



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

April 14, 2025

**Testimony of Matt Burns
Maine Department of Transportation
Before the 132nd Legislature, Joint Standing Committee on Environment and
Natural Resources**

In Opposition

LD 1507, An Act to Require Public Notification of Oil Terminal Facility Transfer Activities.

Senator Tepler, Representative Doudera and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Matt Burns and I am the Deputy Director of Freight and Business Logistics at MaineDOT. I am before you today to testify in opposition to LD 1507 on behalf of MaineDOT.

This piece of legislation, at its root, is an attempt to create unnecessary burdens for owners and operators of oil transfer facilities throughout the state. The bill would require oil terminal facility owners and operators to develop community notification plans, with the purpose of notifying community members of vessel or vehicle oil transfers within 24 hours of occurrence. The notification plan is subject to approval by the Maine Department of Environmental Protection and the municipality where the facility is located.

Although the intentions of the bill are presumably to bring greater accountability to oil terminals throughout the state, the bill has unintended consequences of having this information broadcast to a wide range of individuals throughout the state.

Marine terminal facilities are required to develop, implement, and maintain facility security plans under the guidance and approval of the US Coast Guard pursuant to the Marine Transportation Safety Act. These plans exist to ensure that these facilities can monitor and mitigate security risks without restricting the operations of the facility and the flow of commerce. One method that individuals or groups planning acts of terrorism may use to gather information is surveillance. These individuals will utilize any means available to collect intelligence, with the intent of causing significant damage or disruption. Their objective is to identify:

- Where the terminal is located;
- How much product is being transferred;
- What type of product is being transferred;
- Vessels and vehicles at the site;

- The date and time of the transfer.

This set of information is the same information that oil terminals subject to this bill would be required to broadcast to an unknown and unregulated list of recipients, essentially giving these individuals tremendously easy access to critical information that could be used to cause harm to Mainers.

Presumably, the bill seeks to bring transparency to nearby residents of these terminals, so they are aware of these oil transfer activities. While transparency and proper communication is a hallmark of good management, it is unclear why this is necessary. Our ports, and the companies operating there are economic drivers for the State of Maine. These businesses, especially those operating oil or petroleum facilities operate at an extremely high standard of safety to human health and the environment. Storage and transfer facilities for petroleum utilize vapor recovery systems to mitigate hydrocarbon gasses and are required to undergo stringent inspections from state and federal officials on a regular basis. This bill would require those companies to participate in a mandatory notification program that is not only potentially a security risk but also has a broad scope of impact and no specific criteria for development.

It is for these reasons that MaineDOT respectfully requests the committee vote ought not to pass on LD 1507.