

Testimony of Ashley Luszczki
Before the Joint Standing Committees on Environment & Natural Resources
In Opposition to L.D. 1507, An Act to Require General Public Notification of Oil Terminal
Facility Transfer Activities
April 14, 2025

Senator Tepler, Representative Doudera, and members of Joint Standing Committee on Environment and Natural Resource, my name is Ashley Luszczki. I am here on behalf of the Maine State Chamber of Commerce, representing a network of 5,000+ small to large businesses. Thank you for the opportunity to provide testimony in opposition to L.D. 1507, An Act to Require General Public Notification of Oil Terminal Facility Transfer Activities.

The Chamber has significant concerns around the security risks, operational feasibility, and increased costs this legislation would impose on businesses and consumers alike.

Oil terminal facilities in Maine are subject to strict standards under federal law – including the Clean Air Act, Clean Water Act, Oil Pollution Act and, following the attacks of 9/11, the Maritime Transportation Security Act. As an example, in South Portland, vessels are required to notify the U.S. Coast Guard and South Portland Fire Department in advance of arrivals. This is done confidentially to minimize the risk of security threats and ensure safety.

L.D. 1507 undermines that system by requiring public disclosure of vessel names, transfer volumes, and timing – essentially broadcasting sensitive logistics information. This presents a clear security vulnerability and runs counter to federally established anti-terrorism safeguards. Requiring public text message notifications for every routine oil movement would lead to text fatigue for some and text anxiety for others.

Included in the text notifications, is disclosure of hazardous vapors potentially released during transfers. It's important to note that Maine already has the most stringent air emissions regulations in the nation for petroleum storage and transfer facilities. This committee ensured that with the passage of L.D. 163 in 2021, sponsored by Senator Carney. Among an extensive list of requirements, Chapter 171 requires independent, third-party fence-line monitoring for hazardous air pollutants – this began in 2024 – with public data access on the Maine Department of Environmental Protection website; monthly inspections on tank integrity and biannual emissions testing during active transfers; as well as quarterly optical imaging inspections for emissions. These measures go beyond federal requirements, providing Maine with strong environmental oversight and transparency. This legislation doesn't appear to offer additional environmental benefit.

Furthermore, the economic implications of this legislation are serious. According to the January 2025 *Maine Energy Plan*, our state remains the most heating-oil-reliant state in the country and relies heavily on gasoline for transportation needs. Disruptions or delays in fuel shipments caused by increased perception of risk, operational burdens, or reduced carrier willingness, could result in direct consequences for Maine families, businesses, and the broader economy.

In short, the Chamber believes this legislation injects new security risks, burdens routine operations, and introduces unnecessary complications into a highly regulated and essential energy supply chain. At a time when Maine must remain competitive in attracting investment, ensuring infrastructure resilience, and keeping energy costs in check, L.D. 1507 sends the wrong message. For these reasons, we respectfully urge you to oppose this legislation.