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Press Release

Attorney General Frosh and Governor Hogan's Statements on FAA's Motion in Pending BWI Case

BALTIMORE, MD (July 9, 2019) – Maryland Attorney General Brian E. Frosh and Maryland Governor Larry Hogan issued the following statements after the Federal Aviation Administration today filed a [motion](#) to hold Maryland's case in abeyance while the agency reconsiders its September 2018 letter challenging the State's case:

"The FAA's decision to reconsider Maryland's Administrative Petition is a welcome step forward for thousands of Maryland residents who are impacted by the constant flight of aircraft over their homes. Changes to flight paths at BWI were made without adequate notice and outreach to surrounding communities, and without sufficient environmental impact analysis. We are hopeful the FAA's request to hold the case in abeyance and undertake a thorough review of facts will ultimately lead to changes in flight paths at BWI."

"This latest development is welcome news for the thousands of Maryland residents who are miserable in their own homes," said Governor Larry Hogan. "Our administration remains committed to bringing relief and restoring the quality of life for our citizens living around our airports."

BACKGROUND:

In June 2018, Maryland submitted an [administrative petition](#) to the FAA requesting that the FAA review certain environmental determinations the FAA had previously made regarding revisions to area navigation routes and flight procedures at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall Airport) and asking the FAA to revise those routes and procedures. On September 18, 2018, the FAA wrote a letter to Maryland advising that the FAA was declining to respond to Maryland's June 2018 administrative petition. On November 8, 2018, in response to the FAA's September 2018 letter, Maryland filed a [Petition for Review](#) with the United States Court of Appeals for the District of Columbia Circuit.

On May 24, 2019, Maryland filed its [Opening Brief](#) with the Court arguing that the FAA's failure to respond to the administrative petition was arbitrary and capricious and that the FAA has unreasonably delayed reviewing its prior environmental decisions as required by law. After reviewing Maryland's Opening Brief filed with the Court, the FAA decided to reconsider its

September 2018 letter and filed a motion with the Court to hold the case in abeyance while the FAA reconsiders the September 2018 letter.

If the Court grants the motion, the FAA will have to file a status report every 60 days with the court. Maryland will have discretion to file motions with the Court if it believes the FAA is taking an unreasonable amount of time to conclude its reconsideration process.

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