

Winter 2024 • The Clean Water Action Newsletter

MARYLAND

Reclaiming Renewable Energy

In 2011, the Maryland General Assembly and then-Governor O'Malley made a huge mistake: declaring trash incineration “renewable energy” and dedicating subsidies to incinerators that should have gone toward solar and wind. Now, after years of organizing and advocacy from communities fighting incinerators, Maryland is poised to fix this costly mistake by passing the Reclaim Renewable Energy Act.

Maryland's Renewable Portfolio Standard (RPS) was supposed to reduce emissions on our regional grid by requiring utilities to subsidize renewable energy sources at increasing levels over time. But because trash incineration — [which pollutes more per amount of energy than coal](#) — counts as “renewable,” Maryland utilities (and ultimately, us as utility



PHOTO BY JENNIFER KUNZE

ratepayers) have spent about \$100,000,000 subsidizing incinerators since 2012. And if current trends continue, [we'll pay another \\$200,000,000](#) in misdirected renewable energy subsidies to incinerators by 2030 — unless Governor Moore and the General Assembly act now.

There's good news for the 2025 legislative session. After years of advocacy from community leaders in his district, Senate President Ferguson (D-Baltimore City) [announced in](#)

[October](#) that he would assume lead sponsorship of the Reclaim Renewable Energy Act, taking up the mantle from Senator Lewis-Young (D-Frederick). Sen. Ferguson's sponsorship is a game changer for the bill's momentum and should mean that 2025 becomes the year Maryland finally fixes this problem — but we still have work to do.

TAKE ACTION! While the Senate President is one of our sponsors, the fight is not over. The Moore administration still has not taken a position on this legislation — we need Governor Moore to support passing the Reclaim Renewable Energy Act in 2025 and ensure trash incineration has no place in any future clean energy standard. The frontline communities who have fought this for years deserve to see it resolved without having to wait another year or more. Act now: [Contact Governor Moore](#) and your own Senator and Delegates to support the Reclaim Renewable Energy Act and get it passed at last in 2025!

MARYLAND

Cumulative Impacts: The Process

In Maryland, many communities — from Charles County to Cambridge, from the Port of Baltimore to Westernport — are overburdened by pollution and its health impacts. Environmental racism, classism, and other factors cause polluting industries to concentrate in low-income communities and communities of color, and the cumulative impact of these industries surrounding the same communities lead to severe health impacts and shortened lifespans.

Maryland's pollution permitting systems allow this to happen. When a company applies for a permit to emit pollution at a facility, the state only looks at the pollution from that one facility in a vacuum. Even though the people living nearby experience all pollution from all polluters all at once, the polluting facilities are considered individually without reference to the cumulative impact of other surrounding industries on people's health. Many types of facilities with tremendous impacts on overburdened communities are even left out of public engagement requirements. While the Maryland Department of the Environment has new tools that could be used to analyze these problems, including mapping systems among other, it does not have the express legal authority to make any permitting decisions based on environmental justice or cumulative impact information. This polluter-focused rather than people-focused permitting system leads to concentrations of industries that create environmental injustice.

In 2025, one of our top priorities with our partners in the Mid-Atlantic Justice Coalition is righting this wrong. The CHERISH Act (from Cumulative Harms to Environmental Restoration for Improving our Shared Health) will create new permitting requirements in and around the top 25% most polluted communities in the state. This summer and fall, MAJC member South Baltimore Community Land Trust, led a process with other South Baltimore organizations and grassroots environmental justice groups around the state to determine which types of facilities and permits are the most important for environmental justice. For these permits, in these areas, the CHERISH Act requires state government to evaluate whether issuing a proposed permit to pollute would add to the disproportionate burden on the community. If it would, the state must deny the permit or create new requirements to reduce the burden, and the polluter must provide meaningful support to the community to compensate.

Other states around the country have made tremendous progress on legislation to address the cumulative impacts of pollution in the past several years. In New Jersey, Minnesota, and Massachusetts, Clean Water Action has supported frontline communities in developing similar bills and getting them passed. This will be a tough fight in Maryland, but we'll be working with the Mid-Atlantic Justice Coalition and allies across the state to secure a real environmental justice victory with the CHERISH Act.



Chemical Recycling: Cedar Creek Community town hall on December 3rd convened by community leaders. Pictured are members of the Cedar Creek and River Hill communities as well as environmental advocates.

MARYLAND

Surcharge Bill

Across Maryland, local governments, businesses, schools, nonprofits, and community organizations are making strides on Zero Waste, but we need to do more, and more quickly, to keep trash out of landfills and incinerators and fight climate change. Despite the importance of this work, Maryland does not have a dedicated funding stream to support Zero Waste solutions.

In the last legislative session, Delegate Boyce's HB1318 would have solved this problem by creating a Wasted Food Diversion Fund and putting money in it through a small \$2/ton surcharge on waste disposed of at an incinerator or landfill. This is a simple polluter-pays concept that will provide a necessary funding stream for projects that our communities want to implement but need state support.

This fund would pay for infrastructure (like new compost facilities or cold storage for edible food donation) and programs like food waste reduction in schools — great programs that divert uneaten food from landfills into hungry bellies and soil.



Maryland Heat Standard: Protecting Workers from Extreme Heat.

Maryland has implemented a much-needed heat standard to protect workers from the dangers of extreme heat. It applies to workplaces where heat exposure is a concern. Key requirements include creating heat illness prevention plans, training workers and supervisors to recognize and respond to heat-related risks, and monitoring heat levels to adjust workloads and provide rest breaks when conditions are unsafe. This proactive measure is essential as rising temperatures pose growing risks, positioning Maryland as a leader in safeguarding worker safety amid climate challenges.



Advancing School Composting in Howard County, Maryland.

Howard County schools are advancing efforts to implement composting programs but face significant funding challenges. While Maryland's School Waste Reduction and Composting grant program provided some money to support school composting for the 2023-24 school year, the program lacks funding for 2024-25, leaving many schools without resources for supplies or hauling services. Furthermore, only a few Howard County

schools received funding from that grant, highlighting the need for broader support. To address this, we're collaborating with teachers, organizations, and community leaders to secure alternative funding and ensure the success of composting initiatives across the county.

DISTRICT OF COLUMBIA

How Can Micro-Grids Empower Community Resilience?

On December 13th Clean Water Action collaborated with our DC partner the Anacostia Park and Community Collaborative (APACC) and one of our Massachusetts partners the Green Justice Coalition (GJC) to host *Pushing for Climate Justice and Community Resilience: The Story of the Chinatown and Chelsea Microgrids in Greater Boston*. This session included discussions of microgrids, and how they might be useful to empower disfavored communities in DC!

Since 2016, GJC members Clean Water Action, GreenRoots Inc. and the Chinese Progressive Association have worked alongside Resilient Urban Neighborhoods to bring microgrids to Chelsea, MA and Boston's Chinatown. We heard from Sari Kayyali, GJC's Microgrids Manager and Lydia Lowe, Executive Director of the Chinatown Community Land Trust, about their experience building a grassroots movement to ensure their communities

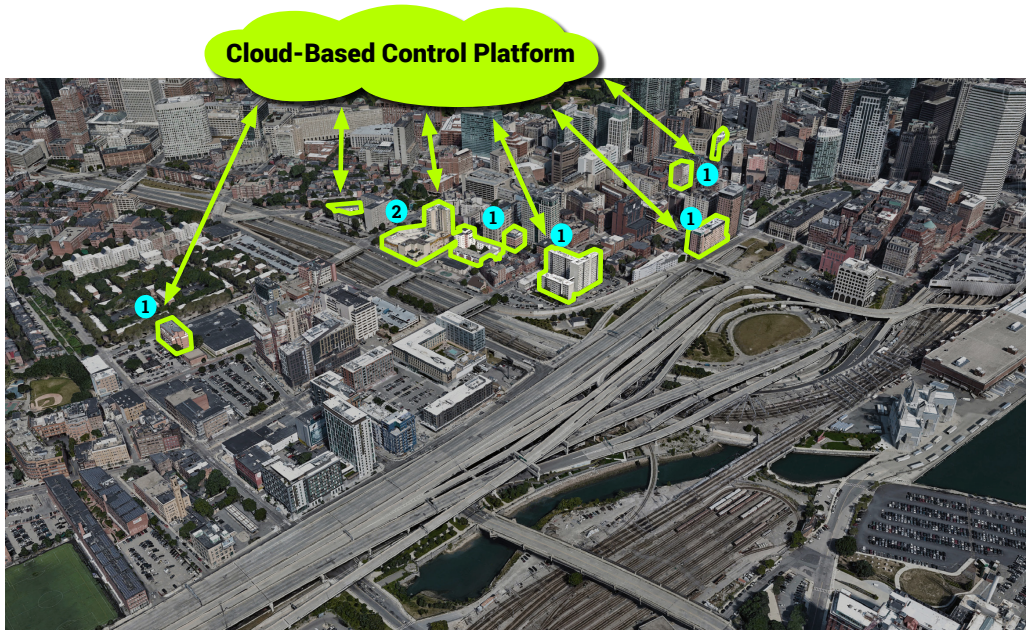
have equitable access to power into the future.

They have devised a unique microgrid system: By installing energy-efficiency measures, clean generation including solar, and battery storage for backup, they have designed a system that allows any building within Chelsea or Chinatown to be a potential participant. Each location could become its own island when the grid is down. Their goal is a model better-suited to handle the challenges to the power grid arising from the climate crisis.

The idea for this discussion grew out of interest from APACC partners about learning more about microgrids, and our hope is that their knowledge might help DC communities begin the process of pushing for equitable power security.

ANACOSTIA PARK & COMMUNITY COLLABORATIVE

RUN-GJC Chinatown Boston Microgrid

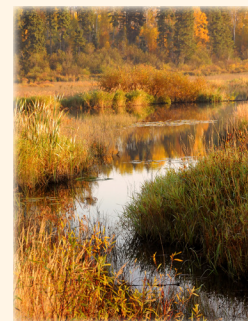


◀ Map showing a potential microgrid design in Boston, with community centers that could provide power in the event of a crisis affecting the power grid.

KEY
1 = Apartment Building
2 = School / Community Health Center / Emergency Shelter

2024 Election Results and Our Work

We're proud of our work to motivate clean water voters in the recent elections. See our state updates in this issue. The impact of the election on our national level work will, unfortunately, be dramatic. The new administration has committed to gutting federal agencies, rolling back health and environmental protections, and to taking us backwards on addressing the climate crisis. Among its priorities are further weakening the Clean Water Act's stream and wetlands protections, despite the devastation already caused by the U.S. Supreme Court's decision in *Sackett v. EPA*. Both the U.S. House of Representatives and the U.S. Senate will be controlled by a party now seemingly hostile to strengthening environmental and health protections. Many members are committed to extreme federal budget cuts. We know that despite this rather dire reality, people's voices matter and our work can make a difference. We will be working to oppose anti-regulatory initiatives, to protect the clean water and clean air protections that the public supports, and to stand up for effective government that implements our landmark environmental laws to make people and our communities healthier.



The Safe Drinking Water Act: 50 Years of Progress — But the Work is Never Finished

The Safe Drinking Water Act (SDWA) was signed into law by President Gerald Ford on December 16, 1974. The goal of the nation's first comprehensive drinking water law was to reduce risks to public health from drinking water. The law ushered in remarkable improvements and technical innovation in drinking water treatment and distribution. Still, the task is never complete. Clean Water's work around drinking water is focused on ensuring that we maintain the collective commitment to ensuring safe drinking water for all. Priority issues include:

- Making sure SDWA's contaminant limits keep up with health science around long-known contaminants like nitrates and arsenic and that regulations address "emerging" contaminants like microplastics
- Ensuring ongoing federal water infrastructure investments to support local drinking water system improvements and robust budgets for federal and state agency implementation of the law
- Elevating the need to keep pollutants out of our drinking water systems in the first place so that drinking water systems and their customers don't bear all the costs of removing contaminants like the notorious PFAS chemicals

A Win for Our Water: Progress On Getting Lead Out Of Drinking Water. On October 8, the U.S. Environmental Protection Agency (EPA) finalized the *Lead and Copper Rule Improvements*, regulations which require full replacement of lead service lines in drinking water systems. Putting lead service lines behind us has been a goal of Clean Water's work.

The vast majority of lead service lines, which bring water from the large water main into the home or building, will be replaced within ten years of the new regulation's implementation. The effort is supported by targeted funding from the Bipartisan Infrastructure Investment and Jobs Act, including \$2.6 billion in funding announced in October. "Because of lead's health impacts on children and adults, even at low levels, it is critical to reduce lead exposure wherever we can. We welcome the Biden-Harris administration and EPA's bold action. We can get lead out of drinking water and redouble efforts to eliminate lead exposure from paint, food, and other sources," National Campaigns Director Lynn Thorp said in our press release heralding the announcement.