



NOW with Bill Moyers

The New EPA Standards

On August 25, 2004, the [Environmental Protection Agency](#) released new data showing that pollution in one out of every three lakes and nearly one out of every four rivers in the U.S. is so severe that people should avoid eating fish caught there. The figures also showed that today 48 out of 50 states issued fish advisories in 2003, up from 44 in 1993.

The EPA says that the increased numbers result from greater monitoring, not more pollution. However, as reported on NOW, the President's mercury emissions standard policy remains an issue in the 2004 election. Democratic candidate John Kerry has criticized the pace of the White House plan which calls for a reduction in power plant emissions of 29 percent by 2010 and 69 percent by 2018.

- [Check out the water quality in your neighborhood.](#)

Studies warning of the potential health risks from mercury exposure have not been scarce over the past decade. In March 2004, the FDA and EPA issued new warnings to all women of child-bearing age and young children to limit their intake of tuna and other fish. The concern is that exposure to mercury before birth can lead to neurological problems in children. Read NOW's background [All About Mercury](#) and learn about [how mercury ends up in the fish we eat.](#)

Mercury emissions from power plants have never been regulated by the federal government. It took a ten year legal battle waged by the Natural Resources Defense Council for the EPA to finally issue a proposed mercury regulation in January of 2004. According to the EPA, "the [Utility Mercury Reductions proposal](#) would cut mercury emissions by nearly 70 percent when fully implemented." The EPA originally announced that full implementation would be achieved by the year 2018 but after some criticism has backed away from offering a specific end date.

The EPA's preferred option, known as the cap-and-trade approach, would

distribute emission "allowances" for mercury to each state. The states would then allocate allowances to each utility, which must have an allowance for each pound of mercury emitted. The utility would have the option of selling or banking any excess emission allowances. Similarly, a utility with too few allowances could buy them. The EPA sees the cap-and-trade model as a strong incentive for plants to reduce mercury emissions.

An alternate proposal would require each and every plant to meet a level the EPA deems the maximum reduction achievable, with no trading allowed. This option is known as Maximum Achievable Control Technology (MACT). EPA has set the level at about 30 percent by early 2008.

Opponents of the new proposals have been vocal, arguing that the new limits aren't stringent enough. Some fear that under cap-and-trade, power plants with high levels of mercury would opt to buy credits rather than reduce emissions, reducing the overall mercury emissions in the state, but leaving certain communities vulnerable to high exposure. Others argue that the new proposed national cap just isn't strict enough or that the administration has exaggerated data on the effectiveness of the proposed rules.

Furthermore, some worry that the MACT approach may be difficult to initiate, as it requires new control technologies to be put into place quickly. Others argue that even if the technology is developed, a negative effect of MACT standards could be increased electricity prices, as plants would have less flexibility in finding low-cost emissions systems.

The comment period for the proposed mercury rule ends on June 29, 2004. To tell the EPA what you think about standards for mercury emissions, learn [How to Comment](#).

Additional Resources

- Read more from some of the groups urging the EPA to withdraw its current proposal in favor of stricter guidelines: [March of Dimes](#), [Clear the Air](#), and [Physicians for Social Responsibility](#).
- View the [January 2004 letter \(pdf\)](#) from the EPA's Children's Health Protection Advisory Committee, a body of researchers, academicians, health care providers, environmentalists, children's advocates, professionals, government employees, and members of the public who advise EPA on regulations, research, and communication issues relevant to children. The letter urges the EPA to elevate consideration of mercury's impacts on children in finalizing this rule.
- The [Edison Electric Institute](#), a trade association for U.S. shareholder-

owned electric companies, explains what steps electric companies are taking to curb their mercury emissions.

- Read the Environmental Working Group's state-by-state report of [estimated mercury emissions from coal burning power plants](#).
- Access the [EPA resources on mercury](#), including answers to frequently asked questions, fact sheets, reports and publications.

Sources: Environmental Protection Agency, THE NATION,
U.S. NEWS & WORLD REPORT, THE NEW YORK TIMES