



Manufacturers Association of Maine

Testimony of
Jessica L. Laliberte

On behalf of the Manufacturers Association of Maine
In Opposition of

LD 1532 An Act To Protect Maine's Air Quality by Strengthening Requirements for Air Emissions Licensing

May 3, 2021

Senator Brenner, Representative Tucker, and distinguished members of the Joint Standing Committee on Environment and Natural Resources. My name is Jessica Laliberte and I serve as the policy relations manager for the Manufacturers Association of Maine. We are a non-partisan, pro-growth, pro-manufacturing trade organization. We represent 400 manufacturers and the 29,000 workers they employ in aerospace, metal, paper, marine/boat building, semi-conductor, wood, textile, aquaculture, biotech, medical device, electronics, RF and wireless communications, plastics, composites and bioplastics, studio and food and beverage manufacturing. Several of our members are employee owned or ESOP companies.

The Manufacturers Association of Maine is here today in strong opposition of **LD 1532 An Act To Protect Maine's Air Quality by Strengthening Requirements for Air Emissions Licensing**. This proposal is overly aggressive, premature and there is a lack of data to support such a burden on Maine citizens and businesses. Frankly, we believe this bill is unnecessary. Maine Department of Environmental Protection (DEP) is already monitoring air quality across the state and has the authority to address potential air quality issues.

As written, this measure will be costly for the state and the hundreds of hospitals, colleges and businesses with air permits and the hundreds of thousands of Mainers who use their products and services. This bill would create a civil penalty, payable to the State, of not less than \$25,000 and not more than \$100,000 **for each day** of that violation. Our members are good stewards of the environment and are proud of their environmental records, but situations occasionally occur that do result in inadvertent regulatory violations. Mandating a minimum civil penalty of \$25,000 per day would quickly put many of our members in financial jeopardy or even out of business. While we do not necessarily oppose a provision that would require the State to transfer any civil penalty recovered under existing law

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to the municipality where the violation occurred, there must be some restrictions placed upon the use of such funds (i.e., for environmentally beneficial projects within the community). However, we do not believe that such a change would be necessary, as DEP already utilizes the penalties it collects to support environmental protection initiatives.

We also have serious concerns about changes to the application process as it will extend the length of time for approval of a license and under **LD 1532** the length of the permit is reduced from ten years to just three. Our members will be almost constantly in a license renewal situation, which will not allow for longer-term strategic planning relative to growth and innovation. Equally, we are concerned about the bill's proposed restriction on the issuance of any air emission licenses for facilities within 1000 feet of a residence. If this provision applies to existing facilities with air emission licenses, many of our members businesses would be required to cease operation. In addition, the added financial burden of installing source emission testing systems and conducting continuous monitoring along facility boundaries will be significant. Further, the notification process when a license is up for review (i.e., notifying all commercial and residential addresses within a five mile radius of the facility by first class mail with proof of mailing) is far outside the bounds of what is necessary, and would be both difficult to accomplish and very expensive for licensees in urban areas.

MAME has concerns that should this bill pass, there could be unintended negative consequences effecting public health by making regulators and businesses less agile and effective, creating cumbersome bureaucratic bloat that diverts time and resources away from areas where there are legitimate public health concerns and away from actions that can have real public health impacts.

The Manufacturers Association of Maine strongly opposes **LD 1532 An Act To Protect Maine's Air Quality by Strengthening Requirements for Air Emissions Licensing** and urges this committee to vote ought not to pass.

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