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Environment Secretary Issues Statement on Withdrawl of EPA Appeal on Proposed Federal Cap and Trade Program

EPA Action Means Obama Administration Wants Greater Protections for Air Quality and Environment

(Santa Fe, N.M.) New Mexico Environment Department Secretary Ron Curry issued the following statement on the withdrawl today by the new administration of the U.S. Environmental Protection Agency of a past appeal of a proposed federal cap-and-trade program for mercury emissions. EPA filed the motion in the Supreme Court on its past appeal of a District of Columbia Circuit Court decision.

“The motion by the USEPA to withdraw their appeal shows that the Obama administration is already addressing Bush administration policy decisions that endangered public health and the environment,” said New Mexico Environment Department Secretary Ron Curry. “The state of New Mexico, along with many other states, has fought the Bush EPA’s weak proposal on mercury for years. The dropping of the proposal is heartening to see and signals a new day for public health and environment in the U.S.”

The EPA’s now defunct proposal for mercury, called the “Clean Air Mercury Rule,” would have allowed power plants to buy credits to emit more mercury pollution instead of reducing those emissions. Mercury emissions from power plants can create local “hot spots” of pollution that deposits in nearby waterways and causes fish contamination that makes that food unsafe for human consumption. The circuit court ruled EPA must reduce mercury pollution nationwide by setting strict limits on mercury emissions from all power plants. State-of-the-art air pollution control technology exists to greatly reduce mercury emissions from power plants. Public Service Co. of New Mexico’s San Juan Generating Station power plant in San Juan County is installing that technology on all its units and preliminary tests have shown significant reductions in mercury emissions.

Mercury is a dangerous neurotoxin proven to cause a variety of developmental neurological abnormalities in babies and young children, including delayed developmental milestones, cerebral palsy, reduced neurological test scores and delays and deficits in learning abilities.

New Jersey led the government coalition that prevailed in the original lawsuit against the Clean Air Mercury Rule. The coalition included the states of California, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New York, Rhode Island, Vermont, Wisconsin, the

Pennsylvania Department of Environmental Protection and the City of Baltimore. The lawsuit also included a number of environmental organizations, including Earthjustice.

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