

Guide for Written Public Comments on The CSX Curtis Bay Coal Terminal's Draft Permit to Operate

On August 29, 2024, the Maryland Department of the Environment (MDE) issued a draft [renewal](#) of CSX's Permit to Operate its coal export terminal in Curtis Bay. This terminal has [polluted](#) South Baltimore communities for decades, and in recent years, it has created a [dangerous explosion](#) and a [fugitive dust storm](#). In October, documentation that coal dust has been found throughout the Curtis Bay community as far away as Benjamin Franklin High School was [scientifically validated through peer review](#).

MDE is taking public comments on this permit through December 16. They need to hear from you! These comments will shape MDE's decision on whether to deny, issue, or add (or weaken) conditions to the final permit. By submitting written comments in support of community demands, you can send a clear message that coal dust in Curtis Bay is unacceptable and MDE must act now.

Your written comments submitted on the record will make a difference in the ultimate outcome of this permit process. Please use the guide below to develop comments on behalf of yourself or your organization, and submit them to shannon.heafey@maryland.gov. **Comments are due on December 16, 2024.**

Can you also add your organization's name to a brief sign on letter? [Click here!](#)

Questions about this document? Want more assistance as you develop your written testimony? Contact Jennifer Kunze (Maryland Organizing Director, Clean Water Action) at jkunze@cleanwater.org, Ezana Assefa (Student Attorney with UMD Environmental Law Clinic) at eassefa1@clinic.law.umaryland.edu, or Jon Mueller (Director of UMD Environmental Law Clinic) at jmueller@law.umaryland.edu.

Comments in Opposition to the CSX Curtis Bay Coal Terminal Air Pollution Permit

Permit No. 510-2263

Dear Maryland Department of the Environment,

As *[a resident of Curtis Bay] / [an environmental organization] / [a concerned Maryland resident]*, I am writing to express my strong opposition to the proposed draft Air Pollution Permit to Operate for the CSX coal terminal in Curtis Bay. This terminal has long been a source of harmful coal dust emissions, and its operations continue to degrade air quality, jeopardizing the health and well-being of surrounding communities. MDE must act to prevent the ongoing coal dust pollution in Curtis Bay caused by the operations of the CSX terminal by denying the request to renew its Permit to Operate

The CSX terminal handled over 7 million tons of coal in 2022, releasing coal dust that contains dangerous particulate matter (PM2.5 and PM10) and toxic elements such as arsenic, mercury, and lead. New peer-reviewed research proves what residents have long said: coal dust contaminates the community. Exposure to particulate matter has been linked to respiratory diseases, cardiovascular issues, and premature mortality. No amount of this pollution is safe for human health, and Curtis Bay residents have endured it for far too long.

Add personalized content here – see below.

Maryland should prioritize the health of its citizens, not the interests of polluters. MDE must deny this permit renewal to protect our community from further harm. If a permit is granted, it must include stringent conditions that effectively eliminate coal dust emissions, enforce stricter air quality monitoring, and hold CSX accountable for non-compliance.

Sincerely,

[If you want to keep it short and sweet, just submit the above on behalf of your organization / yourself! Or, add some more personal comments or facts like the ones below:]

Share why this issue matters to you personally:

Do you or someone you know suffer from asthma, respiratory disease, or other health conditions that may be worsened by coal dust? If so, consider a statement similar to:

"Members of my family and I have experienced worsening asthma symptoms due to the ongoing coal dust pollution in our neighborhood."

Do you live, work, or go to school near the CSX terminal? If so, consider a statement like this:

"I've seen the coal dust accumulate on my windowsills, outdoor furniture, and even inside my home. It's deeply concerning to think about what it's doing to our lungs."

[If you work in the area, adjust the facts to reflect your daily life.]

Are you worried about air pollution and the long-term effects it could have on your community's health?

"I'm worried about the long-term impacts of air pollution on the health of Curtis Bay residents, particularly vulnerable populations like children and the elderly."

Write about the impacts of coal dust on health and the environment:

Coal dust pollution in Curtis Bay is a serious and persistent issue, with significant health and environmental consequences for residents. The dust, which comes from the CSX coal terminal and other operations, contains particulate matter (PM), including fine particles like PM2.5 and larger particles like PM10. These pollutants have been found in homes, schools, businesses, parks, and churches across the community, traveling up to $\frac{3}{4}$ of a mile from the terminal.

- **Scientific Findings and Research**

- In a collaborative effort to address community concerns about coal dust, researchers from the Maryland Department of the Environment, Johns Hopkins University, and other institutions conducted extensive studies to measure coal dust pollution in Curtis Bay. Their findings confirmed the presence of coal dust throughout the community. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 1 (Dec. 14, 2023). [Report](#). These findings have now been scientifically validated through peer review. Matthew A. Aubourg, et al., [Use of electron microscopy to determine presence of coal dust in a neighborhood bordering an open-air coal terminal in Curtis Bay, Baltimore, Maryland, USA](#), *Science of The Total Environment*, October 8, 2024.
- **Coal Dust Migration:** Coal dust was found at all community sampling locations, ranging from the fence line of the CSX terminal to $\frac{3}{4}$ of a mile away. These particles were present in residences, businesses, schools, and parks. Both large particles (PM10) and smaller, more harmful particles (PM2.5) were detected in these samples. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 1 (Dec. 14, 2023). [Report](#).
- **Rapid Accumulation:** Coal dust accumulates quickly in Curtis Bay. Researchers observed coal dust building up on surfaces in as little as 40 seconds and significant accumulation after just three days of exposure. This rapid buildup underscores the ongoing, daily exposure faced by residents. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution,*

and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023, at 3 (Dec. 14, 2023). [Report](#).

- **High Frequency of Coal Dust Events:** Coal dust events, where significant levels of coal dust were detected, occurred regularly. On average, high-intensity coal dust events happened approximately once every hour and a half, with some lasting up to 137 consecutive minutes. These events were correlated with both wind direction and activity at the coal terminal, such as trains, bulldozers, and ships. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 2 (Dec. 14, 2023). [Report](#).

- **Health Impacts**

- Coal dust exposure has severe health implications for Curtis Bay residents. A local resident described how her children suffer from asthma and how she is unable to open her windows due to the accumulation of black dust, which is likely coal dust, inside her home. This daily exposure to coal dust affects residents' respiratory health, especially vulnerable populations like children, the elderly, and those with pre-existing conditions. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 1 (Dec. 14, 2023). [Report](#).
- **Respiratory Disease:** Fine particulate matter (PM2.5) can penetrate deep into the lungs, leading to or exacerbating conditions such as asthma, bronchitis, and other chronic respiratory diseases. As evidenced by Angela's experience, many residents have developed or worsened respiratory issues due to long-term exposure to coal dust. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 12 (Dec. 14, 2023). [Report](#).
- **Cardiovascular Disease:** PM2.5 is not only a respiratory hazard but can also enter the bloodstream, contributing to cardiovascular diseases, heart attacks, and strokes. The cumulative pollution burden in Curtis Bay exacerbates these risks. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 12 (Dec. 14, 2023). [Report](#)
- **Premature Mortality:** Both short-term and long-term exposure to PM2.5 is linked to increased risk of premature death. There is no safe level of exposure to fine particulate matter, according to the World Health Organization (WHO) and the U.S. Environmental Protection Agency (EPA). *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 12 and 3 (Dec. 14, 2023). [Report](#).

- **Health Disparities in Curtis Bay:** Residents of Curtis Bay face stark health disparities, showcasing the area’s urgent environmental justice needs. The life expectancy in Curtis Bay is 69.7 years—almost four years shorter than Baltimore's average of 73.6 years (Baltimore City Health Department). Additionally, Curtis Bay has a 25% higher mortality rate than the rest of Baltimore, underscoring the severe health impact on the community. Chronic lower respiratory disease, linked to air pollution, causes 6.1% of deaths in Curtis Bay, nearly double the rate for the rest of Baltimore. Moreover, Curtis Bay's hospitalization rate for asthma in 2011 was more than twice the state average (Environmental Integrity Project / Abell Foundation). These statistics illustrate the profound health toll that pollution and industrial exposure have on Curtis Bay, supporting the need for strengthened regulatory oversight and environmental protections. *Community vs. Coal: Reclaiming Health in Curtis Bay*, Johns Hopkins Public Health Mag. (2024), <https://magazine.publichealth.jhu.edu/2024/community-vs-coal-reclaiming-health-curtis-bay>.

- **Environmental Impacts**

- The environmental effects of coal dust extend beyond immediate health risks. The dust settles on homes, schools, public spaces, and the natural environment, contaminating air and soil. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 26 (Dec. 14, 2023). [Report](#)
- **Air Pollution:** Coal dust contributes to elevated levels of particulate matter in the air. Studies show that Curtis Bay experiences higher levels of particle pollution than nearby areas, including increased levels of black carbon from coal dust and diesel emissions. This cumulative pollution worsens air quality and affects the entire community. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 1 (Dec. 14, 2023). [Report](#)
- **Soil and Water Contamination:** Coal dust, which contains toxic elements like arsenic, mercury, and lead, can contaminate soil and water as it settles on the ground. This can affect plant life, local water bodies, and ecosystems, posing additional environmental hazards. *Community of Curtis Bay Association et al., Collaborative Investigation of Coal Dust, Air Pollution, and Health Concerns in Curtis Bay, South Baltimore, Maryland, USA, 2022-2023*, at 13 (Dec. 14, 2023). [Report](#)

- **Environmental Justice**

- **Demographics Reflecting Economic Hardship and Racial Inequality:** Curtis Bay, along with Brooklyn and Hawkins Point, has a population of approximately

14,626 people. The area has a median household income of \$32,598, with 32.1% of households living below the poverty line. People of color represent 68.3% of the population, with Black or African American residents making up 35.8%. This demographic profile reflects a community with significant racial and economic disparities. Aubourg MA, Sawtell G, Deanes L, Fabricant N, Thomas M, Spicer K, Wagar C, Campbell S, Ulman A and Heaney CD (2023) *Community-driven research and capacity building to address environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore*. *Front. Epidemiol.* 3:1198321. doi: 10.3389/fepid.2023.1198321.

<https://www.frontiersin.org/journals/epidemiology/articles/10.3389/fepid.2023.1198321/full>

- **Urban Neglect and High Vacancy Rates:** Curtis Bay faces issues of urban disinvestment, with 1,013.2 vacant lots per 10,000 housing units—a rate significantly exceeding the Baltimore city average by over 300 vacant lots per 10,000 units. This high vacancy rate reflects broader patterns of disinvestment and neglect that exacerbate economic challenges and contribute to poor living conditions. Aubourg MA, Sawtell G, Deanes L, Fabricant N, Thomas M, Spicer K, Wagar C, Campbell S, Ulman A and Heaney CD (2023) *Community-driven research and capacity building to address environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore*. *Front. Epidemiol.* 3:1198321. doi: 10.3389/fepid.2023.1198321.
<https://www.frontiersin.org/journals/epidemiology/articles/10.3389/fepid.2023.1198321/full>
- **Intense Industrial Zoning and Pollutant Concentration:** Over 80% of Curtis Bay's land is zoned for industrial use, creating a concentrated industrial landscape near residential areas. Around 70 Maryland Department of the Environment-regulated sources of air pollution, including incinerators, chemical plants, and coal facilities, emit hazardous pollutants. This zoning disproportionately exposes residents to toxic chemicals, air toxics, and other pollutants, compounding public health risks. Aubourg MA, Sawtell G, Deanes L, Fabricant N, Thomas M, Spicer K, Wagar C, Campbell S, Ulman A and Heaney CD (2023) *Community-driven research and capacity building to address environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore*. *Front. Epidemiol.* 3:1198321. doi: 10.3389/fepid.2023.1198321.
<https://www.frontiersin.org/journals/epidemiology/articles/10.3389/fepid.2023.1198321/full>
- **Elevated Environmental Health Risks:** Curtis Bay ranks among the highest in the nation for several pollution and health risk indicators. According to the EPA's EJ Screen, Curtis Bay is in the 99th percentile for proximity to Risk Management Program sites, 96th percentile for hazardous waste facilities, and 93rd percentile for wastewater discharge sites. The area also faces significant exposure to diesel particulate matter, air toxics, and elevated cancer and respiratory risks, making it a persistent environmental justice concern. Aubourg MA, Sawtell G, Deanes L, Fabricant N, Thomas M, Spicer K, Wagar C, Campbell S, Ulman A and Heaney CD (2023) *Community-driven research and capacity building to address*

environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore. Front. Epidemiol. 3:1198321. doi: 10.3389/fepid.2023.1198321.
<https://www.frontiersin.org/journals/epidemiology/articles/10.3389/fepid.2023.1198321/full>

- **Historical Pollution Burdens:** In 2007 and 2008, Curtis Bay experienced toxic air pollutant emissions of 20.6 and 21.6 million pounds, respectively—the highest in the nation at the time. Although improved pollution controls have reduced these levels, Curtis Bay’s ZIP code remains the most polluted in Maryland, with ongoing emissions from industrial sources placing residents at continuous risk. This demographic and environmental profile illustrates Curtis Bay’s status as an “industrial sacrifice zone,” where economic vulnerability, racial inequities, and concentrated pollution intersect, create compounded risks for the community’s health and well-being. Aubourg MA, Sawtell G, Deanes L, Fabricant N, Thomas M, Spicer K, Wagar C, Campbell S, Ulman A and Heaney CD (2023) *Community-driven research and capacity building to address environmental justice concerns with industrial air pollution in Curtis Bay, South Baltimore.* Front. Epidemiol. 3:1198321. doi: 10.3389/fepid.2023.1198321.
<https://www.frontiersin.org/journals/epidemiology/articles/10.3389/fepid.2023.1198321/full>
- **2021 Explosion:** Renewing CSX’s permit without added safeguards fails to address the environmental justice issues impacting Curtis Bay residents. Following the 2021 explosion, which blanketed the community in coal dust, the minimal \$1,500 fine and \$1.75 million settlement are inadequate to compensate for the long-term effects on residents' health and quality of life. Given Curtis Bay’s history of disproportionate pollution exposure, MDE should enforce stricter conditions to ensure fair treatment and protect community well-being before considering renewal. CSX Coal Explosion Impacted a Large Swath of Residential Curtis Bay, Report Finds, Baltimore Brew (Aug. 27, 2022), <https://baltimorebrew.com/2022/08/27/csx-coal-explosion-impacted-a-large-swath-of-residential-curtis-bay-report-finds/>; Curtis Bay Resident Calls \$1.75 Million CSX Settlement Over 2021 Explosion a "Slap in the Face", CBS News (Oct. 4, 2023), <https://www.cbsnews.com/baltimore/news/curtis-bay-resident-calls-1-75-million-csx-settlement-over-2021-explosion-a-slap-in-the-face/>.