

Children’s Environmental Health and Protection Advisory Council & Commission on Environmental Justice & Sustainable Communities Joint Meeting

**Tuesday, November 19, 2024
10:00am – 12:00pm**

MINUTES

Meeting Notes

Welcome

- Subha Chandar welcomed attendees and reminded participants to record their details in the chat for attendance. Expressed optimism for a productive joint session to discuss shared goals and priorities.
- Camille Burke highlighted the significance of joint meetings, especially to streamline efforts and focus on shared outreach priorities. She also noted the ongoing discussions on lead poisoning prevention as a potential shared topic.
- Subha introduced Moises Valle-Palacios from the Governor’s Office for Children as a new CEHPAC member.
- Moises Valle-Palacios (Governor’s Office for Children) introduced himself as a Policy Director with GOC, stating his focus on addressing environmental health inequities in Maryland, especially in underserved communities. Shared an emerging priority in the built environment, including long-standing inequities in areas of deep poverty.

Old Business

CEHPAC

- Approval of Minutes:
 - Lisa Horne: Moved to approve the minutes from September 24, 2024, and October 21, 2024.
 - Ben Gitterman: Seconded the motion.
 - Outcome: Minutes were approved unanimously.

CEJSC

Presentation from MDE Air Director Chris Hoagland

- Chris Hoagland opened by explaining the context of the Curtis Bay facility’s operating permit renewal, emphasizing the five-year renewal process.

- Noted the department's discretionary decision to enhance the public participation process despite it not being legally required for this type of permit.
- Described the CSX Curtis Bay facility as a major coal export hub located in close proximity to residential areas (~900 feet).
- Highlighted the environmental justice concerns due to the dense concentration of industrial facilities in the Curtis Bay area.
- Discussed a collaborative study conducted with community scientists, universities (Johns Hopkins, University of Maryland), and organizations (e.g., South Baltimore Community Land Trust).
- Findings included:
 - Evidence of coal dust settling in residential areas.
 - Analysis of dust samples via electron microscopy, which confirmed the presence of coal particles.
- Community Meeting was held in October 2024 at St. Athanasius Church, attended by over 150 participants. Solicited comments and concerns from community members regarding the draft permit.
- Proposed a requirement for the facility to construct a physical barrier to prevent coal dust from traveling into nearby residential areas.
 - Facility given 120 days to submit designs and 18 months to construct the barrier post-approval.
- Proposed an expansion of water spray systems, including a requirement for wetting rail cars as they enter the facility.
- Monitoring Enhancements:
 - Implementation of a fence-line monitoring system to measure particulate matter in real time.
 - Data to be published online, ensuring transparency.
 - Specific operating conditions requiring stricter control of fugitive dust and compliance with air quality regulations.
- Public Comment Period:
 - The public comment period for the draft permit runs until December 16, 2024.
 - Comments can be submitted online, via email, or through written submissions.
 - Delegate Regina T. Boyce:
 - Asked how the proposed barrier would address particulate matter of varying sizes, particularly fine particles (PM2.5).
 - Chris Hoagland: Acknowledged that larger particles are the primary target but noted the presence of smaller particles, which the department will continue to monitor.
 - Questioned what measures MDE would take if post-construction monitoring indicates the barrier is ineffective.
 - Chris Hoagland: Explained that future permits could include adjustments based on new data, though significant capital projects would not be redone within short time frames.
 - Camille Burke:
 - Asked about MDE's post-comment-period engagement plan with Curtis Bay residents.

- Chris Hoagland: Confirmed ongoing participation in community partnerships and continued support for citizen science initiatives.
- Michael Ichniowski:
 - Inquired whether the community’s respiratory and cancer health outcomes were studied.
 - Chris Hoagland: Stated that public health outcomes are factored into the environmental justice screening tool but deferred detailed health studies to public health experts.
- Rebecca Rehr:
 - Clarified that the community’s request is permit denial rather than mitigations.
 - Highlighted advocacy efforts to support community-led priorities, urging MDE to listen to these voices.
- Laura Allen:
 - Asked whether other states or facilities have implemented successful barriers.
 - Chris Hoagland: Mentioned an example in California (Port of Long Beach) where a coal facility uses enclosed sheds but noted limited precedents in the U.S.
- Andrew Miller:
 - Raised concerns about the technical effectiveness of barriers against windborne dust.
 - Asked if contingency plans are in place should the measures fail.
 - Chris Hoagland: Reiterated that monitoring systems would provide actionable data to inform future permit renewals.
- Veronika Carella:
 - Questioned how runoff from water suppression systems is managed.
 - Chris Hoagland: Explained that the facility uses a closed-loop system where water is filtered, recycled, and excess discharged to wastewater treatment plants, avoiding stormwater runoff.
- Delegate Regina T. Boyce:
 - Asked whether adding water or chemicals to suppress dust could create additional environmental issues.
 - Chris Hoagland: Clarified that water is the primary suppressant, and no chemicals are proposed in the current permit due to potential complications in water recycling systems.
- Reiterated MDE’s commitment to working with the community and stakeholders.
- Encouraged all members to review and submit comments on the draft permit before the deadline.

Update on the Letter of Support for Curtis Bay

- Camille opened the discussion by recapping the previous decision to draft a letter supporting the Curtis Bay community’s environmental concerns.
- Acknowledged that the original community request was to deny the operating permit for the Curtis Bay facility but emphasized that the commission has revised its approach to advocate for stronger environmental protections rather than outright denial.
- Camille explained the revised letter focuses on:

- Recommending stronger measures to mitigate coal dust pollution.
 - Ensuring penalties for noncompliance are stringent and enforceable.
 - Emphasizing the cumulative impacts on the overburdened Curtis Bay community.
- Highlighted the effort to balance community concerns with the commission's broader responsibilities and state agency input.
- Joseph Griffiths (Maryland Department of Planning) raised concerns about the changes to the letter since the initial discussions. Requested additional time to review the revised language, citing the need for internal consultation within his department.
- Rebecca Rehr reiterated the community's primary demand for permit denial, noting this stance was emphasized during the October community meeting and site visit. Suggested incorporating language in the letter urging MDE to account for cumulative environmental impacts in its decision-making process. Advocated for prioritizing community input as the foundational approach to environmental justice.
- Delegate Regina T. Boyce asked for a clear definition of cumulative impacts in the context of the letter. Stressed the importance of avoiding vague terminology, emphasizing that the letter should include a specific, actionable definition.
- Camille proposed sending the revised draft to members for further review by the end of the week. Clarified that the goal is to finalize the letter and submit it before the December 16 public comment deadline to ensure timely input from the commission.
- Noble Smith provide procedural clarity, stating that a vote on the revised approach is necessary before drafting the final letter. Suggested keeping the community informed about the commission's actions to maintain transparency and alignment with public expectations.
- Rebecca Rehr proposed a motion to draft a revised letter with the following priorities:
 - Highlight community engagement and the need for strengthened environmental protections.
 - Address permit conditions to mitigate coal dust and related impacts.
 - The motion was seconded by Delegate Regina T. Boyce.
 - Joseph Griffiths abstained from the motion, citing the need for additional departmental review.
 - Aneca Atkinson recused herself, as the letter would be directed to MDE.
- The motion passed with sufficient non-agency member support to proceed with drafting the letter.
- Camille confirmed that the draft letter would be circulated for feedback and finalized within the week.

New Business

Legislative Session Topics and Discussion

- Camille opened the floor for legislative priorities, emphasizing the need for proactive measures to protect environmental justice gains under the new administration.

- Rebecca Rehr highlighted the importance of addressing climate change and health during the session, inviting members to the "Healthy Climate Maryland" launch event on December 13.
- Delegate Regina T. Boyce stressed the importance of safeguarding Maryland's environmental laws and policies amidst potential political changes.

Discussion of CEHPAC & CEJSC Shared Priorities for 2025

- Subha suggested lead poisoning prevention and climate resilience as areas of focus.
- Camille discussed housing issues, particularly mold and lead exposure, and opportunities for collaboration between CEHPAC and CEJSC.

Upcoming Meeting Dates

- Subha proposed canceling the December meeting in favor of an early January check-in to discuss legislative updates. However, Kylan will follow up with the council to confirm a date in December.
- Camille suggested joint site visits to overburdened communities to better understand environmental justice challenges.

Event and Program Highlights from Members

- Subha provided updates on enhancements to the environmental health tracking portal, emphasizing its use for data-driven decision-making.
- Rebecca Rehr: Invited members to the Healthy Climate Maryland event on December 13, noting the importance of collective action in promoting climate and health initiatives.

Public Comment

- Veronika Carella highlighted the importance of revisiting and strengthening Integrated Pest Management (IPM) practices in Maryland schools. Expressed concerns about the growing use of pesticides near schools and their potential health effects on children. Urged CEHPAC to collaborate with stakeholders to draft a model IPM policy for Maryland schools, incorporating input from subject matter experts. Stressed the need for stronger enforcement of EPA pesticide label warnings to mitigate risks to students and staff.
- Michael Ichniowski voiced concerns over the anticipated environmental and health policy changes under the Trump administration, specifically regarding deregulation. Highlighted that the administration's focus appeared to prioritize corporate wealth over human health, referencing cabinet appointments and their policy agendas.
- He raised alarm about potential rollbacks in clean air and water standards, including reduced enforcement of lead pipe replacement in water systems. Warned about increased risks from chemical deregulation and relaxed standards for pesticide use, which could disproportionately impact children. Criticized the administration's support for oil drilling, fracking, and deregulation in the plastics and fossil fuel industries, stating these would exacerbate climate change and environmental degradation.

- He discussed potential changes at the FDA under new leadership, expressing concerns about weakened food safety regulations. Cited the likelihood of reduced oversight on chemical contaminants in food and the broader environment.
- He also highlighted the mental health toll on children who grow up in a world with deteriorating environmental conditions. Stressed the long-term implications for future generations in terms of respiratory health, cancer risks, and environmental justice.
- Dr. Ichniowski noted that gun violence could be considered a form of acute lead poisoning, suggesting it be included in discussions of children's environmental health.
- He also expressed deep concern over the potential impacts on vaccine programs, citing Robert F. Kennedy's involvement with the Department of Health and Human Services.
- He urged Maryland to maintain its leadership role in protecting children's health, emphasizing that air and water pollution cross state borders. Encouraged the council to prioritize safe drinking water and clean air for Maryland's children, despite federal rollbacks. Recommended that CEHPAC and CEJSC focus on advancing state-level protections to mitigate the anticipated federal deregulation. Called for collective action to ensure Maryland remains a safe haven for children's health protection.

Adjourn

CEHPAC Attendance

Alexander Lehmann
Alicia Mezu
Ben Gitterman
Camille Burke
Jack Daniels
Kylan Simpson (Staff)
Laura Allen
Lisa Horne
Del. Mary Lehman
Moses Valle-Palacios
Subha Chandar (Chair)

Attendance

Alexander Lehmann -MDA-
Alicia Mezu -MSDE-
Andrew Miller
Aneca Atkinson -MDE-
Barbara Paca
Ben Gitterman
BTB ECCB
Camille burke
Cat Goughnour -DHCD-
Chris Hoagland -MDE-
Del. Regina T. Boyce
Dr. Reneé Carr
Jack Daniels -DHCD-
Jennifer Kunze
Jessica Koontz -MDA-
John Papagni -DHCD-
Joseph Griffiths -MDP-
Kelly Love -MDA-
Kim Pezza
Kylan Simpson -MDH
Laura Allen
Lesliam Quiros
Lisa Horne -DHS-
Mary Lehman
Matthew Standeven
Michael Ichniowski
Michael Strande -MDE-
Monica Brooks
Moses Valle-Palacios -GOV-
Noble Smith -MDE-
Patrick DeArmey
Paulette Hammond

Ramon Palencia-Calvo
Rebecca Rehr
Robin Bailey -COMMERCE-
Scott Gottbreht -DHCD-
Subha Chandar -MDH-
Tracy Garrett
Veronika Carella
Voncia Molock
Yasmin Behram -MDP-