

NR 446 CLEAN AIR MERCURY RULE

TESTIMONY OF: LEAGUE OF WOMEN VOTERS - WISCONSIN RAPIDS AREA

The Wisconsin Department of Natural Resources (WDNR) is required to promulgate mercury rules based on the amount necessary to provide adequate protection for public health and welfare (Wis. Stat. 285.11(9) and 285.27 (2)(b)). The League of Women Voters Wisconsin Rapids Area (LWVWRA) supports and encourages WDNR to abide by Wisconsin law that require adoption of mercury rules based on health standards and not the Clean Air Mercury Rule (CAMR) adopted by the federal government.

The Environmental Inspector General's Report No. 2006-P-00025, May 15, 2006 raised concerns about the Clean Air Mercury Rule's (CAMR) ability to limit mercury emissions from utility companies. According to the report, the U.S. Environmental Protection Agency (EPA) and, if adopted, the WDNR "could not take action to mitigate a mercury hotspot unless the Agency first determined that the hotspot was solely utility attributable. Therefore, EPA could not require additional utility emission reductions if utilities contributed significantly, but not solely, to a mercury hotspot. This could limit EPA's ability to mitigate human health hazards by reducing potentially harmful levels of mercury in water bodies and fish tissue. This could also limit EPA's ability to reduce the number of water bodies with fish consumption advisories."

The WDNR must seriously consider how the use of the mercury credits allowed under CAMR's cap and trade make it difficult to attribute mercury hotspots solely to coal fired power plants and thus tie its hands to regulate mercury emissions and protect Wisconsin citizens. For example, the Portage County Town of Grant is currently being considered for a base-loading generation facility. Without more stringent rules can the WDNR responsibly consider additional mercury emissions from a coal-fired power plant in a Central Wisconsin community that currently abuts some of the state's highest levels of mercury emissions from adjacent communities' chemical companies, paper mills and foundries?

To increase public health protection the LWVWRA is further recommending that mercury emissions from coal fired power plants be reduced by 90% within the shortest timeframe possible. Reducing mercury emission by 90% by the year 2012 has already been adopted by 20 states. In Wisconsin this standard has been endorsed by health departments, conservation and environmental organizations and lake associations. All are concerned that fish caught in Wisconsin lakes and streams have so much mercury contamination that anglers cannot eat them. All these groups, including our own, are taking a stand against CAMR and putting the health and welfare of Wisconsin citizens ahead of politics and profits..

Technology is available to reach mercury emission reduction goals. We must use our political will and voting power to make it happen in the shortest time possible. The LWVWRA is urging the WDNR to do abide by its responsibility and Wisconsin legislation that require the health of its citizens be protected.

Respectfully submitted on May 17, 2007,

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