News from the New Hampshire Department of Environmental Services

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Northeast States Develop Plan Aimed at Lowering Mercury Levels in Fish

Concord, NH- The New Hampshire Department of Environmental Services announced today the release of a draft northeast regional mercury control plan aimed at meeting water quality standards for fish consumption due to elevated mercury levels in fish tissue. Mercury's health effects are primarily neurological and developing fetuses are at greatest risk. Exposure to this toxic metal occurs when humans consume fish that contain an organic form of mercury called methylmercury. The plan, known as a "Total Maximum Daily Load," identifies reductions in mercury contamination necessary to bring fish-tissue levels into compliance with Federal standards. The plan was drafted by the New England states and New York, and coordinated by the New England Water Interstate Pollution Control Commission (NEIWPCC) of Lowell, MA. The plan meets a major federal planning requirement under the Clean Water Act.

"New Hampshire has been an active participant in regional efforts to reduce mercury emissions, passing legislation, developing new regulations and conducting of outreach efforts all aimed at reducing in-state sources of mercury," noted DES Commissioner Tom Burack. "The state's most significant sources, such as waste-to-energy plants and medical waste incinerators have already achieved mercury reductions greater than 95%, and most recently a law was enacted to control emissions from the state's coal-fired power plants. Since implementing the NH Mercury Reduction Strategy in 1998, overall mercury emissions in New Hampshire have been reduced by more than 60%."

The same is not true for out-of-region sources. According to Ronald Poltak, NEWIPCC Executive Director, "While the northeast has made major strides in reducing mercury contamination, other sectors in the U.S. continue to emit mercury with limited Federal regulatory oversight. Our States have committed to major and meaningful reductions in mercury emissions from utilities, waste combustion, and other emission sources, and are controlling mercury losses from products. Therefore, we are calling on our neighboring states and on the Federal government to ensure that all major sources of mercury emissions are reduced."

In the Northeast, elevated levels of mercury in certain fish species are of great concern and have resulted in statewide fish consumption advisories on more than 10,000 lakes, ponds, and reservoirs, and over 46,000 river miles in the region. Like other New England states, New Hampshire has a statewide fish consumption advisory for all freshwaters due to elevated mercury levels for all freshwaters. Reducing the mercury in these waterbodies is not only desired by the states, it is required by law. Section 303(d) of the Clean Water Act mandates that states develop total maximum daily loads (TMDLs) for waters listed as impaired. A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet its water quality

standards. It includes allocations of the acceptable amounts of the pollutant that can be generated by each of the pollutant's sources.

In the northeast, mercury emissions from waste incinerators have been reduced dramatically in recent years. New plans are in-place to control mercury from coal-fired utilities. The sale and use of certain mercury-added products has been restricted and all northeast states have adopted or are adopting rules limiting discharges of mercury from dental offices. Dental offices can be significant sources of mercury to wastewater, since amalgams (so-called silver fillings) are 50% mercury.

To protect the health of consumers EPA recommends an ambient water quality criterion of 0.3 milligrams methylmercury / kilogram of fish as the maximum advisable concentration of methylmercury in freshwater fish tissue. The TMDL plan indicates that by reducing overall mercury deposition to the region by between 86% and 98%, fish-tissue mercury will decline to this health-based level. Recent studies in the northeast support this conclusion. These studies have shown a statistically significant decline in fish-tissue mercury in response to mercury emission reductions. It is generally thought that newly deposited mercury is more biologically available than historical deposits so that reductions in existing emissions have direct and almost immediate impacts on levels found in the biota.

DES is seeking public comment on the draft plan. A copy of the plan and information on how to submit comments can be found at http://www.des.state.nh.us/wmb/tmdl/draft_tmdl.html. Written comments will be accepted until May 25th, 2007. A public information meeting will be held at DES on May 10th from 9 am to 10:30 am. By statute, EPA has 30 days from the submittal of the TMDL to either approve the plan or disapprove it and set its own allocations.

For more information about the TMDL plan, please contact Gregg Comstock, Supervisor, Water Quality Planning Section of the Wastershed Management Bureau, (603) 271-2983 or Beth Card of NEIWPCC at (978) 323-7929. Additional information on New Hampshire's mercury reduction efforts can be found at http://www.des.state.nh.us/nhppp/Mercury/.

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