

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1422

H.P. 998

House of Representatives, April 7, 2009

**Resolve, Directing the Department of Environmental Protection To
Submit a Report and Recommendations Concerning Oil from Tar
Sands, Coal from Mountaintop Removal Mining and Other High-
polluting Energy Sources**

Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLEMINGS of Bar Harbor.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: ADAMS of Portland, BERRY of Bowdoinham, CLEARY of Houlton,
HINCK of Portland, WALSH INNES of Yarmouth, PERCY of Phippsburg, Senator:
GOODALL of Sagadahoc.

1 **Sec. 1. Review information and report. Resolved:** That the Department of
2 Environmental Protection, with input from the Public Utilities Commission, the
3 Governor's Office of Energy Independence and Security and other appropriate entities,
4 shall review information and issue a report and recommendations on its findings
5 concerning oil from tar sands and other high-polluting sources of oil and coal from
6 mountaintop removal mining and other forms of coal mining in order to ensure that the
7 State does as much as possible to reduce the environmental impacts and public health
8 impacts caused by the generation and use of energy derived from these sources; and be it
9 further

10 **Sec. 2. Coal from mountaintop removal mining and other coal mining**
11 **operations. Resolved:** That in its review the department shall:

12 1. Collect information about the source and volume of coal burned to generate
13 electricity within the New England electrical power grid and estimates concerning the
14 amount of the coal-generated electricity used by consumers in the State on an annual
15 basis;

16 2. Collect information about the environmental harm and public health impacts
17 caused by the extraction, processing, transportation and use of coal; and

18 3. Make recommendations for regulation, taxation or voluntary measures that would
19 reduce the use of electricity in the State generated from coal mined through mountaintop
20 removal and other techniques with significant environmental and public health impacts;
21 and be it further

22 **Sec. 3. Oil from tar sands, oil shale and coal gasification. Resolved:** That
23 in its review the department shall:

24 1. Collect information about the amount and sources of liquid fuels used in the State
25 derived from tar sands, oil shale and coal gasification and information about the
26 transportation into the State or through the State of petroleum products that contain oil
27 derived from tar sands, oil shale and coal gasification;

28 2. Collect information about the environmental harm and public health impacts
29 caused by the extraction, processing and use of energy derived from tar sands, oil shale
30 and coal gasification; and

31 3. Make recommendations for regulation, taxation or voluntary measures that would
32 reduce the use in the State of petroleum products derived from tar sands, oil shale and
33 coal gasification and the transportation into or through the State of petroleum products
34 based on tar sands, oil shale and coal gasification; and be it further

35 **Sec. 4. Report date. Resolved:** That the Department of Environmental
36 Protection shall submit its report with recommendations to the Joint Standing Committee
37 on Natural Resources no later than January 10, 2010; and be it further

38 **Sec. 5. Disclosures required; rules. Resolved:** That the Department of
39 Environmental Protection shall by rule establish annual disclosure requirements for all

1 entities that sell electricity in Maine to the electricity ratepayers, if their product includes
2 electricity generated by facilities that burn coal. The disclosure must be in a fact-sheet
3 format that must be sent to all ratepayers and must include a description of pollution
4 generated and impacts on health, wildlife and the environment caused by the extraction
5 and combustion of coal. The disclosure must include a representative photograph of
6 mining operations where the coal was extracted.

7 Rules adopted pursuant to this section are routine technical rules as defined in the
8 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

9 SUMMARY

10 This resolve directs the Department of Environmental Protection, with input from the
11 Public Utilities Commission, the Governor's Office of Energy Independence and Security
12 and other appropriate entities, to review information and issue a report and
13 recommendations on its findings concerning oil from tar sands, oil shale and coal
14 gasification and coal from mountaintop removal and other forms of mining operations in
15 order to ensure that the State does as much as possible to reduce the environmental
16 impacts caused by the generation and use of energy derived from these sources. In the
17 report, the department is directed to collect information on liquid fuels derived from tar
18 sands, oil shale and coal gasification and mountaintop removal and other forms of coal
19 mining. The department shall submit its report and recommendations to the Legislature.
20 This resolve also requires the department to establish public disclosure requirements for
21 entities that sell electricity generated by facilities that burn coal.