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**LD 1840, An Act to Amend the Maine Medical Use of Cannabis Act**

Senator Hickman, Representative Supica and members of the Committee on Veterans and Legal Affairs, my name is Shawn Esler, and it is a privilege to serve as the State Fire Marshal. I write in **opposition** of LD 1840. LD 1840 removes several safeguards around inherently hazardous substances (IHS) and non-odorized gases utilized in the extraction process.

Specifically, the proposed language under Title 22 §2423-F, sub-§3-A, removes the certification of the extraction equipment by a qualified engineer, it removes the need for a local approval, it removes reference to National Fire Protection Association (NFPA) standards, and it removes the provision to provide notice regarding the location of the extraction process to the department. We cannot support any amendments that include reductions on public safety.

IHS chemicals such as butane, propane, acetone, heptane, and pentane are highly flammable. Carbon dioxide (CO<sub>2</sub>) is an asphyxiant gas. Storage and use of CO<sub>2</sub> in cylinders in the workplace should include monitoring for concentrations that can be life threatening. We firmly believe that Title 25 §2448 should be amended to require construction of marijuana cultivation and extraction facilities, regardless of size, apply for a construction permit through the Office of State Fire Marshal.

In the last 30 days, the Office of State Fire Marshal has responded to three (3) fires at marijuana cultivation facilities across the State. We can likely articulate the frequency of fires at these facilities has increased. As a result, we are beginning to examine this data trend.

Additionally, due to the frequency and severity of fires at marijuana cultivation facilities across our nation, the National Fire Protection Association is in process of developing a standard, **NFPA 420, Standard on Fire Protection of Cannabis Growing and Processing Facilities**. The standard will address various aspects of fire and life safety within cannabis facilities, including grow operations, post-extraction processes, and specific concerns like dust mitigation, blended solvent use, CO<sub>2</sub> enrichment, and other hazards.

It is our opinion that removing any provisions for safety regarding cannabis extraction will not only jeopardize the safety of the cannabis workers, but also the safety of first responders called into action during times of crisis. Place yourselves in the shoes of the responding firefighters, often volunteers, wouldn't you want to know the potential hazards or have had an opportunity to prevent a potential emergency in the first place? I urge careful consideration on LD 1840.

Shawn Esler, State Fire Marshal