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Clear facts about Clear Skies

Catherine A. O'Neill
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In their enthusiasm for the Bush administration's "Clear Skies" plan to address air pollution from power plants, some supporters present only part of the story about mercury emissions. In so doing, they do a disservice to the cause of informed environmental policy.

Gregg Easterbrook of the Brookings Institution, for example, registered surprise in an op-ed last month (go to www.brook.edu and search for "clear skies") that environmentalists haven't embraced the president's Clear Skies legislation -- scheduled to be voted on today in a U.S. Senate committee. Easterbrook touts the bill's promised cuts of 70 percent in sulfur dioxide, nitrogen oxides and mercury emitted from power plants by 2018, wondering "what's not to like?"

In a word, plenty. Mercury is a potent neurotoxin. Exposure to small amounts before birth or during childhood can cause permanent neurological damage. Yet 1 in 6 U.S. women of childbearing age now has mercury levels in her blood that pose such risks to the fetus. That number nearly doubles for Native American and Asian-American women. Most exposure to mercury is from eating fish from contaminated waters; indeed, vast expanses of the nation's waters are so polluted that governments have issued advisories warning against eating fish caught there.

Easterbrook heralds Clear Skies as the solution. He expects its cap-and-trade approach -- which sets an overall industry-wide cap on pollution cap and allows plants to trade emissions credits -- to "lead to rapid, relatively inexpensive pollution cuts."

But that argument omits some relevant facts. First, the existing law would produce bigger reductions faster. The Environmental

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Protection Agency's own models show that Clear Skies' 70 percent reductions would not be achieved until sometime after 2020, while mercury would be reduced on the order of 90 percent by 2008 under existing Clean Air Act requirements. Because mercury harms the developing nervous system, the decade-long delay would needlessly subject a generation of children to risk.

Second, Easterbrook trumpets the proposal's permanent ceiling on mercury emissions. Indeed, a permanent ceiling would be good, because it would bar emissions from exceeding capped levels even as coal-fired power generation grows. But Clear Skies' ceiling is so high that the existing Clean Air Act would remain more protective of human health until somewhere around 2100.

Third and perhaps most egregiously, Easterbrook ignores the potential for mercury pollution hot spots -- local areas where industry trading of pollution credits would concentrate mercury in particular waterways. Just last month, EPA's Office of the Inspector General made headlines with its finding that the cap-and-trade proposal did not adequately address hot spots. In fact, EPA's own models reveal significant hot spots in specific regions under Clear Skies. For example, mercury emissions would decline only 27 percent under the cap-and-trade proposal in Michigan, Minnesota and Wisconsin. Emissions would actually increase at 20 of the 44 utilities -- including at several of the largest sources -- located in these three states. Crucially, these hot spots would occur in a Great Lakes region where even the general population is more inclined to catch and eat fish from local waters, and where other groups (for example, the various Ojibwe and other tribes) are dependent on fish. The resulting environmental injustice is clear -- and reason enough to reject Clear Skies.

Finally, Easterbrook and Clear Skies supporters cite the success of the federal Acid Rain Program's cap-and-trade system for sulfur dioxide emissions, reasoning that cap-and-trade provisions in Clear Skies will be similarly successful in reducing mercury emissions. In fact, neither the pollutants nor the programs are analogous. Among other things, sulfur dioxide disperses regionally and globally, whereas mercury is deposited locally -- a critical distinction for hot-spot formation.

It always makes sense to think broadly and creatively about potential tools -- cap-and-trade among them -- to address vexing environmental problems. In the case of mercury, however, the better approach is already at hand under existing Clean Air Act requirements. Evidence shows that 90 percent emissions reductions would in fact translate into rapid responses in the nation's waters -- leading once again to fish safe enough for all to eat.

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