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2006 AUG -2 AM 9: 15

INDEPENDENT REGULATORY
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**Comments at Public Hearing on Pennsylvania Mercury
Pollution Reduction Rule, July 27, 2006**

To the Members of The Environmental Quality Board:

I am Lionel Ruberg, a volunteer for the Bucks County Group of the Sierra Club, the oldest environmental organization in the United States. I appreciate an opportunity to express the views of the Bucks County Group on the proposed rulemaking "Standards for Contaminants: Mercury" which would amend Chapter 123 of the Pennsylvania Code.

The Executive Committee of the Bucks County Group specifically endorses the proposed standards. We are very much aware that Pennsylvania suffers from mercury pollution to a worse extent than all of the other states except Texas. A recent report by the Pennsylvania Department of Environmental Protection states that the 36 coal-fired power plants with 78 electric generating units and 20,000 megawatts of capacity accounted for approximately three-fourths of the more than 5 tons of mercury emitted into the air in the commonwealth.

All of us older people remember the tragedy of Minimoto, Japan, many years ago, where there were catastrophic effects from mercury pollution among the residents of a fishing village. We should have been protected from such horrors long ago. Instead, we are dependent on advisories on fish consumption. Warning people not to eat more than two meals of fish per month from specific locations is not nearly good enough .

A particularly unfortunate characteristic of mercury pollution is that it tends to concentrate in areas close its sources, such as power plants. This means that even if the average level of contamination is not excessive overall, it may be very dangerous in specific locations. Therefore, the cap-and-trade provisions of the federal Clean Air Mercury Rule (CAMR), which might be appropriate and effective for some widely dispersed pollutants such as carbon dioxide, are not acceptable for mercury. Furthermore, since Pennsylvania and 15

other states have a legal action against the federal Clean Air Mercury Rule, there is great danger that the success of this action could leave the population with no protection at all if no state anti-pollution controls are available.


We cannot accept the argument that the proposed "Standards for Contaminants: Mercury" rule would be too expensive for the consumers of electricity from coal-fired plants. It is absurd to sacrifice the health of the population in order to save about \$1.00 per month in increased electricity charges. Now that there is competition among the various providers of electricity the cost might not even be that much.

An additional deleterious effect of the federal Clean Air Mercury Rule is that it makes it more attractive for power plants to use coal mined in western states, since it discriminates against bituminous coal. Pennsylvania's proposed standards, on the other hand, treat bituminous and sub-bituminous coal equally. Since it is cheaper to remove mercury from bituminous coal, Pennsylvania's own industries will be favored by the Pennsylvania standards.

We hope every regulator and legislator who will determine the structure of limitations on mercury pollution will make decisions as though the children and pregnant women in his or her own family are threatened by this terrible pollutant. The undeniable fact is that they are.

Thank you for considering the views of Sierra Club Bucks County Group.

July 27, 2006


Lionel Ruberg, Volunteer,
Sierra Club, Bucks County Group