

Tom Mikulka
Third Act Maine
LD 1262

To: Committee on the Judiciary

From: Tom Mikulka, Ph.D., Citizen Scientist

Date: April 7, 2025

Re: Testimony in support of LD1262

Senate Chair Anne Carney, Representative Chair Amy Kuhn and honorable members of the Joint Committee on the Judiciary

I am writing in support of LD1262, a bill which will improve the ability of concerned citizens to protect Maine's environment.

I was a member of South Portland's Clean Air Advisory Committee (CAAC) for 3 years. The Committee was created after the alarming news in 2019 that the EPA had successfully sued two petroleum tank farm owners for violating the Clean Air Act. Despite the Committee's requests, Maine DEP declined to measure tank farm emissions in neighborhoods adjacent to the tank farms.

Senator Carney interceded on behalf of her constituents in South Portland by submitting LD 71, a bill requiring that the owners of South Portland's 6 petroleum tank farms initiate fence line monitoring for a family of hazardous air pollutants known as BTEX. One of those family members is benzene, a known human carcinogen found primarily in gasoline. I testified in support of that bill. Thankfully, it passed.

The results from the first 6 months of fence line monitoring (<https://www.maine.gov/tools/whatsnew/index.php?topic=DEP+Ch+171>) justify the CAAC's concerns. They indicate that the levels of benzene are exceeding Maine CDC's ambient air health guidelines at some points near residential neighborhoods.

The question now is whether Maine DEP will require that those tank farms install the best available technology to capture those emissions. LD 1262 will enable the residents impacted by those emissions to seek environmental justice.

Respectfully submitted,

Tom Mikulka, Ph.D., Co-coordinator of Third Act Maine
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