

**Clean Air Council Testimony in Support of
the State-Specific Mercury Emission Reduction Proposal**

*Before the Pennsylvania Environmental Quality Board
on July 27, 2006 in Norristown, PA*

Thank you for this opportunity to speak. My name is Bernard McPherson. I am reading this testimony on behalf of Clean Air Council, a nonprofit environmental organization representing over 7,500 active members. The Council operates out of offices in Harrisburg, Philadelphia and Wilmington, Delaware.

Established in 1967, Clean Air Council is dedicated to protecting public health by reducing pollution. We have been engaged in numerous stakeholder dialogues tasked with reducing mercury pollution from a wide variety of sources: automobile switches, thermostats and dental fillings are three significant ones. Of course, the largest source of mercury pollution in Pennsylvania is that emitted from coal-fired power plants.

According to the U.S. Environmental Protection Agency's most recent Toxic Release Inventory, electric utilities in Pennsylvania emitted 6,646 pounds of mercury into the air in 2004. That is a massive amount of a toxin that's impact on human health is measured at the millionth of a gram level.

Clean Air Council was part of the Mercury Rule Workgroup that advised the state on the creation of a Pennsylvania-specific mercury rule for power plants. In one of that working group's very first meetings, Dr. Leonard Levin of the industry-funded Electric Power Research Institute explained that at least 80% of the atmospheric mercury deposited in Pennsylvania is from U.S. sources. In a state with the second-highest airborne mercury emissions in the entire country, reducing mercury from power plants to the greatest extent possible is of paramount importance.

Some will claim that the Department of Environmental Protection's proposal to reduce power plant mercury emissions 90 percent by 2015 is only incrementally better than the federal proposal alleged to reduce emissions in Pennsylvania 86 percent by 2018. But the suggestion that the federal rule will ever reduce emissions in Pennsylvania by 86 percent is very disingenuous, as is the suggestion that whatever weak reductions the federal rule does achieve will be in place by 2018.

EPA has stated publicly that, due to the banking provisions in the federal rule, it does not expect its rule to achieve its final results until 2026 or later. 2026 is a full twenty years from now. Children born today will be full-grown adults before the federal rule takes full effect. It is completely unacceptable to tell Pennsylvanians that they should have to wait another full generation to see substantial mercury reductions, given that these reductions could easily be put into place right now.

Perhaps even more importantly, the suggestion that the federal rule will result in 86% mercury emission reductions from Pennsylvania power plants is outrageously misleading. The federal rule does not require individual plants to reduce their emissions. It requires

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them to reduce their emissions or to purchase pollution credits. Several electric utilities and utility trade associations in Pennsylvania have already stated on the record that they do not plan to reduce their emissions by 86% to come into compliance with the federal rule—that they will purchase out-of-state pollution credits instead.

According to the Pennsylvania Fish & Boat Commission, lakes, rivers and streams throughout the Commonwealth are contaminated with mercury. We know from the electric industry's own research institutions that most of this mercury is from domestic sources, and that Pennsylvania's coal-fired power plants are among the biggest emitters of mercury pollution in the nation.

Mercury control technologies are currently available to power plants at reasonable costs. There is every reason to expect that these technologies will improve and become less expensive over time. Clean Air Council would have liked to have seen the Department of Environmental Protection's mercury proposal be a little stronger, but when compared to the much weaker federal rule, DEP's state-specific rule is just common sense.

Clean Air Council urges the EQB and the IRRC to approve and implement the state-specific rule as quickly as possible. Thank you for your consideration.

Please address any questions to:

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