

TOWN OF ISLESBORO

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May 30, 2012

The Honorable J. Bruce Probert
Chairman, Searsport Planning Board

The Honorable Keith Ritchie
Vice Chairman

The Honorable George Kerper
Member

The Honorable Lee-Ann Horowitz
Alternate

The Honorable Mark Bradstreet
Member

The Honorable Brian Callahan
Member

The Honorable Cynthia Gallant
Alternate

Re: Proposed DCP Midstream LPG Tank and Terminal at Mack Point

Dear Searsport Planning Board:

Waldo County is a community and within our community, the municipal and county governments and agencies that serve the people of Waldo County rely on each other for many of the essential services that contribute to the quality of life in Midcoast Maine. No town within Waldo County can survive without the support of the residents and businesses of the surrounding towns and every town must show consideration for its neighbors when making decisions that have a regional impact. Moreover, every community in Midcoast Maine relies on the resources of Penobscot Bay for their existence and for the lives and livelihood of their citizens. Accordingly, any decision that affects the use of Penobscot Bay affects us all.

The proposed DCP Midstream LPG tank and terminal will have an impact on the economy, environment, safety and security of *the entire Midcoast region*. Review of the pending permit application, including consideration of restrictions and limitations, must include and address these regional impacts before making a determination regarding this application.

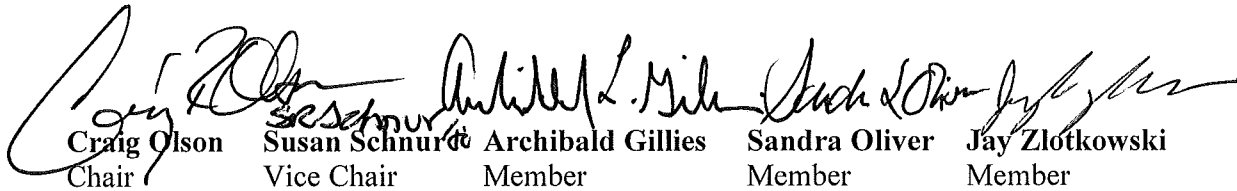
Attached is a list of several issues of regional concern. Because of these concerns, all of the municipalities signing this letter, as well as all of the communities in the Penobscot Bay area, possess the right to participate in the permit review process. Incorporating our concerns into the review process ensures consideration of the impacts on surrounding communities prior to the issuance of any permit. No review process would be complete that failed to consider and address these regional concerns.

It is of paramount importance to note that no single municipality in Waldo County or the region has the infrastructure in fire safety, emergency response, police, or hospital facilities to cope with a catastrophic incident at the proposed DCP Midstream facility. As noted in the Waldo County 2010 Emergency Operations Plan: "A structure fire involving a very large structure, such as an occupied school *or a petroleum terminal*, or engulfing numerous structures, such as a downtown business area or mobile home park, *has occurred in the past and is likely to happen again*. Very few towns in the County have the resources to deal with a typical residential structure fire without mutual-aid support; *a major structure fire can involve much of the County's municipal*

fire protection resources as well as resources at the county level and from other counties.”
(emphasis supplied).

In the event of any emergency at the proposed LPG facility, Searsport will need the support of other communities in Waldo County and the Midcoast region for fire, police and medical services, pursuant to the Waldo County emergency response mutual-aid agreement. Indeed, in representing that Searsport had the ability to respond to the fire safety and security challenges posed by this facility to the Army Corps of Engineers, emergency response officials in Searsport expressly relied on their ability to use the mutual-aid agreements throughout Waldo County to respond to any such emergency – thus, acknowledging that without utilizing the resources of other municipalities in the region, Searsport lacks the personnel or equipment needed to handle any catastrophic incident at Mack Point. The threats posed by this LPG facility could easily drain the severely limited emergency response resources of this region and thus give rise to our standing to have these, and perhaps other concerns incorporated into the record of these permit proceedings. We submit this letter as a formal statement of our interests in this matter and to demonstrate the direct impact Searsport's decision will have on Islesboro, Waldo County and the Midcoast Maine region. If you would like us to provide additional information or to elaborate on these concerns, please advise us of that and we will attempt to respond in a timely and appropriate manner.

Sincerely,



Craig Olson Susan Schnur Archibald Gillies Sandra Oliver Jay Zlotkowski
Chair Vice Chair Member Member Member

cc:

Honorable Olympia J. Snowe
Honorable Susan M. Collins
Honorable Chellie Pingree
Honorable Michael H. Michaud
Maine Emergency Management Agency
Waldo County Commissioners
Knox County Commissioners
Searsport Board of Selectmen
City of Belfast
Town of Belmont
Town of Brooks
Town of Burnham
Town of Frankfort
Town of Freedom
Town of Jackson
Town of Knox

Town of Liberty
Town of Lincolnville
Town of Monroe
Town of Montville
Town of Morrill
Town of Northport
Town of Palermo
Town of Prospect
Town of Searsmont
Town of Stockton Springs
Town of Swanville
Town of Thorndike
Town of Troy
Town of Unity
Town of Waldo
Town of Winterport

City of Rockland
Town of Camden
Town of Castine
Town of Hope
Town of Lincolnville
Town of Matinicus
Town of Monhegan
Town of North Haven
Town of Owls Head
Town of Rockport
Town of Thomaston
Town of Vinalhaven
Town of Warren

Regional Concerns Associated with the DCP LPG Terminal Proposal¹

- The proposed DCP Midstream facility is unprecedented in size in New England and on the East Coast. The only facility that approaches this size and scope is located in a heavily industrialized area in Tampa, Florida – with a 2-mile exclusion zone around it and ample police, fire and medical resources available in the event of a catastrophic incident. In sharp contrast, the Waldo County 2010 Emergency Operations Plan states that, “Waldo County combines the scenic beauty of the rugged Maine coast with the lush forests and farmlands of the inland hills, yielding harvests both cultivated and wild.” Waldo County is not equipped to deal with the impacts of an industrial facility of this nature, like Tampa –there are no career fire departments in Waldo County; all firefighters work on a volunteer or paid-call basis. There is only one hospital, which is located in the City of Belfast, and is not a Level I certified trauma facility.
- The new safety and security burdens of the proposed facility could damage the long-term economic interests in our primary industries: tourism, fishing and real estate. The permit review process must consider the full extent of the risks, costs and damages that could result from construction of the proposed facility. DCP has presented a study indicating that this facility will provide twelve (12) full time jobs; but how many jobs in the existing tourism, fishing and real estate industries will be lost if this facility is built?
- On May 17, 2012, the Waldo County Local Emergency Planning Committee (“LEPC”) held an open house. During that well-attended meeting, the members of the LEPC, including the Searsport Fire Chief, acknowledged that, in the event of a catastrophic incident and fire at the DCP Midstream LPG tank and terminal, the *only response* would be to let the tank burn itself out (all 22.7 million gallons) because there would be “no way to extinguish a fire at that tank *or any other LPG tank – regardless of size.*” The LEPC member indicated that first responders would try to prevent the spread of the fire from Mack Point to the remaining buildings in Searsport and to surrounding communities by “wetting the adjacent buildings.” However, since an LPG “fire” would burn at temperatures up to 4000 degrees Fahrenheit, the effectiveness of such efforts is highly doubtful and would place first responders *from throughout Waldo County* in grave danger. The cost of treating any injuries or death benefits sustained by first responders could well fall to their Town of origin, not Searsport or DCP.
- In addition, what will happen if the LPG conflagration ignites adjacent petroleum, distillates, asphalt and chemicals stored at Mack Point? The LEPC did not have enough information to know whether the residents and property on Islesboro and other

¹ This list is not intended to be exhaustive, but represents significant regional issues that must be considered and addressed prior to approval of any permit for this LPG facility.

communities in the region would be vulnerable in the event of such a fire and, if so, how the rest of the County could or would be able to respond to assist neighboring residents.

- The 2010 Waldo County Emergency Operations Plan acknowledges that: “A structure fire involving a very large structure, such as an occupied school or a petroleum terminal, or engulfing numerous structures, such as a downtown business area or mobile home park, has occurred in the past and is likely to happen again. *Very few towns in the County have the resources to deal with a typical residential structure fire without mutual-aid support; a major structure fire can involve much of the County’s municipal fire protection resources as well as resources at the county level and from other counties.*”

“An explosion ... or an accident involving energy, industrial or transportation assets would most likely create mass casualties and damage to structures and infrastructure.”

“County government officials recognize their responsibilities regarding public safety and will assume those responsibilities in the implementation of this EOP.” (emphasis supplied)

- Searsport’s Emergency Management Director, Fire Chief and Police Chief all cite mutual aid agreements and Waldo County emergency response agreements when discussing response to a DCP emergency and representing to federal officials that Searsport has the capacity to respond to a catastrophic incident at this proposed facility. However, but for the ability to utilize the taxpayer resources of other communities, Searsport would not have the capacity to handle an emergency at this facility or the existing facilities at Mack Point. Furthermore, even with those other resources, it is questionable whether the resources exist in the State of Maine to effectively respond to a public safety emergency at this proposed LPG facility.
- Searsport would need the assistance of other communities to deal with the impacts of this facility. In fact, Searsport’s lack of sufficient resources to protect the public in the event of a catastrophic incident at the proposed DCP Midstream tank terminal, or one of the tankers bringing LPG up the Bay to that facility, is clearly a basis for denying a permit. Searsport should make no decision that will increase the tax burden or emergency response costs borne by surrounding towns, Waldo County or the Midcoast and Penobscot region as a whole.
- Waldo County’s Emergency Management resources are critically over-burdened and shamefully under-funded by the State already. Waldo County's Emergency Management Director, Dale Rowley, has less than \$200,000 for ALL disaster functions (including salaries and benefits for 3 1/2 full time employees and maintaining equipment). In 2007, the budget for the Waldo County LEPC was about \$10,500. Last year its budget was just over \$5,200. *This year*, the Maine Legislature reduced the appropriation for Waldo's LEPC to only \$4,605.71. Applicable Searsport ordinances require that the Planning Board consider the availability of resources to respond to an emergency – we suggest that this consideration must include the availability of these resources in all impacted communities.

- The coastal populations of every community along Penobscot Bay will be at risk from the tanker traffic to this facility. The risk is not just borne by Searsport residents. The Army Corps of Engineers' report noted that the community at the greatest potential risk from tanker traffic might be Rockland and Rockland harbor. In addition, the islands have very limited fire safety resources and inherently restricted access to assistance from surrounding Mainland communities. How would the islands respond to a tanker fire? Will LPG tanker traffic disrupt the ferry service of all of the Penobscot Bay islands? Will LPG tanker traffic and the likelihood of exclusion zones disrupt fishing and lobstering around the islands and in the Bay?
- Is the proposed single, massive tank *safe* in such close proximity to Penobscot Bay population centers? Islesboro and Cape Jellison are dangerously close to this facility, as the crow flies. Does the proposed 137' tall, single tank configuration – that has been adopted in furtherance of DCP's economic interests, not safety considerations for the safest design – place Islesboro and Cape Jellison residents at a *greater risk* than some other configuration? Would Islesboro, Belfast and Stockton Springs be at less risk from a catastrophic incident at this facility if a series of shorter tanks was required, rather than permitting DCP to build one tank? If the single tank configuration places a greater risk on surrounding communities, Searsport should reject this configuration in favor of a proposal that does not inflict greater risk on its neighbors. Independent expert analysis of alternative configurations is needed.
- DCP Midstream should be required to provide a scale model of this proposed facility, so that the planning board and the public can adequately assess its impact on the surrounding communities that rely on marketing the pristine character of Penobscot Bay as our greatest economic asset. If that asset is damaged by the presence and operation of the proposed LPG terminal, the full impact of that presence and those operations should be revealed prior to permitting. It is irrelevant that such a model may not have been required from prior applicants – no prior applicant has ever sought to place a facility of this unprecedented scale and risk in this region. With the LPG proposal come corollary additional responsibilities and burdens on the applicant to demonstrate that their request is reasonable and does not unduly burden the available resources of the community, needlessly damage the local economy or recklessly endanger the public.
- DCP Midstream is a limited liability corporation. DCP Midstream should be required to demonstrate that it has made adequate financial provisions to ensure that they could fully and timely compensate Searsport and the surrounding communities for any emergency response costs, and damages to people and property, resulting from an incident at their proposed facility.
- MIT Professor James Fay reports that, "The major public safety concern about such [LPG] facilities lies in the uncontrolled release to the atmosphere of large quantities of LPG... which would rapidly vaporize and mix with air to form a combustible mixture."

- Professor Fay also notes, "...the safety problem caused by a spill from a typical LPG storage tank is greater than that from a typical oil terminal tank. In addition, the rapid vaporization rate of spilled refrigerated LPG compared with gasoline compounds the relative danger of LPG terminal spills."
- "LPG is more hazardous than LNG, having higher specific gravity, a greater tendency to form explosive vapor clouds, a lower minimum ignition energy and higher fundamental burning velocities," according to The National Association of State Fire Marshalls. LPG should, therefore, receive equal or greater public safety scrutiny than LNG.
- The National Association of Fire Marshalls also notes that federal regulations require siting LNG facilities at a safe distance from adjacent industrial, communities and other public areas. These safety exclusion zones are based on vapor dispersion calculations, thermal radiation contours and other considerations.
- The distance to a 5 kilowatt per square meter thermal flux level is 2,400 feet. This 5 kW/sq. m thermal flux "will result in unbearable pain after an exposure of 13 seconds and second degree burns after an exposure of 40 seconds." (Fay)
- "Fires that burn thousands of tons of fuel in a few minutes are extraordinarily large, lying well outside the range of domestic firefighting experience." (Fay)
- Fay estimates "the calculated distance to an overpressure of 1 psi is 3.7 miles for the loss of contents of the LPG storage tank."
- "Blast overpressure (BOP), also known as high energy impulse noise, is a damaging outcome of explosive detonations... Exposure to BOP shock waves alone results in injury predominantly to the hollow organ systems such as auditory, respiratory, and gastrointestinal systems." (Toxicological Sciences Journal, 2006)
- Mack Point was rejected as a possible location of a LNG terminal by Downeast LNG because "Potential impact on existing and future land use of the site and surrounding areas was judged to be high, and it would be in close proximity to high recreational use areas in Penobscot Bay and shoreline areas." (ferc.org, May 15, 2009)
- The Searsport area, including Mack Point, experienced six earthquakes in 2011 and 35 since 1983, according to the United States Geological Survey. CMP abandoned plans for a nuclear power plant on Sears Island in the 1970's because of geological insecurity at the site.
- The Searsport Planning Board decision could place a significant and profound burden on the quality of life and resources of every other community in Waldo County, and the entire Penobscot Bay region. Searsport owes a duty to all of those communities to consider the full breadth of the impacts that this proposed facility will have on its neighbors.