

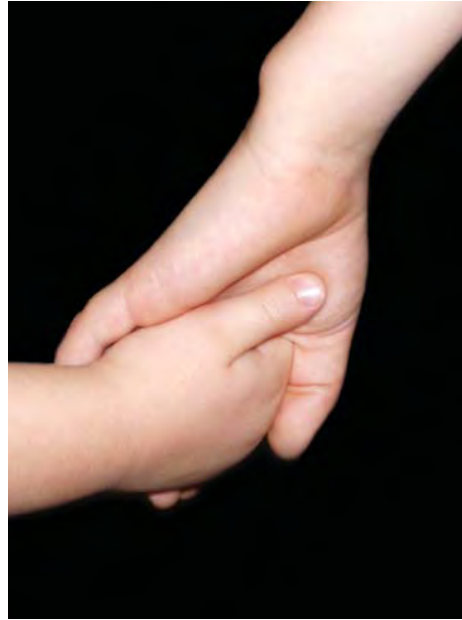


# Reducing Mercury Pollution in Illinois

Why Federal Air Toxics Safeguards are Needed  
to Protect Public Health



ENVIRONMENTAL LAW & POLICY CENTER



## Summary: Illinois Would Benefit from the Federal Standards to Reduce Mercury Pollution from Coal Plants and Industrial Boilers

The Illinois Congressional delegation should support strong federal standards on mercury air pollution from coal plants and industrial facilities. The U.S. Environmental Protection Agency's actions would address the failure of coal and oil plants outside of, but close to, Illinois to install modern pollution control equipment, as well as the unregulated mercury pollution from boilers and process heaters in and around Illinois. National safeguards would improve the health of Illinois residents and create an economically and environmentally level playing field across the states.

Mercury air pollution from coal plants and industrial facilities causes neurological and other health damages, including lower IQ as well as impaired memory and learning for children exposed in the womb or during early development. A U.S. EPA study estimated that 300,000 or more newborns each year in the nation are exposed prenatally to dangerous levels of mercury. The technologies necessary to reduce the harmful mercury pollution are proven, widely available and cost effective.

Two clean air standards proposed by the U.S. EPA would greatly help safeguard public health from the harmful mercury and other air toxics. On March 16, 2011, the U.S. EPA proposed national standards for mercury, arsenic and other toxic air pollutants from coal and oil plants. The proposed standards would result in public health benefits 5 to 13 times greater than their costs. The U.S. EPA is currently accepting public comments on these proposed standards.

On February 21, 2011, the U.S. EPA adopted additional standards that would reduce toxic air pollution, including mercury, from industrial, commercial, and institutional boilers and process heaters. Again, the public health benefits from these standards would be worth 10 to 25 times their costs. These standards are being challenged in court cases and are subject to petitions for reconsideration at the agency. On May 16, 2011, the U.S. EPA delayed implementation of these standards.

Pursuant to Illinois standards adopted in 2006, most Illinois power plants have already implemented some controls to reduce mercury air pollution. The state standards require greater reductions in mercury pollution over the next four years. While mercury air pollution in some Illinois counties has dropped in recent years, mercury continues to pose a hazard to public health throughout Illinois. **The Illinois Department of Public Health has issued advisories warning that all Illinois waters contain mercury-contaminated fish that are dangerous to consume, especially for women of childbearing ages and young children.**

Despite the progress in Illinois to reduce mercury pollution from in-state coal plants, the U.S. EPA's national standards would sharply cut the risks of mercury contamination of fish consumed by Illinois residents. Bordering states have not matched Illinois' standards and costs incurred to decrease mercury pollution. The national standards would reduce mercury pollutions from coal

plants and industrial facilities in other states. Federal standards would force polluters in other states to adopt technologies implemented in Illinois, resulting in improved regional health and a more level playing field for competition. Additionally, the federal standards would impose needed controls on Illinois industrial facilities and further reduce mercury pollution from Illinois coal plants.

The following plants are among the biggest mercury polluters threatening public health in Illinois. National standards would reduce mercury pollution from these sources.<sup>1</sup>

## Coal/Oil Power Plants Close to Illinois Not Subject to Any or Adequate Mercury Controls

- Missouri  
5 plants within 30 miles of Illinois, including the area around East St. Louis (2,564 pounds)  
U.S. EPA standards would cut Missouri plants' pollution by 88% (3,412 pounds).
- Indiana  
10 plants within 30 miles of Illinois, including the area around Chicago (1,820 pounds)  
U.S. EPA standards would cut Indiana plants' pollution by 76% (2,356 pounds)
- Iowa  
7 plants within 30 miles of Illinois, including the area around Rock Island and Moline (694 pounds)  
U.S. EPA standards would cut Iowa plants' pollution by 85% (1,694 pounds)
- Wisconsin  
3 plants within 30 miles of Illinois, including the area around Waukegan and Wadsworth (757 pounds)  
U.S. EPA standards would accelerate WI state controls by about 5 years
- Kentucky  
2 plants within 30 miles of Illinois, including the area around Metropolis (199 pounds)  
U.S. EPA standards would cut KY plants' pollution by 62% (1,028 pounds)

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<sup>1</sup> The mercury pollution shown is for 2009 (the most recent year for which data are available) from the U.S. EPA Toxics Release Inventory. The estimated reductions shown are for 2016 in the U.S. EPA's Regulatory Impact Analysis of the proposed toxics rule addressing power plants. In a letter dated May 18, 2011, The U.S. EPA adjusted the proposed standard slightly but has not updated the estimated state-by-state reductions. The 30-miles radius is based on U.S. EPA analysis of "hotspots" (areas of more concentrated effects) around mercury pollution sources.

## Illinois Industrial Plants with High Mercury Polluters and Not Subject to Any Controls

- Horsehead Corp. (Chicago) - processes electric arc furnace dust (187 pounds)
- ADM (Decatur) – processes agricultural products (169 pounds)
- PDV Midwest Refining (Lemont) – refines petroleum products (56 pounds)
- Aventine Renewable Energy (Pekin) – produces ethanol (50 pounds)
- Lafarge Midwest (Grand Chain) – produces cement and other construction materials (39 pounds)
- Sterling Steel (Sterling) -- processes steel (37 pounds)
- Gateway Energy & Coke (Granite City) – produces coke (33 pounds)
- Honeywell (Metropolis) – manufactures fluorine products (25 pounds)
- Keystone Steel & Wire (Peoria) – manufactures steel and wire products (20 pounds)
- Nucor Steel Kankakee (Bourbonnais) – produces steel (19 pounds)

## Illinois Oil Plant Not Subject to State Mercury Controls

- Ameren (Meredosia, IL) – Unit 4, a 200 megawatt, oil-fired boiler with separate pollution stack

These mercury polluters should install modern pollution control equipment.

**The Illinois Congressional delegation should support the proposed U.S. EPA federal air toxics standards for industrial facilities and power plants.**



## I. Why People in Illinois Need National Mercury Pollution Standards

This section introduces the analysis of the U.S. EPA's national mercury air emission standards with (A) an overview of the public health risks from mercury pollution, (B) a description of the pervasiveness of mercury-contaminated fish in Illinois waters, and (C) data on the high, and even increasing, mercury air pollution for some Illinois counties and for unregulated industrial boilers.

### A. Public Health Risks from Mercury Air Pollution

Power plants and industrial boilers are large sources of mercury pollution. The mercury and other air toxics from these sources create a dangerous and preventable threat to public health.

Mercury pollution is a huge environmental and health issue. Mercury does not biodegrade and accumulates up the food chain. Most human health dangers from mercury are caused by consuming contaminated fish. Mercury can be passed to fetuses and nursing infants by their mothers, and poses high risks to the development of infants and children under 15 years old.

Authoritative scientific studies show that mercury exposure harms health in many ways:<sup>2</sup>

- Damages the human nervous system, with particular dangers for women of childbearing ages, unborn babies and young children. Neurological harms include impaired cognitive development, problems with language, and abnormal social development.
- Potential for fatal and non-fatal heart attacks.
- Association with genetic effects.
- Possible autoimmunity effects in antibodies.

A report by the National Academy of Sciences concluded:<sup>3</sup>

The population at highest risk is the children of women who consumed large amounts of fish and seafood during pregnancy. The committee concludes that the risk to that population is likely to be sufficient to result in an increase in from industrial, commercial, and institutional boilers and process heaters the number of children who have to struggle to keep up in school.

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<sup>2</sup> U.S. EPA, "Regulatory Impact Analysis of the Proposed Toxics Rule: Final Report" at 1-10, 5-1 – 5-6 (Mar. 2011) ([U.S. EPA Regulatory Impact Analysis](#)); [U.S. EPA Proposed Rule](#), 76 Fed. Reg. at 25079-81; National Institutes of Health, "Mercury Health Hazards" (2006); U.S. EPA, "Fact Sheet: Proposed Mercury and Air Toxics Standards" (2011) ([U.S. EPA Fact Sheet](#)); U.S. EPA, "Mercury Health Effects" (2010); U.S. Department of Health and Human Services, [Toxicological Profile for Mercury](#) 12-14 (1999); National Academy of Sciences, [Toxicological Effects of Methylmercury](#) (2000) ([NAS Mercury Report](#)); Illinois Environmental Protection Agency, "Technical Support Document for Reducing Mercury Emissions from Coal-Fired Electric Generating Units" (Mar. 14, 2006).

<sup>3</sup> [U.S. EPA Regulatory Impact Analysis](#) at 5-5 (quoting [NAS Mercury Report](#) at Executive Summary 9).

U.S. EPA studies estimated that from 240,000 to over 300,000 newborns each year in the United States were exposed prenatally to levels of mercury that could affect brain development.<sup>4</sup> **The U.S. EPA estimated that in 2005, IQ's among children of anglers decreased by a total of 25,555 points due to mercury contamination in self-caught fish.**<sup>5</sup>

Air-borne mercury contaminates the ground and bodies of water through rain and snow. The air-borne contamination can spread hundreds of miles from the source of the air pollution. Consider, for example, studies by the Oregon Department of Environmental Quality estimating that global sources (mostly China) caused four times more mercury deposits in Oregon than in-state sources, and by researchers at the University of California-Santa Cruz finding that industrial pollution from Asia is a major source of mercury in rainwater falling along the California coast.<sup>6</sup> Moreover, the effects of one coal plant's releases of mercury spread through bodies of water (such as flowing rivers) and to anglers who travel to fish in them. Mercury pollution from U.S. coal and oil plants and industrial facilities create regional, and even global, health problems.

In 2011, the U.S. EPA analyzed the regional effects of **air-borne mercury deposits in a 500 kilometer (311 miles) radius around a power plant, as well as the "hotspots," effects of higher concentrations found in a 50 kilometers (31 miles) radius around the pollution source.**<sup>7</sup> Mercury deposits within the 50-kilometer radius of a source averaged about three times the regional concentration caused by that source. In addition, once mercury is deposited in a body of water, it may affect the health of people who travel to fish there; the U.S. EPA analysis of studies showed that the health harms often spread to anglers and their families up to 100 miles from the body of water.<sup>8</sup>

## **B. Mercury-Contaminated Fish Harm the Health of People in Illinois**

Fish absorb and accumulate mercury. When humans consume fish, there is no method of cooking or cleaning fish that reduces the amount of mercury consumed. Many types of fish throughout Illinois' lakes and rivers are contaminated with mercury.

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<sup>4</sup> *Id.* at 5-106; K. Mahaffey, R. Cliffner & C. Bodurow, "Blood Organic Mercury and Dietary Mercury Intake: National Health and Nutrition Examination Survey, 1999 and 2000," 112 *Environmental Health Perspectives* 562 (2004); K. Mahaffey, "Methylmercury Epidemiology Update" (Jan. 2004).

<sup>5</sup> U.S. EPA Regulatory Impact Analysis at 5-106.

<sup>6</sup> "China's Mercury Flushes into Oregon's Rivers," *The Oregonian* (Nov. 24, 2006); "Mercury in California Rainwater Traced to Industrial Emissions in Asia," *ScienceDaily* (Dec. 20, 2002).

<sup>7</sup> U.S. EPA Proposed Rule, 76 Fed. Reg. at 25013.

<sup>8</sup> U.S. EPA Regulatory Impact Analysis at 5-60.

The Illinois Department of Public Health (IDPH) cautions sensitive populations (including women of childbearing ages and children) to eat no more than one meal per week of predator fish from Illinois waters. Additionally, fish in 26 bodies of water in Illinois are on a Special Mercury Advisory – the IDPH recommends eating no more than one meal of such fish per month for sensitive populations, and no more than one meal per week of such fish for all other people (women beyond childbearing age and men older than 15). In January 2011, the IDPH added to the Special Mercury Advisory bodies of water in 17 counties -- four rivers (Big Muddy River and tributaries, Du Page River, Nippersink Creek, and Ohio River) and one lake (Lake Sara).<sup>9</sup>

**Nationwide, recent U.S. EPA data show that 6,363,707 acres of lakes, reservoirs and ponds are contaminated by mercury pollution, impairing 3,781 bodies of water.**<sup>10</sup> Mercury from coal and oil plants contributed up to 30% of the mercury deposited in some bodies of water.<sup>11</sup>

As discussed below, some of the mercury contamination of fish in Illinois waters comes from out of state pollution, especially coal power plants and industrial facilities in states that border Illinois. Moreover, these sources contaminate fish in bodies of water located outside of Illinois but used by Illinois anglers. Additionally, while Illinois regulation of coal plants is reducing their mercury pollution, there are currently no state standards for other sources of mercury pollution. Illinois safeguards for mercury pollution should be supplemented by federal standards for industrial facilities and oil plants.

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<sup>9</sup> IDPH, “2011 Sports Fish Consumption Advisory” (Jan. 21, 2011) (predator fish include black bass, striped bass, white bass, hybrid striped bass, flathead catfish, muskellunge, northern pike, saugeye, sauger and walleye); IDPH, “Illinois Fish Advisory” (2009) (Special Mercury Advisory).

<sup>10</sup> U.S. EPA, *Watershed Assessment, Tracking, & Environmental Results* (Dec. 2010); U.S. EPA, *Watershed Assessment, Tracking, & Environmental Results: National Summary of State Information* (Jan. 2010).

<sup>11</sup> U.S. EPA Proposed Rule, 76 Fed. Reg. at 25009.

## C. Without Mercury Standards for Industrial Boilers, Mercury Pollution is Rising in Some Counties

The most recent data show that mercury air pollution is high, and even increasing, in many counties in Illinois.

The data in Table A show that Illinois regulation of mercury air pollution from coal power plants reduced pollution in 2009 in some areas.

<b>Table A</b> Top Ten Illinois Counties for Mercury Air Pollution in 2009						
<b>2009 Rank</b>	<b>County</b>	<b>Mercury Air Pollution (pounds)</b>				
		<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>1</b>	Will	667.97	604.79	622.96	668.38	439.66
<b>2</b>	Jasper	462.60	438.30	520.90	655.10	359.80
<b>3</b>	Massac	356.00	375.50	360.40	385.11	322.61
<b>4</b>	Randolph	234.10	445.20	449.20	433.60	320.10
<b>5</b>	Cook	461.26	422.77	387.40	364.94	276.22
<b>6</b>	Peoria	467.20	431.20	279.30	288.71	235.94
<b>7</b>	Christian	400.00	355.00	430.00	490.00	233.00
<b>8</b>	Montgomery	80.10	187.80	236.30	289.80	213.80
<b>9</b>	Tazewell	537.47	383.39	409.52	437.16	186.35
<b>10</b>	Macon	177.00	189.00	180.00	190.67	182.00

Source: U.S. EPA Toxics Release Inventory (TRI) program; data cover all industries.

Comparing 2009 to 2005, Peoria County decreased its mercury air pollution by 50%, and Cook County cut its mercury air pollution by 40%. Additionally, the phase-in of Illinois controls on mercury from coal power plants (through the end of 2014) should produce further reductions in counties with such sources.

Nevertheless, mercury pollution increased in 3 Illinois counties between 2005 and 2009:

- *Randolph County*: 320 pounds in 2009, an increase of 86 pounds over its 2005 level (37% higher)
- *Montgomery County*: 214 pounds in 2009, an increase of 134 pounds over its 2005 level (167% higher)
- *Macon County*: 182 pounds in 2009, an increase of 5 pounds over its 2005 level (3% higher)

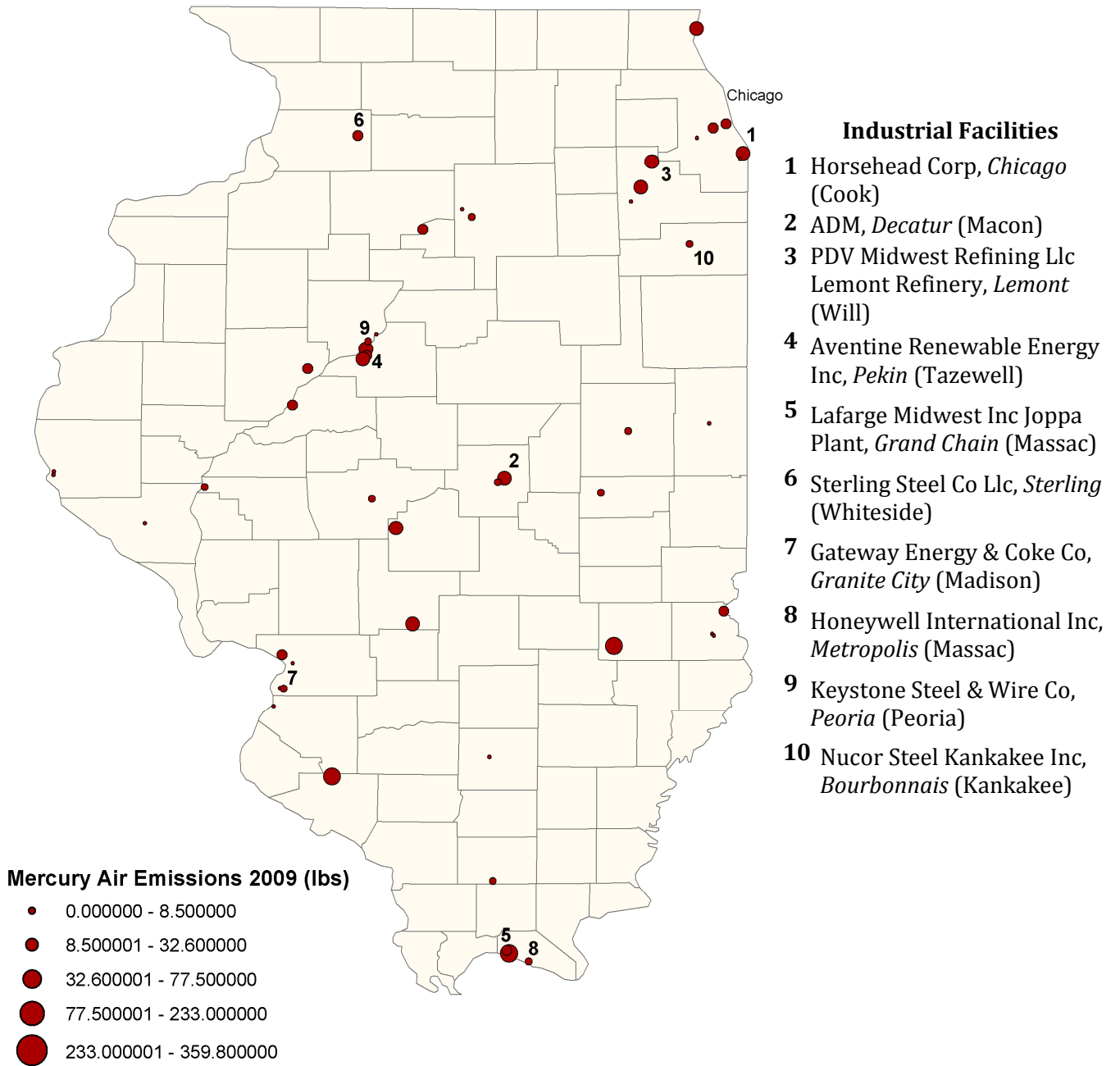
These data reflect that Illinois has not imposed standards for mercury pollution from industrial facilities or a major oil plant.

Table B and Figure 1 show disturbing information about mercury air pollution from industrial facilities in Illinois.

<b>Table B Top Ten Illinois Industrial Sources of Mercury Air Pollution in 2009</b>						
<b>2009 Rank</b>	<b>Facility</b>	<b>Mercury Air Pollution (pounds)</b>				
		<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>1</b>	HORSEHEAD CORP. 2701 E 114TH ST, CHICAGO 60617 (COOK)	185.00	182.00	187.00	177.00	187.00
<b>2</b>	ADM. 4666 FARIES PKWY, DECATUR 62526 (MACON)	163.00	168.00	167.00	178.00	169.00
<b>3</b>	PDV MIDWEST REFINING LLC LEMONT REFINERY. 135TH ST & NEW AVE, LEMONT 60439 (WILL)	55.53	47.78	56.11	55.22	55.58
<b>4</b>	AVENTINE RENEWABLE ENERGY INC. 1300 S 2ND ST, PEKIN 61554 (TAZEWELL)	35.69	41.00	37.87	33.00	50.20
<b>5</b>	LAFARGE MIDWEST INC JOPPA PLANT. 2500 PORTLAND RD, GRAND CHAIN 62953 (MASSAC)	1.20	1.20	1.30	1.60	39.00
<b>6</b>	STERLING STEEL CO LLC. 101 AVE K, STERLING 61081 (WHITESIDE)	0.00	0.06	0.06	44.00	36.77
<b>7</b>	GATEWAY ENERGY & COKE CO. 2585 EDWARDSVILLE RD, GRANITE CITY 62040 (MADISON)	#N/A	#N/A	#N/A	#N/A	32.60
<b>8</b>	HONEYWELL INTERNATIONAL INC. 2768 N US HWY 45, METROPOLIS 62960 (MASSAC)	0.00	0.00	0.00	24.51	24.51
<b>9</b>	KEYSTONE STEEL & WIRE CO. 7000 SW ADAMS ST, PEORIA 61641 (PEORIA)	29.00	35.00	34.00	32.00	20.00
<b>10</b>	NUCOR STEEL KANKAKEE INC. ONE NUCOR WAY, BOURBONNAIS 60914 (KANKAKEE)	85.01	96.10	30.07	27.63	18.51

Source: U.S. EPA Toxics Release Inventory (TRI) program

**Figure 1: Illinois Mercury Pollution by Facility 2009**



In 2009, none of the top eight industrial sources of mercury pollution released less mercury than in 2005. In particular:

- *Horsehead Corp., Chicago (Cook County)*: This processor of electric arc furnace dust was the largest source of 2009 mercury air pollution among industrial facilities (187 pounds). There was no improvement in 2009 compared to any year from 2005-08. Releases in 2009 were up 6% over the level in 2008.
- *ADM, Decatur (Macon County)*: This processor of agricultural products was the second largest source of industrial mercury pollution in 2009 (169 pounds). 2009 mercury air pollution was up 4% over the 2005 level. Releases in 2008 (178 pounds), were 9% higher than in 2005.
- *Aventine Renewable Energy, Pekin (Tazewell County)*: This ethanol producer was the fourth largest source industrial mercury air pollution in 2009 (50 pounds). 2009 mercury pollution was up 41% over the level in 2005. The increase in mercury pollution from 2008 to 2009 was even greater, with mercury pollution rising 17 pounds (52%).
- *Lafarge Midwest, Grand Chain (Massac County)*: This producer of cement and other construction materials was the fifth largest industrial source of mercury pollution in 2009 (39 pounds), up from 1 pound in 2005. Between 2008 and 2009 their mercury pollution rose by a shocking 37 pounds.

In addition to these unregulated industrial facilities, a large portion of one Illinois power plant falls outside of the Illinois mercury standards because it is oil-fired. In Meredosia, Illinois (Morgan County), Ameren's Unit 4 is an oil-fired boiler with a separate smoke stack. Unit 4 supplies 200 megawatts of power.

## **II. National Standards for Mercury Pollution Will Do More to Protect Public Health Than State Standards**

While this report does not attempt to provide a complete analysis of federal or Illinois standards, the evaluation of benefits from the U.S. EPA's actions will draw on the following short descriptions of (A) U.S. EPA's proposed national standards for mercury pollution from coal plants, (B) U.S. EPA's national standards for industrial mercury pollution; and (C) Illinois' standards reducing mercury pollution from coal plants.

## A. U.S. EPA's Proposed National Standards for Mercury Pollution from Power Plants

On March 16, 2011, U.S. EPA proposed national standards for hazardous air pollutants from coal and oil power plants. The proposed standards cover mercury, arsenic and other toxic air pollutants. The agency estimates that the proposed standards would result in public health benefits for the nation far outweighing the costs of implementing the controls -- health benefits 5 to 13 times the costs.<sup>12</sup> Compared with other federally-enforceable regulations (excluding the effects of state standards), the proposed standards are expected to reduce mercury pollution by 21.4 tons annually beginning in 2016.<sup>13</sup>

Mercury sources covered by the rule are fossil fuel-fired combustion units (a) of more than 25 megawatts electric output that serve a generator that produces electricity for sale, or (b) that cogenerate steam and electricity and supply more than one-third of their potential electric output capacity and more than 25 megawatts electric output to any utility power distribution for sale.<sup>14</sup>

As for limitations on mercury air pollution, the proposed rule would establish the following standards (among others) for power plants:<sup>15</sup>

1. A. Existing coal-fired units designed to burn high-energy coal (>8,300 Btu/lb): 1.2 pounds of mercury per trillion British thermal units fuel input, or 0.008 pounds of mercury per gigawatt-electric output  
B. New or reconstructed coal-fired units designed to burn high-energy coal (>8,300 Btu/lb): 0.000010 pounds of mercury per gigawatt-electric output
2. A. Existing liquid oil-fired units: 0.050 pounds of mercury per trillion British thermal units fuel input, or 0.00070 pounds of mercury per gigawatt-electric output  
B. New liquid oil-fired units: 0.00010 pounds of mercury per gigawatt-electric output
3. A. Existing integrated gasification combined cycle units: 3.0 pounds of mercury per trillion British thermal units fuel input, or 0.020 pounds of mercury per gigawatt-electric output  
B. New or reconstructed integrated gasification combined cycle units: 0.000010 pounds of mercury per gigawatt-electric output

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<sup>12</sup> U.S. EPA Regulatory Impact Analysis at 1-1.

<sup>13</sup> Id. at 3-26, Table 3-13; letter from Gina McCarthy, U.S. EPA Assistant Administrator to Lee Zeugin, Utility Air Regulatory Group (May 18, 2011) (McCarthy Letter).

<sup>14</sup> U.S. EPA Proposed Rule, 76 Fed. Reg. at 25122.

<sup>15</sup> Id. at 25124-28; McCarthy Letter.

4. A. Existing coal-fired units designed to burn low-energy coal (<8,300 Btu/lb): 4.0 pounds of mercury per trillion British thermal units fuel input, or 0.040 pounds of mercury per gigawatt-electric output
- B. New or reconstructed coal-fired units designed to burn low-energy coal (<8,300 Btu/lb): 0.040 pounds of mercury per gigawatt-electric output

The rule would allow three years for compliance, plus an additional year if granted by the permitting authority.

Federal standards for mercury pollution have been successful in cleaning up other sectors. The proposed national standard for coal and oil power plants would fill a gap in federal mercury air pollution standards. In 1990, there were three major categories accounting for two-thirds of U.S. mercury pollution. Federal standards drove down mercury from municipal waste combustors by 96%, from 57 tons per year in 1990 to 2 tons per year in 2005. Similarly, federal standards drove down mercury pollution from medical waste incinerators by over 98%, from 51 tons per year in 1990 to less than one ton per year in 2005. In contrast, power plants produced 59 tons of mercury per year in 1990 and 53 tons per year in 2005 (only 10% less).<sup>16</sup>

Along the same lines, more recent U.S. EPA Toxics Release Inventory data show that many power plants around the nation are doing far too little to reduce mercury air pollution. Consider for each of the years 2007, 2008 and 2009 the group of 50 power plants that emitted the most mercury (air and otherwise) that year. Mercury pollution by the 2009 group was only 2% lower than pollution by the 2008 group. Similarly, pollution from the 2008 group was only 3.6 percent below the 2007 group.

A different, but also alarming, analysis of these data looks at the 50 power plants with the highest mercury pollution in 2007. (None of these plants was in Illinois.) Of these power plants, 21 (42 percent) increased their mercury pollution from 2007 to 2008; on average, the overall decrease was only 7.7 percent. From 2008 to 2009, the performance was only slightly improved: 18 (36 percent) increased their mercury pollution; on average, the overall decrease was 9.4 percent.<sup>17</sup>

As Illinois coal plants have proven, the technologies are widely available to reduce mercury air pollution. Too many states have failed to follow Illinois' lead in adopting state mercury standards for coal plants. The U.S. EPA's proposed national standards for coal and oil power plants have an important role to play in reducing the health hazards of mercury air pollution.

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<sup>16</sup> U.S. EPA, "Reducing Toxic Pollution from Power Plants: EPA's Proposed Mercury and Air Toxics Standards" at 4 (Mar. 16, 2011).

<sup>17</sup> See also Environmental Integrity Project, [Dirty Kilowatts: America's Top Fifty Power Plant Mercury Polluters](#) (2010).

## B. U.S. EPA National Standards for Mercury Pollution from Industrial Boilers and Process Heaters

On February 21, 2011, the U.S. EPA adopted standards that would reduce toxic air pollution, including mercury, from industrial, commercial, and institutional boilers and process heaters.<sup>18</sup> Facilities covered by the new standards are required to comply beginning in February 2014. However, these standards are subject to multiple court cases filed by industry groups attempting to prevent the standards from going into effect,<sup>19</sup> as well as petitions for reconsideration filed at the U.S. EPA. On May 16, 2011, the U.S. EPA announced that it delayed implementation of these standards while it seeks and reviews additional public input.<sup>20</sup>

The agency estimated that these standards would reduce mercury pollution by 2900 pounds annually. In total, the estimated benefits of these standards on hazardous air pollutants for industrial facilities would be 10 to 25 times greater than the costs of implementing the pollution controls.<sup>21</sup>

The standards for mercury pollution include the following for coal-fired boilers:<sup>22</sup>

Area source facilities (facility emits or has the potential to emit less than 10 tons per year of any single air toxic and less than 25 tons per year of any combination of air toxics)

- New or existing coal-fired boiler with heat input capacity of 10 million British thermal units per hour or greater: 0.0000048 pounds of mercury per million British thermal units of heat input.
- New or existing coal-fired boiler with heat input capacity of less than 10 million British thermal units per hour: operator required to perform a tune-up every two years.

Major source facilities (facility emits or has the potential to emit 10 or more tons per year of any single air toxic or 25 tons per year or more of any combination of air toxics)

<sup>18</sup> U.S. EPA, “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters,” 76 Fed. Reg. 15608 (Mar. 21, 2011); U.S. EPA, “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters,” 76 Fed. Reg. 15554 (Mar. 21, 2011).

<sup>19</sup> American Forest & Paper Association, et al. v. U.S. EPA, D.C. Cir., No. 11-1124 (filed Apr. 29, 2011); United States Sugar Corp. v. U.S. EPA, D. C. Cir., No. 11-1108 (filed Apr. 14, 2011).

<sup>20</sup> U.S. EPA, “News Release: EPA Announces Next Step on Air Toxics Standards for Boilers and Certain Incinerators/ Agency allows time to seek and review additional public input to new standards” (May 16, 2011).

<sup>21</sup> U.S. EPA, “Regulatory Impact Analysis: National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters” at 1-1 – 1-3 (Feb. 2011).

<sup>22</sup> 76 Fed. Reg. at 15601-02; 76 Fed. Reg. at 15687-91.

- New or reconstructed boilers and process heaters designed to burn solid fuel: 0.0000035 pounds of mercury per million British thermal units of heat input, or 0.0000034 pounds of mercury per million British thermal units of steam output.
- Existing boilers and process heaters designed to burn solid fuel: 0.0000046 pounds of mercury per million British thermal units of heat input, or 0.0000045 pounds of mercury per million British thermal units of steam output.

Other standards apply to oil or gas-fired facilities.

### C. Illinois Regulations Reducing Mercury Pollution from Coal Plants

In 2006, the Illinois Pollution Control Board adopted regulations to reduce mercury pollution from most Illinois power plants.<sup>23</sup>

The range of units covered by the Illinois mercury standard is similar to, but narrower than, the U.S. EPA's proposed rule for coal plants. The Illinois mercury rule applies to coal plants, defined as combusting any amount of coal or coal-derived fuel in

(a) a stationary boiler, combustion turbine or combined cycle system that serves a generator having a capacity greater than 25 megawatts electric output and produces electricity for sale, or

(b) a cogeneration unit serving a generator with capacity of more than 25 megawatts electric output and supplying in any calendar year more than one-third of the unit's potential electric output capacity or 219,000 megawatt hours, whichever is greater, to any utility power distribution system for sale.<sup>24</sup>

The standards for mercury pollution under the Illinois rule are again similar to, but narrower than, the U.S. EPA's proposed rule for coal and oil plants. Subject to certain exceptions, the Illinois rule requires that each covered coal power plant (existing or new) must comply with one of the following standards:<sup>25</sup>

- 0.0080 pounds of mercury per gigawatt-electric output, or
- 90 percent reduction of input mercury

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<sup>23</sup> In the Matter of: Proposed New 35 Ill. Adm. Code 225 Control of Emissions From Large Combustion Sources (Mercury), R06-25 (filed with the Illinois Pollution Control Board); 35 Ill. Adm. Code Part 225 (adopted by the Illinois Pollution Control Board in 2006). See also Testimony of Douglas P. Scott (Director, Illinois Environmental Protection Agency) before the U.S. Senate Committee on Environment and Public Works/Subcommittee on Clean Air and Nuclear Safety (July 9, 2009).

<sup>24</sup> 35 Ill. Adm. Code Sections 225.130, 225.205.

<sup>25</sup> Id. at Sections 225.230(a)(1); 225.237(a)(1); 225.239(b)(2).

Subject to important exceptions, each covered electric generating unit must comply with the Illinois rule beginning July 1, 2009. The major exceptions to this rule are:<sup>26</sup>

- Compliance with one of these mercury standards can be delayed until January 1, 2015 if the operator installs an approved emission control device reducing multiple pollutants (mercury, sulfur dioxide and nitrogen oxides). The technologies addressing multiple pollutants include wet and dry scrubbers; selective catalytic reduction and selective non-catalytic reduction devices; and fabric filters.
- Compliance with one of these mercury standards can be delayed until July 1, 2015 for units that install approved mercury controls and operate them in an optimal manner. No more than 25 percent of an owner or operator's capacity can qualify for this exception.
- For the owner or operator with multiple electric generating units at one source, compliance can be shown if total mercury pollution at the source is less than the allowable mercury from all units at the source.
- For the owner or operator of multiple electric generating units at one or more sources, compliance through December 31, 2013 can be shown in an "averaging demonstration" if (a) total mercury pollution from the units is less than the allowable mercury from all the units in the demonstration, and (b) each unit must meet the standard of 0.020 pound of mercury per gigawatt-electric output or 75 percent reduction of input mercury.

The Illinois Environmental Protection Agency noted that some of the positive impacts of the reduced pollution resulting from Illinois' standards will go to its neighboring states.<sup>27</sup>

While Illinois residents have benefited from the state's mercury standards by decreased pollution from in-state coal power plants, the U.S. EPA's proposed national standard for coal and oil plants will confer further health benefits on Illinois residents in two ways – reducing pollution in other states which contaminate Illinois waters, and adding to controls on pollution from Illinois power plants. These benefits are described further in the next section.

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<sup>26</sup> Id. at Sections 225.233(c)(1), (d); 225.234; 225.230(d); 225.232(a), (b); Testimony of Scott, supra, at 4.

<sup>27</sup> Testimony of Scott, supra, at 6-7.

### III. Benefits for Illinois from the U.S. EPA's Proposed National Standards for Mercury Pollution

Despite the progress in Illinois from the state's mercury pollution standards for coal plants, Illinois residents need the U.S. EPA's national standards. There are three major categories of benefits for Illinois from the U.S. EPA's proposed national standards: (A) the federal standards would sharply cut the toxic effects on Illinois waters caused by power plants in other states; (B) the federal standards would further reduce mercury pollution from Illinois mercury pollution from Illinois coal and oil-fired power plants; and (C) the national standards would impose needed controls on industrial facilities in Illinois and other states.

#### A. National Standards Would Benefit Illinois by Reducing Out-of-State Coal Plant Pollution that Contaminates Illinois Fish

Illinois fish are being contaminated by air-borne mercury released in other states. Too many other states have weak or nonexistent safeguards against mercury. While Illinois standards are forcing in-state coal plants to reduce mercury pollution and pay the costs of the control technologies, many coal plants in other states have not installed the widely-available, proven controls and continue to cause regional health problems. Imposing national standards on these power plants would improve the health of Illinois residents and require out-of-state facilities to bear the costs of decreasing the health problems they are causing. In addition to public health benefits, the national standards would level the playing field for competition across state lines.



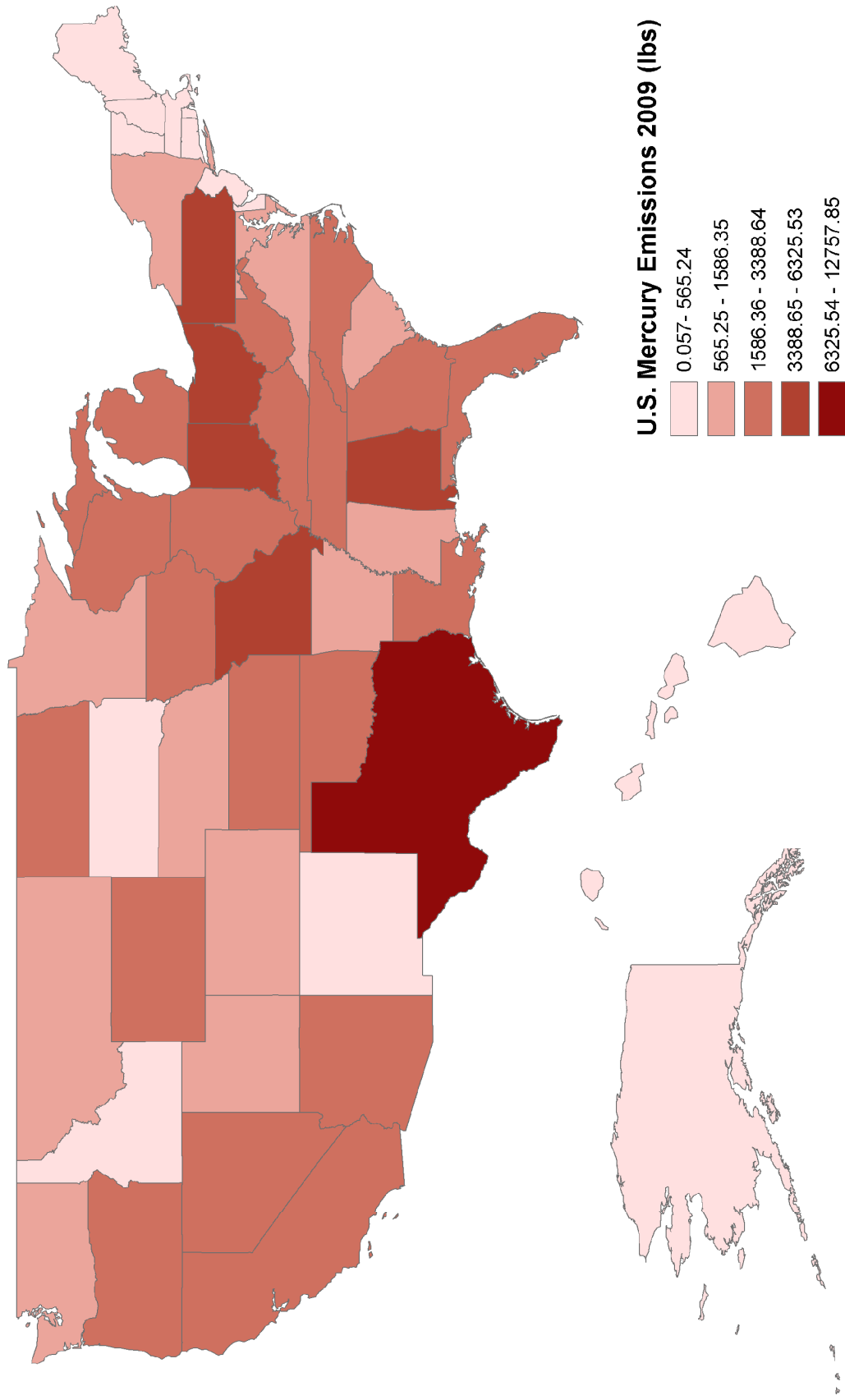
Table C and Figure 2 show U.S. EPA data on mercury air pollution by state from 2005 through 2009.

<b>Table C</b> Mercury Air Pollution by State 2005-2009							
<b>2009 Rank</b>	<b>State</b>	<b>Mercury Air Pollution (pounds)</b>					<b>2009/2005 percent change</b>
		<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	
1	Texas	15375.52	15616.53	15168.27	15150.64	12757.85	-17.02%
2	Pennsylvania	8081.46	7229	7750.29	7452.02	6325.53	-21.73%
3	Ohio	8766.18	7924.94	7666.25	7187.26	5229.77	-40.34%
4	Indiana	6400.74	6123.59	5767.8	5432.54	4516.67	-29.44%
5	Missouri	4551.42	4625.84	4671.86	4653.88	4166.99	-8.45%
6	Alabama	7827.82	7136.88	7226.84	5470.58	4028.29	-48.54%
7	Illinois	4975.96	4730.48	4874.45	5203.16	3388.64	-31.90%
8	Michigan	3838.42	3864.94	3808.12	4083.54	3226.46	-15.94%
9	Iowa	3073.71	2972.86	3123.45	2953.38	2687.64	-12.56%
10	West Virginia	4239.86	4049.26	3899.4	3891.47	2678.61	-36.82%
11	North Dakota	2532.5	2597.7	2828.2	2775.78	2585.4	2.09%
12	Georgia	5004.48	4655.96	4929.37	4177.71	2377.99	-52.48%
13	California	2916.31	2432.96	1635.82	2985.97	2282.66	-21.73%
14	Louisiana	2434.22	2597.58	2472.47	2633.86	2254.63	-7.38%
15	Nevada	4865.82	4322.87	4978.5	4239.2	2204.38	-54.70%
16	Wisconsin	2889.34	2954.51	2523.41	2519.69	2196.19	-23.99%
17	Oregon	1830.04	2738.16	2433.33	1776.52	2172.88	18.73%
18	Florida	2510.52	2335.29	2043.15	2356.85	2077.2	-17.26%
19	Kentucky	3490.62	3665.58	3381.76	3292.91	1983.18	-43.19%
20	Arizona	1830.53	1540.19	1940.78	2036.94	1896.55	3.61%
21	Kansas	3095.67	3049.76	2695.64	2430.05	1881.97	-39.21%
22	North Carolina	3964.26	4017.23	3810.11	2573.91	1793.69	-54.75%
23	Wyoming	1759.41	1674.2	1709.14	1779.53	1770.59	0.64%
24	Tennessee	2802.03	2796.12	2737.96	2599.1	1669.01	-40.44%
25	Oklahoma	1677.22	1655.05	1582.63	1602.87	1667.92	-0.55%
26	Arkansas	2078.25	1997.15	2139.21	2970.57	1586.35	-23.67%
27	Nebraska	1186.04	1191.27	1434.65	1638.63	1520.87	28.23%
28	Maryland	2023.41	1834.35	2107.7	2200	1490.69	-26.33%
29	Minnesota	1797.59	1785.37	1760.71	1394.04	1286.16	-28.45%
30	South Carolina	1712.99	1431.65	1363.74	1443.41	1267.52	-26.01%
31	Virginia	1820.51	1569.91	1524.92	1379.7	1067.76	-41.35%
32	Colorado	1254.22	1654.69	1582.6	1343.01	929.8	-25.87%
33	Montana	1150.78	1053.6	1130.2	1154.15	828.97	-27.96%

<b>34</b>	Utah	1084.76	1095.13	985.04	926.01	764.45	-29.53%
<b>35</b>	New York	1330.15	1370.88	1167.26	978.32	704.55	-47.03%
<b>36</b>	Mississippi	761.42	909.54	787.71	844.81	689.59	-9.43%
<b>37</b>	Washington	519.33	389.51	653.32	559.92	628.6	21.04%
<b>38</b>	New Mexico	1328.66	1128.38	1058.36	808.72	565.24	-57.46%
<b>39</b>	Idaho	735.78	683.7	506.73	637.89	522.49	-28.99%
<b>40</b>	Puerto Rico	475.09	585.75	432.31	285.48	359.77	-24.27%
<b>41</b>	South Dakota	188.86	185.51	168.33	292	239.64	26.89%
<b>42</b>	Delaware	736.19	685.47	626.22	616.63	180.62	-75.47%
<b>43</b>	New Hampshire	142.03	142.05	151.65	171.45	176.3	24.13%
<b>44</b>	New Jersey	1209.51	708.36	752.63	245.6	107.14	-91.14%
<b>45</b>	Massachusetts	214.5	178.57	185.59	102.4	77.18	-64.02%
<b>46</b>	Alaska	75.96	68.12	66.47	61.74	63.19	-16.82%
<b>47</b>	Hawaii	132.2	68.01	55.31	53.71	56.97	-56.91%
<b>48</b>	Connecticut	126.24	122.18	109.35	81.85	48.9	-61.26%
<b>49</b>	Maine	61.62	56.6	49.9	62.78	42.13	-31.63%
<b>50</b>	Virgin Islands	6	4	6	4	4	-33.33%
<b>51</b>	Vermont	0	0	0	0	0.19	
<b>52</b>	Rhode Island	0.36	0	0	0.06	0.06	-84.13%

Source: U.S. EPA Toxics Release Inventory (TRI) program

**Figure 2: Mercury Air Pollution by State 2009**



Illinois ranked seventh among the states in mercury air pollution in 2009. Illinois' mercury air pollution in 2009 was 32% below its level in 2005.

This progress within Illinois is only a partial victory for the health of Illinois residents because of lesser improvements in many other states that whose mercury pollution affects Illinois' air and waterways. As noted above, scientific studies show that mercury deposits are concentrated in a 50 kilometers (31 miles) radius around a source (hotspots), with significant deposits spreading in a 500 kilometers radius around a source.

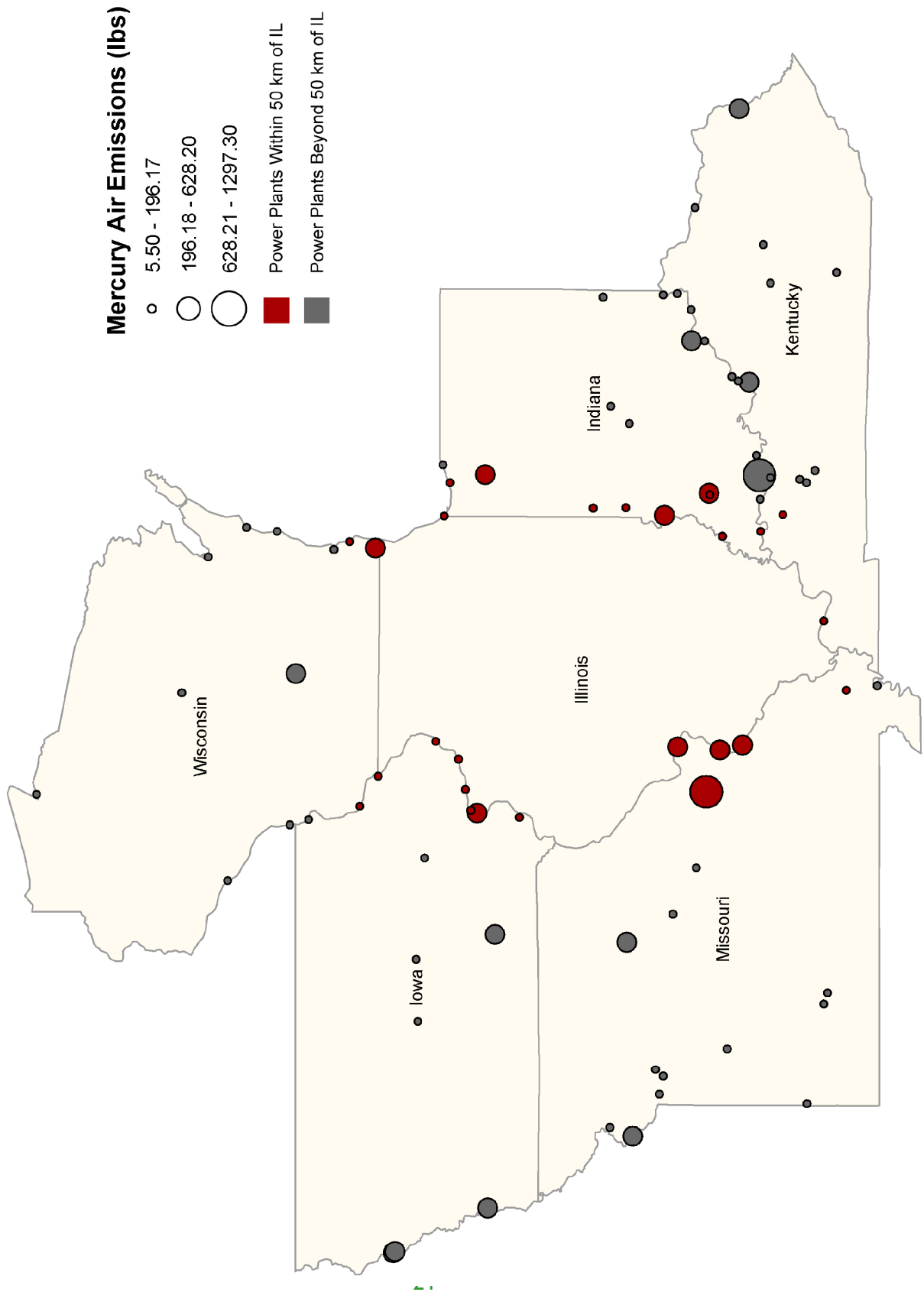
Overall for the fifty states, Puerto Rico and U.S. Virgin Islands, 2009 mercury air pollution was 28% below the level in 2005. As described below, the states bordering Illinois are major sources of mercury air pollution and have many coal and oil plants close to Illinois residents and waters. Most of these states fail to match Illinois' improvement in reducing mercury air pollution from 2005 to 2009. Only Wisconsin adopted standards for mercury air pollution from its power plants, which are phased-in through 2021.

The map in Figure 3 shows the locations of the many coal plants in states that border Illinois. Many of these plants fall within "hotspot" areas for Illinois.<sup>28</sup> Tables D and E show data on the mercury air pollution from coal and oil plants in other states located within 50 kilometers (hotspots) and 100 kilometers of Illinois.

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<sup>28</sup> U.S. EPA Proposed Rule, 76 Fed. Reg. at 25013.

# Figure 3: Out-of-State Power Plant Mercury Air Polluters



<b>Table D Out-of-State Coal or Oil Plants Within 50 km (31 mi) of Illinois</b>	
Coal/Oil Power Plant	Mercury Air Pollution (pounds) (2009)
<b>Indiana</b>	
DUKE ENERGY CORP CAYUGA GENERATING STATION. 3300 N STATE RT 63, CAYUGA 47928	115.00
DUKE ENERGY CORP GIBSON GENERATING STATION. 1097 N 950 W, OWENSVILLE 47665	141.80
FRANK E RATTS GENERATING STAT ION. 6825 N BLACKBURN RD, PETERSBURG 47567	57.13
IPL PETERSBURG. 6925 N STATE RD 57, PETERSBURG 47567	505.80
MEROM GENERATING STATION. 5500 W OLD HWY 54, SULLIVAN 47882	242.33
NIPSCO BAILLY GENERATING STATION. 246 BAILLY STATION RD, CHESTERTON 46304	16.00
NIPSCO RMSCHAHFER GENERATING STATION. 2723 E 1500 N, WHEATFIELD 46392	431.00
SIGECO A B BROWN GENERATING STATION. 8511 WELBORN RD, MOUNT VERNON 47620	114.60
STATE LINE ENERGY LLC. 103RD ST & LAKE MICHIGAN, HAMMOND 46320	62.00
WABASH RIVER GENERATING STATION. 450 BOLTON RD, WEST TERRE HAUTE 47885	133.90
<i>Indiana total</i>	<i>1819.56</i>
<b>Iowa</b>	
BURLINGTON GENERATING STATION. 4282 SULLIVAN SLOUGH RD, BURLINGTON 52601	132.10
CENTRAL IOWA POWER COOPERATIVE (CIPCO) - FAIR STATION. 3800 HWY 22, MUSCATINE 52761	15.86
DUBUQUE POWER PLANT. 920 KERPER BLVD, DUBUQUE 52001	5.50
M L KAPP GENERATING STATION. 2001 BEAVER CHANNEL PKWY, CLINTON 52732	60.30
MIDAMERICAN ENERGY-LOUISA GENERATING STATION. 8602 172ND ST, MUSCATINE 52761	320.00
MIDAMERICAN ENERGY-RIVERSIDE GENERATING STATION. 6001 STATE ST, BETTENDORF 52722	40.00
MUSCATINE POWER & WATER GENERATION. 1700 DICK DRAKE WAY, MUSCATINE 52761	120.00
<i>Iowa total</i>	<i>693.76</i>

<b>Kentucky</b>	
BIG RIVERS ELECTRIC CORP REID/GREEN/HMP&L STATION II. 9000 HWY 2096, ROBARDS 42452	9.10
U.S. TVA SHAWNEE FOSSIL PLANT. 7900 METROPOLIS LAKE RD, WEST PADUCAH 42086	190.00
<i>Kentucky total</i>	<i>199.10</i>
<b>Missouri</b>	
AMERENUE LABADIE POWER PLANT. 226 LABADIE POWER PLANT RD, LABADIE 63055	1297.30
AMERENUE MERAMEC POWER PLANT. 8200 FINE RD, SAINT LOUIS 63129	335.70
AMERENUE RUSH ISLAND POWER STATION. 100 BIG HOLLOW RD, FESTUS 63028	553.20
AMERENUE SIOUX POWER STATION. 8501 N STATE RT 94, WEST ALTON 63386	305.50
SIKESTON POWER STATION. 1551 W WAKEFIELD ST, SIKESTON 63801	72.00
<i>Missouri total</i>	<i>2563.70</i>
<b>Wisconsin</b>	
NELSON DEWEY GENERATING STATIO N. 11999 COUNTY RD VV, CASSVILLE 53806	39.60
OAK CREEK POWER PLANT. 11060 S CHICAGO RD, OAK CREEK 53154	189.70
PLEASANT PRAIRIE POWER PLANT. 8000 95TH ST, PLEASANT PRAIRIE 53158	527.40
<i>Wisconsin EGU total</i>	<i>756.70</i>

Source: U.S. EPA Toxics Release Inventory (TRI) program

<b>Table E. Out-of-State Coal/Oil Power Plants Within 100 km (62 miles) of Illinois</b>	
<b>State</b>	<b>Mercury Air Pollution (pounds) (2009)</b>
Indiana	2937
Iowa	868
Kentucky	309
Missouri	2714
Wisconsin	761

Source: U.S. EPA Toxics Release Inventory (TRI) program

The following points highlight information from Tables C, D and E:<sup>29</sup>

#### Missouri

- Fifth largest state in mercury air pollution in 2009; down only 8% from its 2005 level.
- In 2009, 5 Missouri power plants accounted for 2,564 pounds of mercury air pollution within Illinois hotspots, including the area around East St. Louis, Illinois. Ameren operated 4 of these plants.
- Missouri power plants within 100 kilometers of Illinois emitted 2,714 pounds of mercury in 2009.
- No state standards for mercury pollution from power plants.

#### Indiana

- Fourth largest state in mercury air pollution in 2009; down 29% from its 2005 level.
- In 2009, 10 Indiana power plants accounted for 1,820 pounds of mercury air pollution within Illinois hotspots, including the area around Chicago.
- Indiana power plants within 100 kilometers of Illinois emitted 2,937 pounds of mercury in 2009.
- No state standards for mercury pollution from power plants.

#### Iowa

- Ninth largest state in mercury air pollution in 2009; down only 13% from its 2005 level.
- In 2009, 7 Iowa power plants accounted for 694 pounds of mercury air pollution within Illinois hotspots, including the area around Rock Island and Moline.
- Iowa power plants within 100 kilometers of Illinois emitted 868 pounds of mercury in 2009.
- No state standards for mercury pollution from power plants.

#### Wisconsin

- Sixteenth largest state in mercury air pollution in 2009; down 24% from its 2005 level.
- In 2009, 3 Wisconsin power plants accounted for 757 pounds of mercury air pollution within Illinois hotspots, including the area around Waukegan and Wadsworth.
- Wisconsin power plants within 100 kilometers of Illinois (including the Chicago area) emitted 761 pounds of mercury in 2009.
- Under Wisconsin regulations, large coal power plants must achieve a 90% mercury reduction or limit mercury pollution to 0.008 pounds per gigawatt electric output either (x) by 2015 or (y) under a multi-pollutant option, by 2021.<sup>30</sup>

#### Kentucky

- Nineteenth largest state in mercury air pollution in 2009; down 43% from its 2005 level.
- In 2009, 2 Kentucky power plants accounted for 199 pounds of mercury air pollution within Illinois hotspots, including the area around Metropolis.
- Kentucky power plants within 100 kilometers of Illinois emitted 309 pounds of mercury in 2009.
- No state standards for mercury pollution from power plants.

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<sup>29</sup> Proximity of plants to Illinois cities estimated using Google Maps. See also Environment Missouri, Dirty Energy's Assault on Our Health: Mercury (2011).

<sup>30</sup> Wisconsin Department of Natural Resources, "Factsheet on Rule to Control Mercury Emissions from Coal-Fired Power Plants" at 1-2 (2008).

The U.S. EPA's proposed standards for power plants would greatly reduce mercury pollution from Illinois' neighbors. Compared to the outlook under current federally-enforceable laws and regulations (excluding the effects of state regulations), these standards would reduce mercury pollution from power plants in 2016 by:<sup>31</sup>

- 88% in Missouri (3412 pounds less)
- 85% in Iowa (1694 pounds less)
- 76% in Indiana (2356 pounds less)
- 83% in Wisconsin (1448 pounds less) [does not reflect the impact of Wisconsin state regulations], and
- 62% in Kentucky (1028 pounds less).

Illinois has been a leader in using state standards to reduce mercury pollution from its coal plants. Yet, Illinois residents continue to suffer as out-of-state polluters send dangerous mercury into Illinois' air and waters. Additionally, the health of Illinois' babies suffers when pregnant women residing in Illinois eat fish caught in the mercury-contaminated waters of the neighboring states. By addressing mercury pollution from states in the region that have not followed Illinois' lead, the U.S. EPA standards would deliver cleaner air, water and food for Illinois residents.

## **B. U.S. EPA National Standards Would Add to Illinois' Controls on In-State Power Plants**

As described above, the U.S. EPA national standard for mercury pollution from power plants would be similar to the Illinois regulation for coal power plants. In addition, there are at least two provisions in the federal standard that may further reduce mercury pollution from Illinois power plants:

1. The federal standards would apply to oil as well as coal plants, whereas the Illinois standard applies only to coal plants. There is one existing oil power unit in Illinois (Ameren's Meredosia Unit 4 with capacity of 200 megawatts and a separate smoke stack from the coal-fired units at that source), and more may be built.<sup>32</sup>
2. The federal standards apply stricter limits to new or reconstructed coal plants (generally, 0.000010 pounds of mercury per gigawatt-electric output) than are applicable under the Illinois rule (0.0080 pounds of mercury per gigawatt-electric output).

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<sup>31</sup> U.S. EPA, Regulatory Impact Analysis, *supra*, at 3-26; while the McCarthy Letter adjusted the proposed standard and slightly reduced the estimated national reduction by 2%, the U.S. EPA has not updated the estimated state-by-state reductions.

<sup>32</sup> Ameren, "Meredosia Power Station"; Ameren, "Meredosia Power Plant".

## C. Mercury Air Pollution from Industrial Facilities

Finally, industrial facilities account for about 6 tons of mercury air pollution annually in the United States.<sup>33</sup> In Illinois, 57 industrial facilities accounted for 830 pounds of mercury air pollution in 2009.<sup>34</sup> These sources include two that emitted at least 150 pounds of mercury, two more that emitted at least 50 pounds, and five others that emitted at least 20 pounds. These sources are too hazardous and significant to ignore. They should install widely-available and proven mercury control technologies.

Illinois' air and waters would be cleaner if mercury standards were in place for in-state industrial facilities. Illinois would also benefit from standards that apply to nearby but out-of-state industrial facilities that reduce mercury pollution.

### Conclusion: Illinois' Congressional Delegation Should Support U.S. EPA Regulation of Mercury Air Pollution

Illinois residents need the stronger, national mercury air pollution controls under the U.S. EPA standards for coal and oil-fired power plants as well as the U.S. EPA standards for industrial boilers and process heaters. Such national safeguards would improve the health of Illinois residents and create a level playing field across the states.

Illinois' Congressional delegation should preserve U.S. EPA's authority and the funding necessary to implement these mercury pollution controls.

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<sup>33</sup> U.S. EPA Proposed Rule, 76 Fed. Reg. at 25002.

<sup>34</sup> U.S. EPA Toxics Release Inventory.



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## Environmental Law & Policy Center

The Environmental Law & Policy Center is the Midwest's leading public interest environmental legal advocacy and eco-business innovation organization. We develop and lead successful strategic advocacy campaigns to improve environmental quality and protect our natural resources. We are public interest environmental entrepreneurs who engage in creative business dealmaking with diverse interests to put into practice our belief that environmental progress and economic development can be achieved together. ELPC's multidisciplinary staff of talented and experienced public interest attorneys, environmental business specialists, public policy advocates and communications specialists brings a strong and effective combination of skills to solve environmental problems.

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ELPC was founded in 1993 and has achieved a strong track record of successes on national and regional clean energy development and pollution reduction, transportation and land use reform, and natural resources protection issues. ELPC's creative public advocacy effectively links environmental progress and economic development together and improves the quality of life in our Midwestern communities.

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