Good morning. My name is Jerry Reid, I'm an Assistant Attorney General in the Maine Office of the Attorney and head of the Office's Natural Resources Division. I'm standing in this morning for Attorney General Steven Rowe, who planned to be here and very much wanted to be here. Unfortunately Attorney General Rowe had a death in the family over the weekend and is traveling out of state today.

It's regrettable that Steve Rowe could not be here in person this morning because this issue is very important to him. He has made addressing the impacts of out of state air pollution in Maine one of his priorities since becoming Attorney General. Mercury pollution is a big part of that problem. As you've already heard today mercury is emitted from coal burning utilities in states to our south and west, and is carried to Maine on the prevailing winds, where it falls onto the land and into the water. It poisons our wildlife and enters the food chain, where it directly threatens human health. If you go fishing in the most remote and apparently pristine ponds and streams in this State, in the western Mountains, northern Aroostook County or Downeast Maine, and personally that's one of the things I like to do most, the fish you catch in these beautiful areas are contaminated with mercury. Studies have also shown that loons nesting on Maine Lakes have the highest concentration of mercury in their blood in the country.

There's something terribly wrong with this. It's the federal government's responsibility to regulate mercury emissions, and EPA was under a court order to adopt regulations governing mercury emissions by March 15, 2005. Unfortunately, the product of that rulemaking does almost nothing to address the problem. The rule is carefully crafted to

allow utilities to avoid installing new technology to control mercury emissions, and there's strong evidence that large parts of the rule were actually drafted by industry lobbyists. Most importantly from the perspective of the Attorney General's Office, the rule is illegal because it does not require sources of mercury pollution to install what's called "Maximum Available Control Technology", which the Clean Air Act requires for hazardous air pollutants. We will use this and other legal flaws as a basis for filing a lawsuit against EPA to force the agency to comply with the law and adopt a strict rule governing mercury emissions. I expect that Attorney General Rowe will be joined by his counterparts in 15 or more other states in this lawsuit, which is likely to be filed within the next two weeks. Although it's unfortunate that we have to resort to litigation against the federal Environmental Protection Agency in order to protect public health and the environment in Maine, it's also necessary, and Attorney General Rowe is committed to using the legal system to protect our State's interests. Thank you.