Comment of Protect South Portland on Proposed Consent Decree Under the Clean Air Act

Ref: United States v. Global Partners L.P. *et.al.* Ref # 90-5-2-1-11428

To the Assistant Attorney General, Environment and Natural Resources Division

Protect South Portland is a citizen group active in the City of South Portland. Our mission is to "promote action and practices that protect the environment and the health and welfare of the citizens of South Portland." Accordingly, we have been involved with our fellow citizens' responses to the recent filing of a consent decree between the EPA and Global Partners.

It is clear from the robust attendance at two City Council workshops, called immediately on publication of this EPA action, that this is not only a complex issue but one that has festered for some time in the neighborhood where Global Partners tank farm sits. Given this, it is the almost unanimous opinion aired at these meetings, that a period of thirty days does not give anywhere near enough time to assemble the thoughtful and thorough comments that the Consent Decree's stipulations require.

Protect South Portland has been engaged with the residents of the neighborhood adjoining the Global tank farm, as well

as with other citizens we have encountered during a door to door canvassing effort for signatures for a petition drive relative to this issue. Listed below are some of the actions and requirements that these people are asking for in any agreement between the EPA and Global partners.

1.The penalty in the agreement seems grossly out of proportion to the suffering imposed upon the people in the neighborhood. Moreover, they think any civil penalty should be increased and go to the City of South Portland to assist in remedying the situation: funding an appropriate and effective monitoring and control system throughout the city. It will take time and energy to research this issue, certainly more than the thirty days now provided.

2. The proposed wood stove remedy is not only inappropriate but unrelated to the nature of the harm caused to the citizens affected by the actions of Global Partners. The money allotted to wood stove replacement should go towards installing equipment to capture emissions. Researching best practices as well as the cost and implementation of this equipment will require expert advice and evaluation.

3. It may well be that Global Partners needs to upgrade their whole system, including tanks built more than 100 years ago. This too will take time to investigate and establish.

4. It is unclear what kind of monitoring system would be most effective and who should be running it. Most people find it hard to believe that monitoring done by the polluter can be reliable. This too requires more time to work out a way for the

City, or an independent expert in this field, to carry out this operation to be paid for by Global Partners.

5. Thirty days to comment on such a complex issue, with five years allotted for Global Partners to implement changes in their behavior, also appears to be grossly out of proportion. Our citizens should be assured of relief within the shortest possible time.

As a citizens group, Protect South Portland, takes the health and wellbeing of our fellow citizens very seriously. We have spoken to many citizens who are suffering from frequent debilitating headaches, increased asthma attacks, and the concern that they cannot enjoy their yards or keep their windows open at night due to noxious odors. We support in full the City of South Portland's comments regarding this Consent Decree. We agree they represent a summary of our citizen's opinions voiced in public forums, other gatherings and written communications.

Respectfully submitted:

Rachel Burger
President, Protect South Portland