

May 2021

**RE: LD 1532 – *An Act To Protect Maine’s Air Quality by Strengthening Requirements for Air Emissions Licensing***

Senator Brenner, Representative Tucker, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Stacey Keefer, I am submitting updated testimony in my capacity as Director for the Maine Marine Trades Association.

After reading the sponsor’s amendment and listening to the public hearing, our association remains opposed to LD 1532. Our opposition does not mean that we do not care about the wellbeing and safety of the residents and visitors to South Portland as outlined by Representative Morales. We believe that this one area of concern does not equate to a statewide problem with air licensing. In the amendment, the revised one-mile radius for applicable restrictions would still encompass most of our licensed businesses and needlessly burden their operations.

I would like to add a different perspective about licensing based on the “potential to emit” levels that Representative Morales brought up in her testimony. Our industry has had worked with Maine DEP on the “potential to emit” measurements. My understanding is that many of our marine industry facilities have air licenses based on what their maximum potential emissions could be, even though their actual calculated emissions over the course of a year are small enough only require a minor source license or no license at all. The DEP has helped our businesses understand and prepare for how the EPA tends to look at potential maximum measurements for licensing. For example: a boatyard might spray paint several boats a year and that facility may have multiple paint booths where the boats can be prepped and staged at various levels of completion simultaneously. However, with just one painter on staff they never actively paint more than one boat at a time. To make sure they comply with EPA scrutiny, the Maine DEP has recommended that their air license is based on the potential of having all spray booths and all spray equipment operating at full capacity every day of the year even though that has never happened and likely never will. In this case the “potential to emit” calculations are not a vague underestimation of emissions --it is the complete opposite.

Knowing how thorough the Maine DEP staff has been with helping our members with air licensing and making sure their licenses cover for unlikely worst-case scenarios, we believe that LD 1532 as amended is still trying to create a broad, statewide rule change in hopes of satisfying one localized issue in South Portland. We again urge the Committee to vote ought not to pass.

Respectfully,  
Stacey Keefer  
Maine Marine Trades Association, Executive Director