

EPA to limit mercury emissions from power plants

October 26 2009, By Renee Schoof

The Environmental Protection Agency will put controls on the emissions of hazardous pollutants such as mercury from coal-fired power plants for the first time by November 2011, according to an agreement announced Friday to settle a lawsuit against the agency.

Many other polluters were forced to reduce emissions of toxic material such as [mercury](#), arsenic and lead after the Clean Air Act was strengthened in 1990. But power plants, the largest source of [mercury pollution](#), aren't subject to nationwide rules.

The tougher rules will clean up more than just heavy metals because some kinds of pollution controls -- scrubbers, for example -- also remove other pollutants, such as soot.

Controlling mercury is significant because the pollutant enters the food chain and ends up in fish. Children, including those who were exposed to mercury before birth, are especially at risk of developmental and learning disabilities. Adults also can experience health problems from eating too much contaminated fish.

Although the EPA has issued guidelines about eating fish, it hasn't required power plants to reduce toxic emissions. The Clinton administration, before leaving office, declared that plants should be subject to controls under the Clean Air Act, but the Bush administration reversed that decision. Instead, it set up a cap-and-trade system, which imposed limits on emissions and established a system to trade pollution

allowances.

In February 2008, a federal appeals court overturned that approach and ordered the EPA to regulate toxic air pollutants from power plants. Then the American Nurses Association and environmental groups sued to compel the EPA to issue the regulations.

"Nurses see firsthand the negative effects the pollutants have on the patients they serve," said Alice Bodley, general counsel for the nurses association. "It's a long overdue but welcome commitment from EPA. Once finalized, these regulations should provide a higher level of protection for hundreds of thousands of people, especially young people."

The settlement requires the EPA to adopt the rules by November 2011.

"Addressing hazardous air-pollutant emissions from utilities is a high priority for EPA," the agency said in a statement Friday. It noted that the efforts began in July with the procedural step of asking for public comments on its plan to collect information on emissions from utilities.

The EPA is "committed to developing a strategy to reduce harmful emissions from these facilities, which threaten the air we all breathe," the statement said.

The decision "ends a long-running scandal" that's allowed toxic pollution to poison the air and water, said Frank O'Donnell, the president of Clean Air Watch, a nonpartisan clean-air watchdog group.

John Walke of the Natural Resources Defense Council agreed. "Coal-fired power plants are the 800-pound gorilla of air pollution problems in America," he said.

The EPA will be required to set controls for coal- and oil-fired power plants, but oil is used to generate a relatively small percentage of the nation's electricity.

Today 70 percent of the nation's power plants don't have scrubbers. Those that do have them added the equipment as a result of acid rain controls in 1990, state regulations on emissions of soot and sulfur dioxide, and mercury controls that some states began to adopt in 2006, Walke said.

Many plants, however, met the federal acid rain rules by using low-sulfur coal instead of scrubbers, Walke said.

After the new regulations go into effect, the law gives companies three years to prepare to comply, he said. Walke also said some would make the cuts earlier, but that reductions would be huge in 2014 and 2015.

Dan Riedinger of the Edison Electric Institute, an association of electric power companies, said the settlement put the EPA on a tight schedule. The agency will ask companies for data about mercury emissions, and "this might squeeze the time we have" to provide the information, he said.

The Government Accountability Office, the investigative arm of Congress, reported earlier this month that scrubbers already in place at U.S. [power plants](#) have cut mercury substantially at a "relatively low cost."

The EPA's Web site includes health guidelines about eating fish. It also advises people to check local mercury-contamination advisories before eating fish they catch.

In August, the government found mercury contamination in every fish

sampled in 291 streams nationwide. About a quarter of them contained mercury above the EPA's guidelines.

ON THE WEB

EPA information about mercury in fish:

www.epa.gov/waterscience/fish/

A guide for all ages by U.S. scientists: "Climate Literacy: The Essential Principles of Climate Science": www.climate.noaa.gov/education/

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