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March 11, 2004  
Immediate Release

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## **Governor Richardson's Requests Granted; EPA to Hold Western Hearing, Extend Comment Period on Controversial Mercury Rule**

(Santa Fe, NM) — The U.S. Environmental Protection Agency (EPA) has announced that the public comment period for its proposed, controversial, Mercury Rule will be extended for 30 days to April 30. The Agency has also agreed to hold an additional hearing on this rule on March 31 in Denver, Colorado. These announcements come after a February 20<sup>th</sup> letter from Governor Bill Richardson to EPA Administrator Mike Leavitt requesting a western hearing and comment extension.

In this letter, Governor Richardson wrote in part:

“The western U.S. plays an important roll in the nation’s energy market. Additionally about half the coal produced in the United States comes from the west.

If implemented, the proposed rule will dramatically affect how we regulate coal-fired power plants and it is only appropriate that at least one hearing be readily accessible to the citizens, industry and regulators in this part of the country.

There are a number of important issues to analyze including the EPA’s authority to regulate mercury under an emission trading program and the potential negative impacts from such a program to New Mexico communities. We would therefore like more time to complete a through review of these proposals.”

“I am pleased that Administrator Leavitt has granted a western hearing and will give the public more time to review and comment on this proposal,” said Governor Richardson. “I am concerned about how these changes could impact citizens in a power exporting state like New Mexico. I will ensure that the state is well represented at this Denver hearing.”

The EPA published a proposed rulemaking on January 30, 2004 covering utility emissions of mercury and nickel. Since then the Agency has held three public hearings on the proposal in the eastern U.S. The EPA’s proposal weakens mercury regulations proposed by the Clinton administration and creates a market-based trading system for the pollutant.

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“There are a number of problems I have with EPA’s proposal,” said New Mexico Environment Department Secretary Ron Curry. “I don’t think a cap-and-trade program is a good idea for a neurotoxin and I am very concerned about the impact such a program could have on the four corners region where so many of these power plants are located. In response to the Governor’s request I will make sure that the state’s best technical experts participate in this Denver hearing.”

Mercury is especially harmful to fetuses and young children. According to the EPA, children of women exposed to relatively high levels during pregnancy have exhibited a variety of abnormalities, including delayed onset of walking and talking, reduced neurological test scores, and delays and deficits in learning ability.

Last month the EPA doubled its estimate of the number of children born in the U.S. exposed to dangerous levels of mercury in the womb. They now believe that more than one child in six could be at risk for developmental disorders.

The EPA’s Denver hearing is scheduled for 8 am, March 31 at the Hyatt Regency Denver, 1750 Welton St.

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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