

August 4, 2011

Air and Radiation Docket and Information Center
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Proposed Mercury and Air Toxic Rules for Power Plants
Docket ID. Number EPA-HQ-OAIR-2009-0234

Dear Madam/Sir:

Please accept this letter, in lieu of formal comments, from the New Jersey Environmental Justice Alliance (NJEJA) in support of the U. S. Environmental Protection Agency's (EPA) proposed rules on mercury and other air toxics emitted by coal and oil fired power plants. NJEJA is the only statewide environmental organization in New Jersey that focuses solely on environmental justice issues. It is also the only statewide New Jersey environmental organization in which a majority of both its membership and leadership are people Of Color. Our organization has spent a significant amount of time and effort developing and advocating for public policies that, if implemented, would reduce emissions of air pollution. Our focus has generally been on fine particulate matter in urban areas. We have this demonstrated concern with air pollution because it is a significant problem for our entire country and is particularly detrimental to the health of residents living in environmental justice neighborhoods, i.e. Of Color and/or low-income communities, since these areas are often overburdened with pollution. This excessive pollution is due, at least partly, to a disproportionate number of polluting facilities sited in and near these neighborhoods. Power plants comprise a portion of these facilities and therefore the emissions reductions that will be realized as a result of the proposed mercury and other air toxics rules will improve the health of residents living in environmental justice communities.

While we support the proposed rules and look forward to their implementation, we do have a suggestion that we believe would increase their effectiveness. It is our understanding that currently the proposed rules set emissions standards that are equal to an average level achieved by the top 12% of plants, in terms of controlled emissions. However, the technology exists to achieve even greater reductions and we believe that in environmental justice communities more extensive reductions are both warranted and needed. We therefore urge EPA to set stricter emissions reduction standards for power plants located in and near environmental justice communities than are currently contemplated by the proposed rules. We understand that currently EPA has no strict definition for an environmental justice community, but we think it would be appropriate to adopt a definition specifically for these proposed rules that can be used until the agency develops one it intends to utilize for all of its endeavors. NJEJA has ideas concerning a definition for environmental justice communities and would be more than happy to share them with EPA and work with the agency on the development of a definition that could be used in these proposed rules.

If anyone at the agency has questions regarding anything contained in this letter please do not hesitate to contact us.

Respectfully submitted on behalf of the New Jersey Environmental Justice Alliance by:

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