

September 20, 2006

Office of the Clerk
Illinois Pollution Control Board
100 West Randolph
Chicago, IL 60601

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STATE OF ILLINOIS
Pollution Control Board
PC6316

Re: Comments on Proposed New 35 ILL. ADM. CODE 225, Control of Emissions from Large Combustion Sources (Mercury); R06-25

Dear Honorable Members of the Board;

Illinois Environmental Council and Alliance for the Great Lakes support the proposed rule filed with the Illinois Pollution Control Board by the Illinois Environmental Protection Agency, as amended and including the Ameren and Dynegy proposals ("the rule"). This rule is necessary to protect the health of the citizens of Illinois and is both technologically feasible and cost effective.

First, the rule is necessary to protect the health of Illinois citizens, especially Illinois children. Mercury is a neurotoxin that passes through the placenta and poisons fetal brain development. Every day, thousands of developing fetuses, newborns and young children are exposed to mercury when pregnant and nursing women eat contaminated fish, or children eat fish themselves. Six to ten percent of women of childbearing age in the U.S. are estimated to have mercury levels high enough to put their developing children at increased risk for developmental problems from mercury poisoning. That translates to more than 100,000 women of childbearing age in Illinois whose blood mercury levels may exceed the federal recommended limit.

Further, coal fired power plants in Illinois have resulted in severe mercury hot spots in the state. Illinois is ranked fourth in the nation for having the most severe mercury pollution hot spots. The southern Great Lakes experience one of the highest deposition rates in the U.S. In this region, local and regional sources are the main cause of elevated mercury concentrations, with the great majority of mercury contamination coming from coal fired powers plants. Coal plants produce 71% of the mercury pollution emitted in Illinois and the 60% in Great Lakes states as a whole. Fish in Lake Michigan and all Illinois waterways are contaminated with mercury. The Illinois Department of Public Health has issued "fish advisories" warning pregnant women, women of childbearing age and children to limit their consumption of fish from every lake, river and stream in Illinois.

Consequently, regulating the leading source of mercury pollution in Illinois - coal-fired power plants - will reduce mercury exposure and the resulting ill health effects of exposure. Studies show a direct relationship between mercury deposition and mercury levels in fish. These studies conclude that reducing emissions of mercury lowers mercury concentrations in fish, regardless of contributions from natural or foreign sources. One study has shown that a reduction in local atmospheric mercury emissions led to a decline of more than 80% of mercury contamination in fish.

The Illinois rule is necessary because the federal rule proposed by the Bush administration is inadequate to address the problem of mercury contamination in Illinois. The Bush Administration's rule will perpetuate mercury hot spots like those in Illinois by allowing coal plants to continue using older technology and also purchase the right to continue polluting at high levels rather than installing equipment to clean up their plants and protect our health and environment.

The Illinois rule as drafted (including amendments and Ameren's and Dynegy's proposals), is sound and will be effective. First, states such as Georgia, Maryland, Massachusetts, Michigan, Minnesota, New Jersey and Pennsylvania, among others, have initiated proposals with mercury reductions from power plants similar to those in the Illinois proposed rule, demonstrating that this rule is reasonable and the bases for the rule are sound. Second, the IEPA and proponents made the necessary showing at the hearings and in filings that the rule is both technically feasible and economically reasonable.

- The technology for controlling mercury in accordance with the requirements of the rule is readily available. Activated carbon injection ("ACI"), with brominated or halogenated sorbents where appropriate, has been shown to achieve 95-percent capture rates in short-term tests for all ranks of coal, burned in Illinois.
- The technology is also economically reasonable. The reductions required by the proposed rule could be achieved while costing Illinois residential consumers only \$0.69 more per month, on average. Commercial businesses would pay about \$5.82 more on average, while the average industrial bill would increase \$305.47 monthly. The cost of ACI per unit is approximately is less than one million dollars.
- Where 90% is not achievable with ACI alone, other pollution control options can be used to achieve 90%, including controls for other pollutants that provide additional mercury reductions.

Finally, there is sufficient flexibility in the rule for operators to choose a compliance pathway that is appropriate for them in terms of both means and timing of achieving the necessary reductions. The flexibility built into the rule includes:

- The initial averaging period,
- The output based standard,
- The temporary technology-based standard, and
- Ameren and Dynegy's proposed multi-pollutant standard.

Ameren and Dynegy's support for the rule demonstrates that facilities within the state of Illinois can achieve the required reductions contained in the proposed rule in a cost-effective manner.

For these reasons, Illinois Environmental Council and Alliance for the Great Lakes support the proposed rule and encourages the Board to vote in favor of the rule.

Sincerely,

Illinois Environmental Council
Alliance for the Great Lakes

