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Mr. Thomas K. Fidler
PA Department of Environmental Protection
Deputy Director – Air, Recycling and Radiation Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105

Mercury Stakeholder Group Request

Dear Mr. Fidler:

First, I would like to thank you and the Department for taking the time to make yourselves available to obtain input from stakeholders before proceeding with a state-specific mercury rule. As you know, our industry is directly subject to EPA's CAMR and expects to be further impacted should Pennsylvania propose and adopt its own mercury rule.

We understand that one of the reasons that the Pennsylvania Department of Environmental Protection (PA DEP) is proposing a state-specific rule is a concern that the cap-and-trade program in EPA's rule will result in unacceptable mercury "hot spots" in Pennsylvania, which we generally understand to mean areas of greater localized mercury levels. We believe it would be very helpful to understand in as much detail as possible what PA DEP means by this term and how PA DEP expects that a state-specific rule will address the concern.

Specifically, we ask that the Department provide a presentation at the next working group meeting on November 18 (or the November 30 meeting if that is not possible) that addresses the following questions:

- How does the PA DEP define a "hot spot" (for example, how are localized impacts identified, and must they be related to a local source to constitute a "hot spot")?
- What are "background" levels of mercury in Pennsylvania, how has PA DEP determined that background, and what variation from that background is sufficient to constitute a "hot spot"?

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- What specific information does the PA DEP have about whether there are hot spots located in Pennsylvania? And if so, where are they located?
- What information does the PA DEP have that links mercury emissions from U.S. power plants, as well as specifically power plants in Pennsylvania, to any such hotspots?
- Can the Department share with us its analysis of the extent to which the federal CAMR will reduce mercury levels in mercury hot spots it has identified in Pennsylvania? In PA DEP's analysis, what incremental reductions beyond CAMR result in significant, further reduction in mercury concentrations in hot spots? How does PA DEP define significant?

We are hopeful that a PA DEP presentation addressing these questions would be helpful in our efforts to provide useful further input to the stakeholder process. If you have any questions about this request please contact me.

Sincerely,

Douglas L. Biden
President

DLB/tam