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Political Intervention: The White House Doctors Mercury Conclusions

by Lisa Heinzerling and Rena Steinzor
April 16, 2004

Materials on the Environmental Protection Agency's Web site – buried deep inside hundreds of pages of internal documents – reveal the extent to which the White House was willing to override expert scientific conclusions to justify a weak proposal to control mercury emissions from power plants ([a decision we discussed in this space last month](#)).

Federal agencies are required to obtain approval for all major regulatory proposals from the Office of Information and Regulatory Affairs (led by the president's regulatory czar John Graham) within the White House Office of Management and Budget. In flyspecking EPA's mercury proposal, OMB economists and White House officials systematically downplayed scientific conclusions that methyl-mercury exposure causes brain damage in children. (To view these documents, go to <http://cascade.epa.gov/RightSite/formexec>, and turn to document 107.)

For example, one OMB economist appears to have made certain that all references to the confirmed health risks of mercury omitted the adjective "confirmed," thus making a scientific conclusion sound more like speculation. OMB staff also took it upon themselves to soften language about studies linking mercury to cardiovascular health problems, deleting EPA's straightforward summary of the evidence ("Recent published studies have shown an association between methylmercury exposure and an increased risk of heart attacks and coronary disease in adult men") and replacing it with the considerably more mealy-mouthed, "It has been hypothesized that there is an association between methylmercury exposure and an increased risk of coronary disease; however this warrants further study as the new studies currently available present conflicting results."

The White House Council on Environmental Quality (CEQ) also got into the act. Staff member Elizabeth Stolpe, a former employee of Koch Industries - the oil, gas, and petrochemical giant known in political circles as a major supporter of right-wing causes - appears to have removed references to a determination by the prestigious National Academy of Sciences that EPA's reference dose for mercury (the level below which scientists believe exposure is safe) was "scientifically justifiable." Stolpe further deleted EPA statements that children born to women with elevated mercury levels were at increased risk of "adverse health effects" and that there is no safe level of methyl mercury in blood. Instead, she added language to the draft arguing that advisories about mercury in fish obviate the need for government regulation, because they give women the opportunity to protect their babies by avoiding fish.

But here's the kicker. For all its focus on slanting the regulation's rhetoric, OMB managed to run a cost-benefit analysis that found not a single cent of health benefit from getting mercury out of air and water. The benefits just aren't quantifiable, it seems, and therefore count for not a penny when it comes time to weigh benefits against costs. As it happens, the *ancillary* benefits of cleaning up mercury from power plants and elsewhere – lessened particulate matter in the air, for example – are worth billions of dollars more than the costs. So there's no question that regulation is in order, even by Bush OMB calculations. Yet factoring in the benefits of mercury would undoubtedly suggest much stronger action than the administration ultimately proposed.

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technologies to control power-plant mercury emissions have the capacity to achieve 90 percent reductions by 2010. EPA Administrator Michael Leavitt tried to downplay this report's reliability, but nonetheless was sufficiently embarrassed by revelations that EPA's proposal would not achieve significant mercury reductions until 2026 that he sent out word that he had ordered his staff to consider fine-tuning the plan. Unfortunately, even if this happens, EPA will again have to deal with the White House, which seems more concerned with protecting polluters than the health of America's children.

Rena Steinzor and Lisa Heinzerling are member scholars of the Center for Progressive Regulation and adjunct scholars at the Center for American Progress.

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