



Senate Environmental Resources and Energy Committee

Senator Mary Jo White
Chairman

Patrick Henderson, Executive Director

Room 168 • State Capitol Building
Mailing address: Senate Box 203021 • Harrisburg, PA 17120-3021
Phone: 717-787-9684 • FAX: 717-787-6088

February 20, 2008

Letter to the Editor
Erie Times-News
205 West 12th Street
Erie, PA 16534

Dear Editor:

While moving quickly to praise Governor Rendell and chastise the Bush Administration over the court ruling setting aside the federal mercury reduction rule, your editorial misses several key points.

For starters, the court specifically did not rule on the appropriateness of trading mercury emissions – instead setting aside the federal rule because EPA failed to follow the proper process for de-listing mercury as a hazardous air pollutant. It remains to be seen whether EPA will appeal this ruling, initiate a proper de-listing process, or instead choose to impose a maximum control technology standard for mercury.

Because of this uncertainty, and despite the insistence of the Rendell Administration, it remains unclear whether the state mercury rule will remain in place. Should EPA decide to impose a maximum control technology standard for mercury, it is very likely that the very state rule which you applaud will be relaxed, since a state law which essentially prohibits more stringent standards would now kick in. There is one way to avoid this: adopt legislation I am sponsoring which would lock into law 90% emission reductions by 2015. Failure to do this leaves the door open for the next Governor to simply set aside the Rendell mercury rule in favor of a more responsible policy.

The Rendell Administration's mercury rule was never about protecting women and children. It was an election year political ploy to try and discredit a Republican Administration under the guise of added public health protection.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jo White".

Mary Jo White, Chairman
Senate Environmental Resources
& Energy Committee