



AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of Maine

## Testimony in Opposition to LD 2187

February 25, 2026

Senator Tepler, Representative Doudera, and Honorable Members of the Environment and Natural Resources Committee;

On behalf of the American Council of Engineering Companies of Maine (ACEC of Maine), we are submitting the below concern regarding one component of LD 2187 that gives us pause – we take no issue with the rest of the bill.

Specifically, ACEC is concerned about the practical implications of Sec. 3, line 34, which states that “the dissolved oxygen of any individual reading at any time may not be less than 6 parts per million.” The concern on the part of practitioners is that there may be occasions when 98% of readings were above 6 parts, but one or two readings are below. Accounting for this discrepancy would be challenging under the statute as written.

ACEC suggests that it might be appropriate for the committee to provide a bit more flexibility in the statute to allow DEP to issue a rulemaking to account for a percentage of tests as being no less than 5 parts per million. ACEC would be happy to work with the technical experts at DEP to discuss the testing modalities and challenges with practically having a test that meets the standard every time.

We welcome the opportunity to discuss this further with the committee and thank you for attention to this small but important matter.

Thank you for your consideration of this testimony.

Sincerely,

Elizabeth M. Frazier

On behalf of ACEC of Maine