



Friends of Casco Bay Casco BAYKEEPER

Board of Directors

President

Andrew V. Marsters, *Portland*

Vice President

Sebastian Milardo, *Little Diamond Island*

Clerk

Patricia Ianni, *Falmouth*

Treasurer

Jonathan B. Thomas, *Cumberland*

Stephen Bushey, *South Portland*

Mark Green, *Peaks Island*

George L. Higgins III, *Peaks Island*

David Kaufman, *South Freeport*

Peter C. LeBourdais, *Harpswell*

Althea Bennett McGirr, *Falmouth*

Tollef Olson, *South Portland*

Malcolm F. Poole, *Scarborough*

Joan Benoit Samuelson, *Freeport*

Ann W. Thayer, *Yarmouth*

Lori Thayer, *Portland*

Honorary Directors

Kenneth M. Curtis, *Cape Elizabeth*

Kevin P. Gildart, *Cape Elizabeth*

Sherry F. Huber, *Falmouth*

Anthony R. Jessen, *Freeport*

P. Andrews Nixon, *Brunswick*

Donald W. Perkins, *Cape Elizabeth*

Founding President

Casco BAYKEEPER

Ivy Frignoca, *Cumberland Center*

Casco BAYKEEPER, Emeritus

Joseph E. Payne, *Westbrook*

Executive Director

Cathy L. Ramsdell, CPA, *Portland*

March 22, 2021

Committee on Criminal Justice and Public Safety
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Re: Friends of Casco Bay Testimony in Support of LD 514: An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares

Dear Senator Deschambault and Representative Warren,

Please accept this letter as the testimony of Friends of Casco Bay in support of LD 514: An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares. Friends of Casco Bay supports the legislation because it solves an environmental problem that threatens the health of our marine waters and because it enhances public safety.

Friends of Casco Bay is a nonprofit organization founded in 1989 to improve and protect the environmental health of Casco Bay. Our work includes science, advocacy, and community engagement. One issue that we, our members, and other commercial and recreational users of the Bay face is how to safely and properly dispose of expired marine flares.

Expired flares cannot be thrown out. They are a hazard class 1.4 explosive. They also contain toxic chemicals, including potassium perchlorate which can leach into ground water and cause health problems, especially to citizens with thyroid conditions. The only way to neutralize the perchlorate is to incinerate it at high temperatures. When subjected to high levels of heat, the potassium and chlorine in the perchlorate – KClO₂ – remain bonded to become potassium chloride, an essentially harmless compound. The O₂ separates from the potassium and chlorine, and is released into the air as oxygen.

Maine has no protocol for the disposal of expired flares. Some Mainers store boxes of expired flares in their garages and barns because they know they cannot discharge them or throw them out. Others, contrary to law, light them off over the ocean causing potential harm to our marine waters or throw them in the garbage creating an explosive fire hazard.

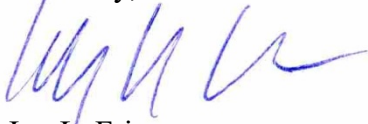
LD 514 presents a common sense solution to these problems. It sets up a program for the convenient and safe collection of expired flares. It establishes education and messaging to inform the public of the need to properly dispose of flares and of how to do so. Finally, it creates a modest fee of 25 cents per flare to offset the cost of proper collection and disposal of expired flares, which must be collected and transported by trained personnel and burned up in EPA-approved incinerators. We strongly believe

that this common sense solution will solve an environmental problem in a cost-effective and efficient manner.

We have supported prior versions of this bill and will continue to support the intent of this bill until its passage through the legislature. The State Fire Marshal tried voluntarily to collect, transport, and incinerate expired marine flares in its EPA-approved mobile incinerator. The State Fire Marshal Office's mobile incinerator cannot handle the volume of flares that need to be incinerated, and this voluntary collection program has slowed. Fire Marshal Joseph Thomas reports that he now has a backlog of more than two tons of expired flares that have been collected and need safe disposal. The State Fire Marshal's Office needs funding for a new incinerator and to cover the costs of transporting flares for proper disposal.

For the above reasons, we urge you to vote that LD 514 ought to pass. Thank you for considering our testimony.

Sincerely,



Ivy L. Frignoca
Casco Baykeeper
Friends of Casco Bay

CC: Deborah Fahey, Clerk