

Testimony for Public Hearing
Committee on Criminal Justice and Public Safety
March 22, 2021

Peter Poulin
76 Gagne Street
Lewiston, Maine 04240

LD 514, An Act to Establish and Promote a System of Safe Disposal of Expired Marine Flares

My name is Peter Poulin and I am the founder of the Coastal Maine Sailing Club. Our organization consists of about recreational boaters. As a recreational boater, I have personal experience with the need for an appropriate disposal method for expired flares. I am in favor of LD 514 – An Act to Establish and Promote a System of Safe Disposal of Expired Marine Flares.

While expired flares can be retained on board as backup, over the years many of my fellow boaters have accumulated extra flares in garages and home workshops because they have no viable option for disposal. Commercial boat operators I have spoken to have indicated the same concern about disposal. Storage of expired flares in this manner creates a safety issue for first responders since flares burn extremely hot and cannot be extinguished with water. This presents a significant risk to property in which the flares are stored because if ignited, they greatly accelerate the potential for a much larger fire and property damage.

Flares also present an environmental risk that is unknown to many. Expired flare casings can degrade over time and the Potassium Perchlorate contained in them can leach into ground water. A paper submitted by the Department of Geosciences, University of Rhode Island in 2005 to the Geological Society of America contained the following statement: “For example, as much as 240,000 gallons of water could be contaminated to 4 g/l (the California Action Level) by a single unburned flare.”

There is much misinformation about flare disposal when you speak to recreational and commercial boaters. Many think that Flares can be disposed of by soaking them in water for a couple of days and throwing them out. Research has shown it can take up to two weeks to totally deactivate a flare in water and when the water is discarded, it is very toxic. Some boaters will fire their expired flares into the water to get rid of them which again impacts water quality. Other boaters will attempt to fire them off, particularly during the fourth of July celebration. This is not legal and subject to fine and it presents a serious safety issue for the Coast Guard in trying to respond to actual boaters in peril. Education is needed for boaters and professionals at all levels because the research on expired flare disposal is fairly recent and practices that were formerly acceptable are no longer acceptable. The Coast Guard is particularly sensitive to these issues as well and has no options for disposal.

Transportation of expired flares across state lines dramatically increases the cost of disposal and is available only through a very limited number of carriers and subject to high cost minimum charges.

A study conducted in Florida in 2001 estimated there are 470,000 expired flares generated on an annual basis from in state boat owners. In 2010, the state of California estimated there are 174,000 expired flares generated annually. The state of Massachusetts estimates there are 250,000 expired flares generated annually by Massachusetts boaters. There are no statistics for the state of Maine but statistics from these other states provide some comparison of the scale of the problem given the nature of the marine and recreational resources in Maine. We continue to learn every day the significant

consequences of inappropriate disposal of harmful chemicals and subsequent cost and harm those practices cause.

It is critically important that Maine properly funds an incineration option through the Fire Marshall's office that can offer a solution to Maine residents for the safe disposal of Marine Flares.