

Roberta Zuckerman
Protect South Portland and Tank Emissions Coalition of Maine - No Toxic Tanks

Testimony for LD1532 - May 3, 2021
ENR Committee

Thank you Senator Brenner, Representative Tucker and Members of the Environment and Natural Resources Committee, my name is Roberta Zuckerman. I live in South Portland and am speaking on behalf of Protect South Portland and the Tank Emissions Coalition of Maine - No Toxic Tanks. We urge you to vote to pass LD 1532, As Amended.

Coincidentally, it is National Air Quality Awareness Week. We ask you to share our deep concern for the health of all the people living close to Petroleum terminal storage tanks who are breathing toxic emissions every day.

It's about far more than the terrible odors. The fumes often cause burning eyes, nose and throat, headaches, dizziness and nausea. But what most worries us are the serious health impacts linked to the toxic chemicals being emitted which include respiratory illness (asthma), neurological problems (with fetuses and young children most vulnerable), liver, kidney problems and cancer. Maine's cancer rate for children under 20 is 190.5 per million while the national average is 173.7 according to the US CDC. Air pollution is known to make people more vulnerable to Covid19.

Currently, DEP permits allow six companies in South Portland to collectively emit almost 600 tons per year of volatile organic compounds and 104 tons of hazardous air pollutants per year in a densely populated community. The tanks are extremely close to homes, schools, daycares, senior housing, community centers and sports fields. Approximately 1,500 of our children K-12 attend school within a half mile from the tanks in South Portland. Some are mere feet from the tanks. Think about whether you would want your children or grandchildren attending school so close to these tanks. This is going on while there is no testing or monitoring of what's being emitted to know whether it's safe for their health. Around the country these communities are referred to as "Sacrifice Zones" - suggesting that the health of the community is an acceptable price to pay to continue "business as usual". But this is clearly a health and environmental justice issue.

There's no required testing or monitoring of the emissions and the companies are allowed to self-report their emissions based on a formula created by the American Petroleum Institute. These estimates have been found to be widely unreliable when compared to actual testing. (1). The public became aware of this when we learned in March 2019 about the USDOJ Consent Decrees which were the result of actual testing required by the EPA in 2012 and 2013 in South Portland and Searsport. Essentially, it's been the fox guarding the hen house.

What we're living with are multiple toxic chemicals emitted from multiple facilities that are so close to one another that their emissions really should be based on their cumulative impact on the community as one very large emitter. They have said themselves that they are so close to one another that it would be hard to determine which company was responsible for the emissions. It is crucial that the permit limits set by DEP be based on Human Exposure Risks, which can be determined by an EPA approved model that takes into account the density of bordering communities and the amounts of toxic chemicals permitted for emission. The permit limits for all the tank farms should be set to ensure that emissions would not cause ambient air to exceed CDC guidelines. LD1532, as amended, would accomplish that.

LD1532 would also require continuous fence line monitoring along the perimeter of the emitting facilities to determine if the emissions going into the bordering neighborhoods are in compliance.

If they exceed permitted emissions, they should be required to implement emissions control technology that is capable of reducing emissions by up to 95%. The price of these measures should be considered part of the price of doing business in our communities. The people of Maine need and deserve transparency, accountability and responsibility from industrial emitters. Business as usual is not acceptable.

(1). Emission Factor Documentation for AP-42 Section 7.1, Organic Liquid Storage Tanks, Final Report, for U.S. Environmental Protection Agency Office of Air Quality Planning and Standards Emission Factor and Inventory Group. 2006.