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Maine Chapter

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Senator Brownie Carson, Chair
Representative Ralph Tucker, Chair
Members of the Environment and Natural Resources Committee

January 31, 2020

Regarding LD 2033 An Act To Ensure Proper Closure of Oil Terminal Facilities

Dear Senator Carson, Representative Tucker and Members of the Environment and Natural Resources Committee,

Thank you for allowing me to present our testimony to you. Sierra Club Maine represents more than 28,000 members and supporters in Maine and is one of 64 chapters of the oldest grassroots environmental organization in the country. We urge this committee to vote Ought to Pass on LD 2033

Fossil Fuel Terminal Facilities need to be carefully overseen by the DEP and especially upon closure or cessation of activity. Residual fuel contaminants must be remediated prior to actual cessation in order to protect; local citizenry from environmental threats, the adjacent water resources from contamination and public safety from accidents associated with vacant facilities. It is incumbent upon the legislature to assure that there is ample protection in light of the fact that we will be moving towards a reduction in fossil fuel usage as we transition to renewable energy solutions to address climate change. Absent this very important legislation, there is little recourse for communities, in particular South Portland and Searsport, to name two, to protect themselves against subsequent pollution should closure be allowed without adequate remediation. The proximity of these facilities to coastal waters and the threat of sea level rise adds further urgency to the need to approve this legislation.

This bill requires that the closed facility be left returned to a state that allows multiple uses including residential by removal of facilities and cleaning of the sites. It strengthens the financial responsibility for the businesses to provide proof of adequate closure funds to perform the required remediation. And LD 2033 clarifies liability insurance protection. Maine communities deserve this kind of protection from harm which otherwise local residents, businesses and taxpayers of Maine would be forced to provide. This bill shifts the legal financial and environmental liability from the state and local communities back onto fossil fuel industry eliminating this subsidy.

As residents of South Portland are already dealing with serious air quality impacts from the tank farms of Sprague Energy and Global Partners, it is extremely important to protect them from further harm that currently is more likely without this bill. For instance, the proximity of oil facilities to school properties in South Portland puts our future generation at great risk. On behalf of our membership and the children and families in South Portland and the taxpayers of Maine, we urge you to vote ought to pass on LD 2033

Respectfully submitted,



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