

Dear Senator Brenner, Representative Tucker and members of the Joint Standing Committee on Environment and Natural Resources:

I am Kevin Averill a resident of Mexico. I am the president of USW Local 900 at Nine Dragons paper company with 450 union employees that range from paper makers, boiler operators, Hyster operators, maintenance mechanics, and electrical and instrumentation technicians, and other supporting staff. Thanks to the efforts of our members, our mill is just now coming out of the most difficult year in my experience. We are proud of the work that we do and the economic support we provide to our families, our communities, and our local economy. I am providing testimony in opposition to L.D. 676, *An Act to Reclassify parts of the Androscoggin River to Class B* because this bill threatens our mill's recovery, its future, and the future of our members and their families. We oppose this bill because asks the Legislature to decide to upgrade the classification of the lower Androscoggin even though DEP has repeatedly concluded that the lower river does not qualify for such an upgrade. The Legislature should not brush aside DEP's experience, its technical expertise, and the best available science, which is what should be used to determine whether water reclassifications should become law.

Some may say that the bill is aspirational and that there will be no meaningful impacts. The DEP has rejected that argument as they are required to regulate all discharges to achieve and maintain the applicable water quality classification. Reclassifying the lower river by this bill would put the entire lower river, much of the upper river, and all associated dischargers into non-compliance. DEP has informed affected parties that if this bill passes, upstream dischargers will be required to take significant and expensive steps to ensure compliance with the Class B standard – but DEP has also said there is no level of reduction from any facility upstream or downstream that will achieve Class B standards at all times in the lower river.

In 2019, the DEP said that “there is no feasible approach to ensure attainment of Class B dissolved oxygen criteria in the lower Androscoggin River.” The proponents of LD 676 are asking you to ignore DEP's opinion and accept their own. The failure of the lower Androscoggin to repeatedly fail to receive such a recommendation is based on DEP's best science and the Legislature should not substitute its judgement for DEP's.

If nearly the entire river is in noncompliance, how can ANY new or expanded discharges be allowed? This bill represents an effort by affluent southern and coastal Mainers to impose unnecessary and unwarranted restrictions on poorer rural Mainers and our communities. We hear a lot of statements these days about environmental and economic justice; but this bill is a rejection of such ideas.

We urge the Committee to uphold Maine's existing regulatory processes and vote this bill Ought Not to Pass.

Sincerely, Kevin Averill USW Local 900 President