



Maryland Chamber of Commerce

Legislative Position

**SB 120
OPPOSE
Education,
Health &
Environmental
Affairs
Committee
02/03/09**

SB 120

Environment - Permit Process - Modifications

Brief Summary of Bill:

Senate Bill 120 establishes an Environmental Leadership Group within the Maryland Department of the Environment (MDE) to consider and act on environmental matters in the State, including those activities that require permit approval from local, State, and federal agencies. The bill requires MDE to provide an opportunity for a contested case hearing to any specified party, with respect to *all* permits the department issues. The bill also modifies current requirements relating to public notices and the location of public informational meetings and public hearings. Finally, the bill requires applicants for an air quality permit to prepare and submit to MDE an environmental impact statement (EIS).

Maryland Chamber's Position:

The Maryland Chamber of Commerce ("Maryland Chamber") opposes this bill. This bill would allow contested challenges for every MDE issued permit. It is probable that this would significantly prolong the permitting process. Not only will the delayed process in replacing or expanding facilities result in additional administrative costs by MDE, but permit applicants will also incur additional fees for professional services associated with permitting, including legal and engineering fees. If implemented, this legislation would prove burdensome for Maryland businesses, and ultimately for Maryland consumers and state and local governments, who will pay higher prices for necessary resources.

Additionally, mandating applicants for an air permit to prepare an Environmental Impact Statement creates an unnecessary burden without benefit to the public. The applicant is already required to demonstrate that a permit will be in compliance with all air pollution control requirements, and will not violate ambient air quality standards in furtherance of the protection of the public health.

Furthermore, creation of an Environmental Leadership Group to "act on environmental matters," including permit approvals, cedes tremendous responsibility to a group with no stated qualifications or limitations on their authority.

For these reasons, the Maryland Chamber respectfully requests that the Committee give Senate Bill 120 an unfavorable report.

If questions please contact Allyson Black, ablack@mdchamber.org