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To the Environmental Quality Board

Commonwealth of Pennsylvania

My name is David Fowler and I am a Board Member of Group Against Smog and Pollution (GASP). I wish to endorse the mercury rulemaking which the Environmental Quality Board has recently proposed. I refer to the Board's proposal to amend Chapter 123 of the Pennsylvania Code, relating to standards for contaminants, with the purpose of reducing the levels of mercury emitted by coal-burning electric power generating facilities in the Commonwealth. GASP will be submitting written comments at a later time in support of the Environmental Quality Board's adoption of the Pennsylvania DEP Mercury Proposal.

No one denies that mercury is a toxic pollutant. Nearly everyone, I think, accepts the reality that electric power generated through the burning of coal produces an unwanted byproduct: unacceptably high levels of airborne mercury.

Pennsylvania has 36 coal-fired power plants. These units accounted for approximately 77% of the more than 5 tons of mercury emitted into the air from all contamination sources in this Commonwealth, ranking Pennsylvania second only to Texas in terms of total mercury emissions.¹ The 2003 results of the EPA Office of Water study *Draft Mercury REMSAD Deposition Modeling* noted that in-state sources contribute more than 50% of the pollution to sites in the top eight worst hot-spot states. One of these states is Pennsylvania.²

Dry and wet deposition of airborne mercury results in the most toxic form of mercury, methylmercury, being formed in lakes and streams. This material is bioaccumulated or magnified in fish and other seafood. Thus consumption of this food is the main mercury exposure route for the public. The Commonwealth has fish consumption advisories for mercury in 80 of its waterways.³

Pennsylvania rivers, streams and lakes support many fishing enthusiasts and a \$1.6 billion sport fishing industry. That so many of Pennsylvania waters have fish advisories for mercury contamination is neither healthy for our citizens who consume their catch nor a good advertisement for fishing in Pennsylvania. Additionally, recent research has also discovered higher levels of mercury in forest song birds as well as fish-eating wildlife, indicating that Pennsylvania's wood-dwelling species may also be at risk.

INDEPENDENT REGULATORY
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A recent study released by the Centers for Disease Control and Prevention (CDC) found in the United States that approximately 8% of women of childbearing age had levels of mercury exceeding the level considered safe by the United States Environmental Protection Agency (EPA) for protecting the fetus.

In a 2004 report of an ongoing Harvard Study⁴ in the Faroe Islands, the authors found that, "high levels of mercury passed from mother to child in utero produced irreversible impairment to specific brain functions in the children." This study methodology used the speed of transmission of electrical signals in the brain. In a follow up study of the children at ages 7 and 14 the author notes that "both prenatal and postnatal mercury exposure affect brain functions and that they seem to affect different targets in the brain. The fact that the current (older age) exposure has an additional effect, despite the low mercury concentrations (at the older age) is worrisome, especially for communities where seafood constitutes an important part of the diet,"

GASP believes that the existing evidence of mercury in Pennsylvania and its known health effects offer a powerful argument in favor of Pennsylvania's action to reduce these toxic effects sooner and to a greater extent than the federal plan.

The Pennsylvania DEP plan will overall achieve an 80 percent mercury reduction rate by 2010 and a 90 percent reduction by 2015. This is contrasted to the federal plan which would offer only a 64% reduction in Pennsylvania mercury emissions by 2010 and an 86% reduction by 2018. However, under the federal rule, interstate trading is allowed, so it is unclear what mercury reductions would actually take place in Pennsylvania under the federal plan. The DEP plan does not allow allowance trading and so offers citizens more certainty of reductions.

In this proposed system of banking and trading, the nonpartisan Congressional Research Service predicts even 70 percent reductions required nationally by 2018 would not happen until 2030 under the EPA rule.

I understand that a competing version for control of airborne mercury, paralleling the federal CAMR rule, Senate Bill 1201 has been adopted by the Pennsylvania Senate. I urge that the DEP's proposed rule for mercury be adopted by the Environmental Quality Board. It will reduce mercury in the Pennsylvania environment more reliably and expeditiously and thus better protect public health. Safeguarding our citizens' well-being must be our top priority.

David H. Fowler
Member, Board of Directors
Group Against Smog and Pollution (GASP)

My residence, if needed is: 1015 Highmont Road, Pittsburgh, PA 15232

1. The Pennsylvania Bulletin , 36 PA. B.3185, Saturday, June 24, 2006
2. Ibid
3. DEP- Daily Update, <http://www.depweb.state.pa.us/news/cwp/view.asp?a=3&q=489030>
4. Philippe Grandjean, "Press Release: Prenatal Exposure to Mercury From a Maternal Diet High in Seafood Can Irreversibly Impair Certain Brain Functions in Children", February 6, 2004, <http://www.hsph.harvard.edu/press/releases/press02062004.html>