, the Dickerson trash incinerator in Montgomery County is the single largest industrial emitter of air pollutants in Montgomery County. This facility annually produces approximately 740 tons of air pollutants and sends about 180,000 tons of toxic ash to landfills in Virginia.

We support this bill and recommend a **FAVORABLE** report in committee.