

EPA Mercury Rule: Failing to Protect Texas' Children Statement of Karen Hadden

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The EPA is finalizing lax mercury rules for coal-burning power plants:

“EPA is failing to protect children from mercury poisoning. Their lax rules would not assure clean up in Texas, the worst state in the nation for toxic power plant mercury. Our children are already at risk for permanent brain damage and learning disabilities, and instead of requiring the clean up we need, EPA’s rules would allow polluters to buy their way out of clean-up through a “trading” scheme. This has never before been allowed due to the risk of toxic hotspots. Texas is already the nation’s mercury hotspot, and we need clean up to protect our children, not giveaways to utilities.” stated Karen Hadden.

“Texas legislators have stepped to the plate to provide protection for Texas children, to accomplish what the EPA previously said can be done, but now refuses to do in cleaning up the mercury from coal-burning power plants. Bills filed by Sen. Zaffirini (SB 1523) and Representative Eddie Rodriguez (HB 2577) would reduce mercury from Texas’ coal-burning power plants to 10% of 2002 levels by 2008. “ stated Hadden.

Three independent bodies have examined the Administration’s mercury rule, which has failed critical tests:

- The Children’s Health Protection Advisory Committee (CHPAC) is a group of doctors, nurses, and health experts from academia, state agencies, industry and the public sector, all of whom were appointed by the current administration, condemned the EPA’s for failing to protect public health. Letters are online: http://yosemite.epa.gov/ochp/ochpweb.nsf/content/whatwe_recomm.htm#8
- The EPA Inspector General’s report (2/03/05) made it clear that career professionals were told to ignore legal requirements in arriving at a predetermined, politically-driven outcome. Many sections of the rules that eliminate public health protections came from memos from Latham & Watkins, an industry law firm where EPA Asst. Administrator Jeffrey Holmstead worked before coming to EPA. The report is online at: www.cleartheair.org/documents/epa_oig_report.pdf
- The GAO (Government Accountability Office) reported in Feb. 2005 that there were four major shortcomings in the economic analysis for the EPA mercury rule. The report, online at <http://cta.policy.net/reports/GAOreportFeb05.pdf>, cited lack of consistency in methods used in comparing options or estimating total costs and benefits of each option, lack of documentation of analysis, failure to estimate health benefits directly related to decreased mercury emissions, and failure to analyze key uncertainties underlying cost and benefit estimates.

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