

**TESTIMONY OF
MISHA PRIDE, MAYOR
CITY OF SOUTH PORTLAND**

BEFORE THE JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

February 10, 2021

Senator Brenner, Representative Tucker, and esteemed members of the Environmental and Natural Resources Committee, my name is Misha Pride, and it is my honor to serve as mayor for the City of South Portland. Our community is the fourth largest in the state in terms of population at just over 25,000 residents, yet we are one of the smaller communities in Maine in terms of land area, measuring just over 12 square miles. This makes us one of the most densely populated communities in the state, with an average of 2,116 residents per square mile. This is relevant later on in my remarks.

South Portland contributes to our state's economy in many ways, but for today let us consider the fact that our city is home to six of the 11 marine oil terminals, and by far the largest concentration of tanks storing petroleum products, located in the State of Maine. Nearly 150 tanks, ranging in capacity from a few hundred thousand gallons to over 11 million gallons, line our waterfront and store a variety of petroleum products. These products are transported and used across this entire state to fuel our cars, buses, and trucks; heat our homes, schools, and hospitals; and pave our roads.

This intense industrial use and benefit for the state has come at a price for South Portland residents. For years, my fellow residents have complained of unpleasant odors emanating from these facilities; odors so strong that they have had to close their windows and have not been able to enjoy their properties. Citizens report health maladies such as headaches, nausea, and breathing difficulties.

In 2019, the City became aware of an ongoing investigation by the U.S. Environmental Protection Agency (EPA) into one of these facilities for alleged violations of their air emissions license. In 2020, a second company was alleged to have made similar violations. In both cases, the compliance issues were resolved through consent decrees with the U.S. EPA and Department of Justice. The City was also able to obtain assurances from those terminal operators for the installation of odor control technology, and we are hopeful those will prove effective once operational.

During this time, the City Council took immediate action to reach out to Maine Department of Environment Protection (DEP) and Maine Center for Disease Control (CDC) and hosted workshops so we could inform ourselves and our fellow residents as to the nature of the emissions and the related health impacts. Our residents demanded that the City take action, as they felt that state and federal agencies were not sufficiently protecting their health and well-being. In response, the City partnered with Maine DEP officials to set up five fixed air-monitoring stations across the city (with a sixth recently added). DEP also established a grab canister program that ran for three months where interested residents were able to pick up a canister, take a quick air sample at their homes when they noticed odors, and submit those samples to the DEP for testing. We understand our joint efforts with the DEP in this regard have been the first of their kind in the state, and possibly even the nation.

The City Council also formed the Clean Air Advisory Committee (CAAC)- comprised of health officials, scientists, engineers, and legal professionals – to provide recommendations to the City on assessing and improving air quality. That committee is a month away from wrapping up its work.

During this process, former Senator and now Representative Rebecca Millett introduced legislation directing the DEP to:

- A. Study the methods for measuring and estimating emissions from the heated aboveground storage tanks;
- B. Study the best methods to control odors and other air emissions from all emissions sources at oil terminal facilities in the state, not just the aboveground heated storage tanks in South Portland; and
- C. Issue a report of the findings made as a result of these studies.

The CAAC has reviewed the DEP's report and, as a result, made several important and valuable recommendations to the City Council.

I am pleased to present to you the following list of five CAAC recommendations unanimously endorsed by the South Portland City Council:

1. The City needs more information about the type and status of the numerous tanks in our community. While we have some information such as the year built and type of product permitted to be stored in these tanks, we do not have other key pieces of information that can help us ascertain the potential for emissions from these tanks, such as: a) are they riveted or welded, b) what is the condition of the interior walls, c) what types of seals are present, and d) what is currently being stored in which tanks? All of these considerations are important in determining an accurate emissions profile for the particular tank in question; for example, the uneven surface created by rivets can affect the effectiveness of a floating tank roof seal and result in increased emissions under certain conditions.
2. The City has concerns with allowing the facility operators to calculate their own emissions using the AP-42 methodology. There are a number of assumptions and variables included in these emissions calculations, and we recommend that DEP run the calculations themselves based on verified data, in addition to having the companies make these calculations. This could be seen as an audit of sorts and help to address concerns around how these calculations were made in the past. The City would also like to see DEP explore methods for measuring actual emissions from all tanks – for example by considering the experiences of the Massachusetts DEP and U.S. EPA with such measurement activities.
3. When storage tanks are emptied, the gas vapor that remains in the tank has to be removed before the storage tank can be cleaned and reused. This process is known as “degassing”. The DEP report did not address the degassing process of tanks, which leads to the release of the potentially toxic residual vapor produced by the previously contained Volatile Organic Compounds (VOCs). The City believes DEP should require vapor capture during degassing. Similarly, the report did not significantly address the use of “cutter stock” and products added to asphalt and number 6 fuel oil, nor did it mention the implications that the addition of such products may have on emissions.

“Cutter stocks” are petroleum products used to thin oil and are typically used to reduce viscosity in heavier fuel oil products such as #6 oil and asphalt. Although the terminal operators themselves may not add this cutter stock to their product, it could very well arrive at their facilities already added. The presence of cutter stock should be further investigated and analyzed.

4. As noted in my introduction, the City of South Portland is a very densely populated community. The proliferation of tank farms across our relatively small footprint and their proximity to residences and schools is cause for concern. There does not appear to be a legal limit on how many tank operators could emit VOCs into the air in a community. While individual companies are limited in the VOCs they can emit, there is not a consideration for the cumulative impact of those emissions. In 2018, for example, the six tank farm operators were permitted to emit 594 tons of VOCs, though they reported “only” emitting 188 tons. This seems significant, especially when several of these tank farms are within several hundred feet of one another, and especially given the proximity of these tanks to our various neighborhoods. We believe DEP should consider a regulatory approach that focuses on the cumulative impact of these facilities.
5. Related to the above, we would like to see DEP consider how it could incorporate into its regulatory scheme a more explicit emphasis on the potential health impacts from these facilities. This could mean, among other things, taking into account the proximity of homes and schools when determining Best Practical Treatment for any given applicant.

In closing, the City believes that the suggested measures in the report do not go far enough or represent a significant improvement over existing regulatory practice.

While we greatly appreciate the partnership between Maine DEP and the City of South Portland and we realize the collection of data to inform this process is ongoing, we urge members of the ENR Committee and Legislature to pursue the above recommendations.

We ask that you consider ways to help cement the support that Maine DEP provides local communities.

We also ask that you consider all other steps necessary to ensure that the air in our great city is safe to breathe for the residents of South Portland and the many workers and visitors.

Thank you for your time and commitment.

Map Displaying Location of Various Tanks in South Portland



Red – Sprague Green – SP Terminal Purple – Global Orange – CITGO Blue – PPLC Yellow – Gulf

Source: <https://southportland.maps.arcgis.com/apps/View/index.html?appid=3d276e55a3f94e5aa6c7bac7ab5c3b0b&extent=-70.3092,43.6166,-70.2268,43.6457>

Table Displaying VOC Emissions in South Portland from 2007-18

Reported VOC Emissions (Tons Per Year) - South Portland Air Emissions License Holders												
Company	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
Citgo**	45.4	45.8	55.4	47.0	42.5	46.8	42.8	46.4	51.9	48.2	47.4	48.6
Fairchild*	14.6	17.1	13.2	10.3	4.9	9.6	4.7	13.0	10.7	10.7	7.3	7.2
FPL Energy*	0.0	0.0	0.0	0.3	0.3	0.1	0.0	0.0	0.0	0.1	0.1	0.2
Global*	4.8	18.7	20.3	20.6	11.3	11.3	15.0	0.8	0.6	0.7	0.7	0.3
Gulf*	28.5	28.8	29.2	30.8	27.9	26.3	22.7	22.6	23.7	22.5	25.0	24.8
PPLC**	59.2	41.3	37.3	35.6	48.6	63.0	70.6	81.9	77.6	96.4	105.5	102.1
SP Terminal**	41.5	41.5	39.7	43.8	38.6	44.7	44.0	49.6	39.4	46.5	55.3	64.2
Sprague*	8.8	6.6	4.4	4.6	5.0	4.3	4.2	4.3	3.8	4.8	5.0	5.3
T.I.*	8.4	8.2	9.8	9.9	8.8	9.4	14.2	12.7	11.7	2.6	3.1	3.9
TOTALS	211.2	208.0	209.3	202.9	187.9	215.5	218.2	231.3	219.4	232.5	249.4	256.6

*Ch. 115 (Minor Source) Licensee **Title V (Major Source) Licensee

Source: Maine DEP