



**Comments for the South Portland Draft Ordinance Committee
On the South Portland Clear Skies Ordinance
Submitted by Environment Maine
June 13, 2014**

On behalf of Environment Maine's more than 1,300 members and supporters in South Portland, we write in support of the Draft Ordinance Committee's South Portland Clear Skies Ordinance.

We commend the Committee for your diligent work that left no stone unturned as you developed a strong ordinance to protect South Portland from the increased air pollution, reduced property values, foul odors, and marred coastline that would result from a new tar sands bulk loading operation.

We also commend the Committee for your transparent, inclusive process that sought and encouraged input and feedback from all stakeholders, including, foremost, the citizens of South Portland.

We have three specific suggestions that we urge you to consider before finalizing the ordinance:

- **Make clear that the whereas clauses are based on the scientific literature**, where appropriate, such as when talking about hazardous air pollutants and volatile organic compounds, to show the DOC's consideration of extensive supporting science. We are not suggesting that you cite specific studies but that you add clauses such as "studies show that," "according to the scientific literature," "medical literature indicates that," and so forth. For example, you could say, "Whereas, *extensive scientific literature* establishes that breathing ozone can cause adverse health effects, including..."
- **Add "tar sands" to the definition of crude oil**. There is widespread concern in South Portland about the threats posed by a tar sands bulk loading operation. Yet, the ordinance uses "diluted bitumen," the scientific term, not "tar sands," the common term. If the ordinance does not specifically mention "tar sands," the oil industry may exploit this opportunity, as they did with the Waterfront Protection Ordinance. In the definition of crude oil, we encourage you to replace "diluted bitumen and synthetic crude oil" with "unrefined tar sands oil products, diluted bitumen and synthetic crude oil."
- **Limit the whereas clauses to issues directly related to the purpose of the ordinance and not broader issues**. Several of the whereas clauses concern issues outside of South Portland and those not relevant to the ordinance specifically.