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Testimony of the Maine Municipal Association (MMA) In Opposition to

*LD 502, An Act to Promote Clean and Affordable Maine-sourced Bioenergy by
Amending the Law Regarding Outdoor Wood Boilers and Outdoor Pellet Boilers*

February 24, 2025

Senator Tepler, Representative Doudera and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Amanda Campbell, and I am submitting testimony on behalf of the Maine Municipal Association's 70-member Legislative Policy Committee (LPC) in opposition to LD 502.

Municipal officials are opposed to the proposal that would exempt wood boilers with an emissions level of 0.32 British Thermal Units (BTU) from already established setback requirements. Current law exempts only those boilers with a 0.06 BTU emission level from setback requirements. In addition to removing any setback requirement for boilers with a higher emissions level, the new proposed rules could not prohibit the emission of a smoke plume, even if those emissions should travel onto neighboring properties.

In addition, LD 501 directs the Department of Environmental Protection to adopt rules amending Chapter 150—Control of Emissions for Outdoor Wood Boilers and create a new definition of “nuisance condition” as it applies to wood boilers specifically. These rules already define nuisance as, “emission of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration that may be injurious to human, plant, or animal life or to property, or that unreasonable interferes with the comfortable enjoyment of life or property.” It is unclear how an additional definition could differ from this one.

Local officials support the independence of their residents and the choices they make as they lead their lives in their communities. However, there must be a balance between that independence and respect for fellow neighbors and the community environment. The LPC asks you to oppose LD 502.

Thank you for the opportunity to speak with you and share the municipal perspective on this important topic. Please feel free to contact me or any member of the MMA Advocacy team with any questions related to municipal operations.