

Townsend, Erle

From: Tim Plouff <TPLOUFF@rivah.net>
Sent: Friday, January 26, 2024 1:30 PM
To: DEP Rule Comments
Subject: FW: BEP Hearing Chapter 127-A

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From: Tim Plouff [mailto:TPLOUFF@rivah.net]
Sent: Thursday, December 14, 2023 1:16 PM
To: Hinkel, Bill <Bill.Hinkel@maine.gov>
Cc: BEP, Clerk <Clerk.BEP@maine.gov>; Cayting, Lynne A <Lynne.A.Cayting@maine.gov>; DEP Rule Comments <RuleComments.DEP@maine.gov>; slessard <slessard@bucksportmaine.gov>
Subject: RE: BEP Hearing

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Hinkel,

Thank you for your feedback regarding today's submitted comments.

I can appreciate that you have regulations that you must adhere to for hearings, etc. yet in this arena, (BEV's) the state of change is rapid and continuous.

Since your comment period of 8/28/23, numerous auto industry presenters/CEO's at the annual SEMA Convention in Las Vegas, articulated grave concerns about the forces aligned to select one solution—BEV's—to a much larger problem. Given the constant advances in technology, several of these speakers stated that software, cost, durability, and reliability are major concerns for EV's—problems that will dramatically impact the implementation of any mandates, or product proliferation rules. You can read the summary of my story outlining these comments at either the Ellsworth American or Village Soup web-sites, under the storyline SEMA Part II.

Also since August, issues within the auto industry regarding EV sales, EV production, and EV costs have cascaded. Many of the points submitted as 'facts' by the NRCM, and revealed openly on public radio broadcasts, have been soundly rebutted and strongly undermine the whole pretense of both the 'greenness' of EV's as well as their 'value' to drivers. As our world currently exists, there is no such thing as a zero-emission vehicle, given the life-cycle analysis necessary to source EV battery materials. There is nothing to indicate that will significantly improve in the next decade.

As noted in my message to Ms. Lessard, I don't believe that the BEP should be implementing sales mandates and rules regarding EV's—the public alone should decide through elected legislative members, or by public vote.

The NRCM initiative, and the BEP board's emphasis, might be well-intentioned, yet this is far too great an issue for such a minority of people to be making critical decisions for so many citizens of Maine.

Thank you for your time today.

Tim Plouff
tplouff@rivah.net

From: Hinkel, Bill [<mailto:Bill.Hinkel@maine.gov>]
Sent: Thursday, December 14, 2023 10:55 AM
To: TPLOUFF@rivah.net
Cc: BEP, Clerk <Clerk.BEP@maine.gov>; Cayting, Lynne A <Lynne.A.Cayting@maine.gov>; DEP Rule Comments <RuleComments.DEP@maine.gov>
Subject: FW: BEP Hearing

Dear Mr. Plouff,

Thank you for your interest in the proposed Chapter 127-A rule, *Advanced Clean Cars II Program*. The formal rulemaking comment period for this proposed rule closed on August 28, 2023. The Board will accept and consider additional public comment on this proposed rule orally at its meeting on December 21, 2023, only if the additional public comment is directly related to comments received during the formal rulemaking comment period or is in response to changes to the proposed rule. (38 M.R.S. § 341-H(3-A).) Public comments received on the proposed rule during the formal rulemaking process are posted online at <https://www.maine.gov/dep/ftp/rulemaking/127A/public-comment/>. You may sign up to receive email updates regarding DEP rulemakings and opportunities for comment at <https://www.maine.gov/dep/comment/index.html>. The Board's 12/21/2023 meeting agenda is available at <https://www.maine.gov/dep/bep/index.html>.

Your letter was mailed directly to Chair Lessard at her work email address after the close of the comment period. In a rulemaking proceeding, the Board must follow the strict requirements of the Maine Administrative Procedure Act, 5 M.R.S. §§ 8002-8073, and must base its decision on the official record that is before the entire Board. Therefore, any communications on a proposed rule must be sent to the Board as a whole, during the comment period, and should be directed to the Department contact specified in the notice of opportunity for comment, the Board Executive Analyst (bill.hinkel@maine.gov or 207-314-1458) or the Board Clerk (clerk.bep@maine.gov).

Sincerely,

William F. Hinkel
Executive Analyst
Board of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017
(207) 314-1458
bill.hinkel@maine.gov

From: Susan Lessard <slessard@bucksportmaine.gov>
Sent: Thursday, December 14, 2023 8:02 AM
To: Hinkel, Bill <Bill.Hinkel@maine.gov>
Subject: Fwd: [non-TOB] BEP Hearing

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Sent from my iPhone

Begin forwarded message:

From: Tim Plouff <TPLOUFF@rivah.net>
Date: December 14, 2023 at 6:07:46 AM EST
To: slessard@bucksportmaine.gov
Subject: [non-TOB] BEP Hearing

Dear Ms. Lessard,

On 12/21, your BEP panel will consider the approval of a NRCM submission to implement regulations submitted by a partisan minority of Mainers, a ruling that will have a far-reaching impact on the state's economy and its citizens.

No doubt there have been a lot of hyper-sensitized presentations on each side of the proposal, each claiming positions not always based in fact. Each side of every debate today seems only convinced of 'their truth' and other viewpoints must be discarded. A ruling of such significance, a ruling that could change many aspects of business in Maine, a decision by your panel that supersedes the legislature's role as an elected body, seemingly defies the order of law-making in the state. Should your role be to undermine the free economy and create mandates that may or may not even be the solution to the potential problem?

The folks that work in the auto industry strongly suggest that BEV's are not the answer, and mandating one technical solution versus letting the researchers,

engineers, and developers continue to create less expensive, more user-friendly, more environmentally-helpful answers to the problem will be stymied by the current single-solution approach.

Billions and billions of dollars have been spent in the last two decades on BEV's and our transportation has only gotten less convenient. Can you assure that approving the NRCM request to rule will improve that equation?

In the 1976 movie *Network*, a parody of television's role in our society, the central character cries out about the simple "banality of life" depicted by the TV. Recently, Maine's voters overwhelmingly voted down the proposal to create a single, government-operated power utility in Maine, seemingly realizing the 'banality' of another flawed proposal to alter how Mainer's pay for and receive their energy. Right or wrong decision, Mainers got to decide.

I implore you and your BEP panel to let Mainers weigh-in on such an important decision—let the voters/citizens decide what cars they want to drive. If the merits of such a significant regulation change are warranted, then the voters should be making this decision. The freedom of the purse should not be relegated to a minority referendum and an un-elected panel of citizens over-lording their fellow citizens.

Thank you for your time.

Tim Plouff
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