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**Testimony of Jennifer Heller
National Wildlife Federation**

Environmental Quality Board Public Hearing

Re: Mercury Emission Reduction Requirements for Electric Generating Units (#7-405)
July 26, 2006

My name is Jennifer Heller and I am speaking on behalf of the National Wildlife Federation and our one million members nationwide- over 55,000 of which live here in Pennsylvania. We are deeply concerned about mercury pollution because of the severe impacts of contamination on fish and wildlife, and we stand in strong support of the Department of Environmental Protection's proposed mercury rule.

Coal-fired power plants are the largest source of mercury pollution in this country, and unfortunately the federal government is not doing enough about it. Instead of following the Clean Air Act and developing strong emissions reduction requirements for this major source of toxic pollution, the U.S. Environmental Protection Agency issued a weak federal rule that does little to protect future generations of people and wildlife from mercury exposure. The fundamental problem with the federal mercury rule is that it allows power plants to purchase emissions credits in place of making pollution reductions.

National Wildlife Federation, along with our state affiliate organization, Pennsylvania Federation of Sportsmen's Clubs, does not support the use of this emissions trading program for mercury. The federal mercury rule allows the nation's worst polluters to pay for the right to keep emitting toxic mercury into our air for many years to come. Under this plan, many plants will not have to reduce their mercury emissions, and some will even increase. This is hardly an acceptable approach, given that there are a variety of cost-effective technology options available today to dramatically reduce mercury emissions from coal plants.

That is why DEP's proposed mercury rule is so important for Pennsylvania. Given the lack of federal leadership in addressing mercury pollution from coal plants, it is up to state governments across the country to take responsibility for the plants within their borders. Without a strong state policy, there are no guarantees that any particular plant in Pennsylvania will install the pollution control technology necessary to clean up its pollution.

In fact, NWF recently commissioned an analysis of the national impacts of the federal rule, in order to get a better handle on what EPA concluded would result as the program is implemented

in Pennsylvania. NWF will be submitting more substantive technical comments to the docket regarding this analysis, but I would like to share a snapshot of what we found. We looked closely at the results of the computer model used by EPA to predict what types of pollution control technologies would be installed at coal plants across the state to comply with the federal rule. Our concerns about the federal program were confirmed: even in the best-case scenario, EPA projected that by 2020 Pennsylvania's mercury emissions will exceed the allowable cap by 45%! This means that - even by the end of the next decade - Pennsylvania coal plants will still be buying large amounts of emissions credits instead of cleaning up their mercury pollution. All this while affordable, effective control technology sits on the shelf.

DEP's proposed rule is what's needed, and necessary, for addressing Pennsylvania's severe mercury pollution problem. We know that mercury emissions have a significant impact on the environment downwind. Several studies have confirmed that when mercury emissions are reduced, the levels of mercury in local waters, fish and wildlife also decrease. We are seeing these positive results in states that have taken action on mercury in a matter of years, not decades.

If Pennsylvania is to realize the benefits of reducing mercury emissions, it is critical that DEP's proposed rule be finalized. Pennsylvania is not alone in pursuing a state policy on mercury emissions that is stronger than the federal mercury program. In fact, there are already 6 states that have finalized state mercury rules that go beyond the federal rule, and at least 10 have announced their intention to develop stronger policies. These states are exercising the leadership necessary to protect their people, wildlife, and local economies from the unchecked mercury pollution that will remain once the federal program is implemented.

In conclusion, NWF strongly supports the proposed rule from DEP. Mercury contamination levels in our environment pose a grave health threat to wildlife at all levels of the food chain. Just yesterday, the New York Times reported new research finding extensive, high levels of mercury in our forest songbirds. The evidence is mounting, and it is clear that toxic mercury is accumulating in our environment at higher levels, and in far more places than we have previously thought. This is a serious problem, but fortunately it is one we know how to solve.

It is time for swift, aggressive action to cut mercury pollution from Pennsylvania's coal plants. The technology is available, affordable - and effective. What we need is a strong state policy to require plants to use it. DEP's mercury rule creates the solution necessary to protect current and future generations of people and wildlife from the dangers of mercury exposure.

Thank you for the opportunity to comment.

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