

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 450

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S.P. 152

In Senate, February 7, 2017

### An Act To Prevent Oil Spills in Casco Bay

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

Handwritten signature of Heather J.R. Priest in cursive.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.

Cosponsored by Senators: BREEN of Cumberland, DION of Cumberland, GRATWICK of Penobscot, MILLETT of Cumberland, SAVIELLO of Franklin, Representatives: CAMPBELL of Orrington, SYLVESTER of Portland, TUCKER of Brunswick.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §546, sub-§4, ¶G,** as amended by PL 1989, c. 546, §9, is  
3 further amended to read:

4 G. Requirements for the safety and operation of vessels, barges, tugs, motor vehicles,  
5 motorized equipment and other equipment relating to the use and operation of  
6 terminals, facilities and refineries and the approach and departure from terminals,  
7 facilities and refineries. These requirements must provide that all vessels and barges  
8 engaged in transfers of oil or oil by-products, including transfers during ship-to-ship  
9 bunkering operations, be protected by an oil boom device during such transfers,  
10 except when an oil boom device cannot be deployed due to personnel safety  
11 conditions or weather, wind, sea or ice conditions or when, in the department's  
12 determination, use of an oil boom device is unnecessary based upon the  
13 characteristics of the oil or oil by-product involved in a transfer, and further provide  
14 that any vessel or barge engaged in those transfers of oil or oil by-products notify the  
15 United States Coast Guard prior to engaging in those transfers;

16 **Sec. 2. Board of Environmental Protection; oil discharge prevention and**  
17 **pollution control rules.** The Board of Environmental Protection shall, by June 1,  
18 2018, amend its rules relating to oil discharge prevention and pollution control for marine  
19 oil terminals, transportation pipelines and vessels to include the provisions required by  
20 the Maine Revised Statutes, Title 38, section 546, subsection 4, paragraph G.

21 **SUMMARY**

22 This bill amends the regulatory powers of the Board of Environmental Protection to  
23 require that rules relating to oil discharge prevention and pollution control for terminals,  
24 facilities, refineries, vessels and related equipment adopted under the board's authority  
25 must provide, subject to specified exceptions, that all vessels and barges engaged in  
26 transfers of oil or oil by-products, including transfers during ship-to-ship bunkering  
27 operations, be protected by an oil boom device during those transfers and notify the  
28 United States Coast Guard prior to those transfers. The bill also directs the Board of  
29 Environmental Protection to amend its existing rules relating to oil discharge prevention  
30 and pollution control to reflect these statutory changes.