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Senate Education, Energy, and the Environment Committee

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Senate Bill 253 – *Controlled Hazardous Substance Facility Permit – Research Facilities –
Chemical Warfare Material Requirements*

POSITION: OPPOSE – LETTER OF CONCERN

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, opposes Senate Bill 253, legislation which exempts the incineration of chemical warfare materials from the requirements under a controlled hazardous substance facility permit if the incineration is done for research, development, or demonstration purposes. We understand that this bill is intended to facilitate research and development activities and the resulting incineration of chemical warfare materials at Aberdeen Proving Ground (APG).

MedChi, of course, supports the elimination of chemical weaponry and the need for our military to conduct research that is important to national security. However, we are concerned that there is insufficient information and too many questions to support changing a long-standing statute intended to protect public health and the environment. The incineration of chemical warfare materials can potentially release harmful toxins into the surrounding air of a densely populated area. There is a documented history of Maryland residents opposing plans to incinerate chemical warfare materials at APG dating back to the 1990s at the time when the U.S. Military sought its chemical weapon stockpile. The community's concerns about the public health and environmental impacts of incineration at APG resulted in the Army using neutralization rather than incineration to eliminate chemical weapons.

Some of the questions MedChi believes must be satisfactorily addressed before the General Assembly approves the proposed legislation include:

- What are plans to protect persons in the most significant areas at risk from a release of a worst-case scenario?
- Will such plans be presented publicly to residents and local and State governments?
- Will the public and/or appropriate government agencies be informed about the type and quantity of materials to be incinerated?
- Have safer alternatives to incineration been considered? Have less densely populated areas been considered for these activities?
- Have the appropriate Army officials informed the Maryland Department of Health and the Department of the Environment on incineration plans at APG?

- Are there transparency measures in place to inform the public about incinerated materials and monitor data about these activities?

As currently drafted, so long as the Army and Department of Defense classify activities as “research and development,” there is a seeming carte blanche to incinerate chemical materials, perhaps putting Maryland residents at risk. Furthermore, the legislation contains no sunset date, meaning this significant change is being made in perpetuity. We caution that the General Assembly should not remove all safety guardrails before addressing critical questions and adopting transparency measures on this important issue.

Unless and until the concerns raised in this letter are addressed, we urge an unfavorable report on Senate Bill 253.

For more information call:

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