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Sunday, January 11, 2004

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COLUMN: *Nancy Grape***Real radicals: Business lobbyists**

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For years, I thought "radical environmentalists" were young, hot-eyed tree-huggers in Earth Day T-shirts ready to take to the streets to protest any perceived threat to their surroundings.

I was wrong.

The real "radical environmentalists" wear well-cut suits and shoes kept free of dust by frequent shining. They don't march in the streets. They stroll the halls of Congress, talking quietly with legislators. Operators all, they are lobbyists, lawyers and analysts, but they are radical all the same. Their well-paid loyalties are to power companies in the Midwest and Great Lakes regions - utilities that enjoy a kind of "most-favored-nation" status with the Bush-Cheney administration.

And what are these radical environmentalists up to? What is their objective? To do whatever it takes - for as long as it takes - to thwart federal efforts to force coal-fired power plants to clean up poisonous smokestack emissions they send barreling through the skies to damage other states, including, most especially, Maine.

Like the gaming interests Mainers have increasingly come to know, these power-plant brigades don't give up. They don't relent. They don't go away. They wait out Congresses and administrations that oppose their determination to save money at the cost of pollution, and strike like gangbusters when the political atmosphere changes.

It's happening now.

IN AUGUST, the compliant Bush administration smiled on its power-plant buddies and changed the Clean Air Act's "new source review" provision to allow them greater opportunity to expand and modernize without having to similarly upgrade their pollution control equipment. In doing so, the administration undercut a key

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balance of the Clean Air Act of 1970: namely, that plants that act to grow bigger also must act to handle their far-ranging pollutants.

Recently, the U.S. Circuit Court of Appeals for the District of Columbia wisely blocked the rules change from going into effect until challenges from 12 states - including Maine - can be heard.

In December, the Bush administration polished up its compliant approach to the power-plant industry and used it again. On Dec. 15, the Environmental Protection Agency announced it would relax rules governing toxic mercury emissions, which currently run to 48 tons a year nationwide.

Think of these very real long-term threats to the health of the people of Maine, a state at the end of the nation's airstream, the next time Homeland Security Secretary Tom Ridge sends shivers up your spine with talk of potential terrorists aboard foreign aircraft. The Bush administration is protecting us against one threat. It is not protecting us against the other.

"Since the Clean Air Act became law in 1970, we have made enormous strides toward eliminating the dangers air pollution poses to public health and the environment. Yet in less than three years, the Bush administration has waged an unprecedented assault to dismantle key provisions of that landmark law systematically," U.S. Rep. Tom Allen said last month.

"Having failed to repeal parts of the law through its 'Clear Skies' legislation," Allen went on, "the Bush administration is now resorting to reinterpreting, delaying and weakly enforcing the Clean Air Act. For Maine people at the end of the nation's air pollution tailpipe, this administration's policies pose threats to their health and their quality of life."

Any attempt to brand this battle over hard-won provisions of the Clean Air Act of 1970 as just another election-year fight falls apart on the facts.

Fact: Three high-ranking enforcement officers in the EPA have left in recent weeks, including two attorneys closely involved in the effort to enforce the law against offending coal-fired plants.

"The rug was pulled out from under us," declared Rich Biondi, who is retiring as associate director of the EPA's air-enforcement division. "You look around and say, 'What contribution can I continue to make here?' and it was limited."

That is carefully calibrated language. In another context, a less-measured person might be tempted to say, "There was no point in staying. The fix was in."

Fact: Congressional criticism of the Bush administration's increasingly blatant efforts to weaken EPA enforcement of poisonous power-plant emissions, including mercury, is not a Democratic cause. The entire Maine delegation, Democrats and



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Republicans alike, is urging legislation to reduce mercury pollution, given the administration's determination to relax restrictions. It's a bipartisan approach the Congress would do well to follow.

"These changes roll back critical standards for mercury and could impact the health and well-being of millions of Americans, particularly women and children," declared U.S. Sen. Olympia Snowe, a Republican. "We need to remove mercury from the commodity-waste stream, as the Clean Power Act calls for, not increase the amount of mercury allowed to be emitted."

U.S. Sen. Susan Collins, also a Republican, agreed. "The EPA's decision to extend the timeline for reduction of mercury emissions from utility plants is deeply disappointing and disturbing," Collins said. Indeed it is.

But let's remember, it is dangerous as well. Because of mercury pollution in water, and its potential for neurological damage to fetuses and adults, 44 states, including Maine, have posted warnings about limiting fish consumption. Again, no potential terrorists here. Just real fish posing real danger to real people.

"The Bush administration has systematically acted to evade, delay and weakly enforce the Clean Air Act's controls on mercury," Democrat Allen summed up, noting wryly that "failure to regulate mercury emissions has made the routine pleasure of a tuna sandwich an unacceptable risk."

Americans have a right to expect predictability and finality from their laws. Instead, they watch the EPA kick the Clean Air Act over, around and into the Dumpster, all the while talking about the great job of enforcement Bush & Co. are doing.

It's bait and switch. We need to recognize it. And we need to respond. The "radical environmentalists" in high-priced suits are fooling with the waters we fish in and the air we breathe.

- Nancy Grape (e-mail: spargrape@msn.com) comments on state and national issues for the Maine Sunday Telegram.

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