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Outline: Reporting Oil Spills in Maine

- 1. Policy Problem:** The process of reporting oil spills in Maine is a cumbersome process that is troublesome to every party involved.
 - a. Every single oil spill, no matter the size of the spill has to be reported.
 - b. Other Northeastern states much like Maine have much more practical processes of reporting spills.
 - c. Even the DEP, (the enforcing agent) says it is unnecessary to report every incident.

- 2. Background:** Maine has a large amount of water resources in the state. This is obviously a very important resource that should be protected, and this was the idea behind this law. On paper it seems like a great idea, but when it is applied out in the field, it is very impractical.
 - a. The idea behind this law is that if every spill must be reported, than most people would report most spills. However, there is still a large number of spills that go unreported.
 - b. Also, the companies that do report every spill, get slowed down with pointless paperwork. This includes the DEP.
 - c. In the forest industry, this law targets mostly the logging contractors. Most responsible logging contractor are not going to willingly spill oil, as this cost money and time. Moreover, spilling oil damages the ground and vegetation where these workers make a living. This policy change will not encourage contractors to allow their oil to spill everywhere.

- 3. Policy question:**

- a. What needs to be done to find a balance between environmental protection, and operational practicality?
- 4. Views on the current law and possible corrections:
 - a. Landowners/ Foresters
 - i. Of the four different foresters I have talked to, who are direct agents of the land owners, are opposed to the current regulations.
 - 1. This is of particular concern to me because these are the type of people that who's job it is to have the forest's health in mind. If they are opposed to this law, there must be a reason.
 - 2. They all believe that there is a better and more practical way to protect the forest, and they agree with my recommendations.
 - b. Logging contractors
 - i. I currently work for a logging contractor so I have first hand insight on their views.
 - 1. These are the people who you would think care the least about the forests health. But as I mentioned before this is not true.
 - 2. Loggers have a fundamental understanding that if they don't protect the forest, their industry will die.
 - 3. However, some employees of logging contractors were not even aware of the strict reporting, they think that there is a minimum number of gallons that have to be spilt.
 - 4. This tells me that the system is broken, and there is a disconnect somewhere. I believe my suggested plan would address these issues.
 - c. The DEP

- i. As is the case with any other government agency, they are overworked and underfunded. Which causes back ups in the system.
 - 1. According to foresters, the DEP has actually told them to not worry about every single spill.

5. Possible Models to Follow:

a. New Hampshire:

- i. Three types of spills to report:
 - 1. Petroleum spills to ground or surface water
 - 2. HazMat spills to ground or surface water
 - 3. Toxic air release
- ii. Information in report:
 - 1. Your name and phone number
 - 2. The name, address and phone number of the person or party you believe is responsible
 - 3. Substance and amount of spill (if known)
 - 4. Date and time of spill (or observed)
 - 5. Cause of the spill (if known)

b. New York:

- i. No notification needed when:
 - 1. The spill is known to be less than 5 gallons
 - 2. The spill is contained and under the control of the spiller
 - 3. The spill has not and will not reach the State's water or any land
 - 4. The spill is cleaned up within 2 hours of discovery.
- ii. Required Information for Notification:
 - 1. Numerous points of information
 - 2. Outlined in slide presentation

c. Maine:

i. Current spill BMP's (Best Management Practices, not reporting policy)

1. Use appropriate containers for the storage of oils
2. Maintain equipment outside of filter areas
3. Have spill kits readily available
4. If a spill occurs, keep it from flowing off the yard and into water
5. Know the numbers of the state agencies
6. Collect and dispose of trash properly

6. Policy Recommendations:

a. Outline:

- i.** Model policy after New Hampshire and New York
- ii.** Reform reporting process, more emphasis on mandatory spill clean up
- iii.** Make the BMP's mandatory, more emphasis on the use of absorbent materials
- iv.** Report spills on different guidelines

b. When to Report:

- i.** The spill is greater than 5 gallons
- ii.** The spill is not or cannot be contained
- iii.** There is an immediate threat to ground or surface water
- iv.** There is an immediate threat to vegetation

c. What to Report:

- i.** Name and number of the reporter
- ii.** Party responsible for spill, along with phone number and address
- iii.** Time and date of spill
- iv.** General location of spill
- v.** Proximity to sensitive areas

- vi.** Amount of material spilled
- vii.** Type of material spilled