



December 7, 2005

Mr. Arthur Marin, Executive Director
Mr. John Graham, Project Director
Northeast States Center for Coordinated Air Use Management
101 Merrimac Street
10th Floor
Boston, Massachusetts 02114

Dear Mr. Marin and Mr. Graham:

On behalf of the Integrated Waste Services Association, I am pleased to offer comments on the "Inventory of Anthropogenic Mercury Emissions in the Northeast" prepared by NESCAUM and released October, 2005, in draft form. Although not released for public comment, the IWSA is commenting herein because the report includes two errors that we are sure NESCAUM would not desire in any final report. The two errors are:

- 1) The use of 1998 to 2002 emission data for waste-to-energy facilities in lieu of current data (2004 to 2005) creates an artificially high emissions estimate that subsequently labels the industry as the largest emitter of mercury, and;
- 2) Exclusion of mercury emissions from landfills creates an incorrect value for the total amount of mercury emitted and omits a source that should not be overlooked.

If the report is left in its current form, NESCAUM leaves the reader of its report with the incorrect impression that disposal of trash at waste-to-energy facilities results in mercury releases to the atmosphere, whereas other forms of waste management are benign.

The IWSA is a national trade group representing the waste-to-energy industry that safely disposes of municipal solid waste and at the same time generates renewable electricity using modern combustion technology equipped with state-of-the-art pollution control systems. Eighty-nine waste-to-energy facilities operate nationwide. These facilities have been recognized by EPA as a "clean, reliable, renewable source of energy" that "produces 2800 megawatts of electricity with less environmental impact than almost any other source of electricity."¹ IWSA members include 28 municipalities that are served by waste-to-energy plants, Covanta Energy Company, Montanay Power

¹ Letter from Acting EPA Administrators Marianne Horinko and Assistant Air Administrator Jeffrey Holmstead, to Maria Zannes (February 14, 2003) (stating conclusions of EPA's comprehensive review of compliance test reports for every waste-to-energy facility in the country). A brief summary of the many environmental benefits of waste-to-energy plants is provided in the enclosed summary paper and supporting documentation attached thereto.

Corporation, Wheelabrator Technologies Inc., and several dozen other organizations that work in the municipal waste management and energy fields.

There are 34 waste-to-energy facilities operating within the NESCAUM region that safely dispose of more than 36,000 tons of trash each day and add more than 1,000 megawatts of electrical power generation capacity to the northeast power grid. It is important for NESCAUM and its documents to recognize that virtually all municipal waste combustors in the region generate power. In fact, residents of NESCAUM states use trash as fuel sufficient to meet the electrical needs of more than one million homes in the northeast. We would request that the Inventory in its description of municipal waste combustors reflect the power generating benefits of our industry.²

We are most concerned that NESCAUM is using outdated emissions data in the Inventory. The Inventory reports a total mercury emissions estimate of 1,012 kg/year for municipal waste combustors. In fact, using a mercury emission factor derived from data representing 55% of the MWC capacity in the NESCAUM states, the total mercury emissions from MWCs in the NESCAUM region would be approximately 508 kg/yr. The downward trend in mercury emissions from MWCs is supported by the fact that use of mercury in consumer products, and therefore trash, is dwindling. Using the most recent data places the waste-to-energy industry behind electric utilities, sewage sludge incinerators, and residential heating as a source of mercury emissions.

The environmental agencies in all six NESCAUM states in which waste-to-energy facilities are located, including Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, and New York, have immediate access to 2004 and 2005 mercury emissions test data from municipal waste combustors. IWSA and its member companies also would make directly available to NESCAUM upon request the most recent emissions data from these facilities. There is no reason for NESCAUM to report emissions data that is three years old and claim incorrectly in its Inventory to base its analysis on the most recent stack test data.³

The use of older, and higher emissions data is particularly troublesome given NESCAUM's decision to exclude mercury emissions estimates from landfills. We are puzzled by this omission given the fact that test data exists for fugitive mercury emissions from landfills.⁴ The result of NESCAUM's omission of landfills as a source of mercury leaves the mistaken impression that waste-to-energy is the sole source of mercury emissions when trash is disposed. This is a false impression, and one that NESCAUM should correct.

² DRAFT – Inventory of Anthropogenic Mercury Emissions in the Northeast, page 3-2, NESCAUM, October, 2005. “MWCs burn municipal solid waste in order to reduce waste volume and *in some cases to recover energy.*” [emphasis added] To the contrary, more than 99% of MWC capacity in the U.S. recovers energy using trash as fuel. We are unaware of any MWCs in the NESCAUM region that do not generate power.

³ DRAFT – Inventory of Anthropogenic Mercury Emissions in the Northeast, page 1-1, NESCAUM, October, 2005. See also page 2-1 of the Inventory that claims “The current Hg inventory relied upon the most recent inventory databases available.”

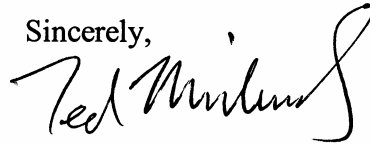
⁴ See, for example, Methylated mercury species in municipal waste landfill gas sampled in Florida, U.S.A., S.E. Lindberg, D. Wallschlager, E.M. Prestbo, et. al., Atmospheric Environment, AEA: 3406 – pp. 1-6. 2001.

The waste-to-energy industry and its municipal partners are proud of their accomplishments over the past five years in lowering all emissions, particularly the significant decrease in mercury emissions. We appreciate that NESCAUM recognizes this achievement in its Inventory and reports to readers that state-of-the-art pollution control equipment already is in place to keep emissions low. We also agree with NESCAUM that increased recycling and product reformation is a better method of lowering overall mercury releases into the environment than adding costly, and no more effective controls onto already state-of-the-art modern facilities.

We simply ask for accuracy in reporting. Current emissions, accurately reported, show that everyone is doing an excellent job, including environmental regulators, local governments, the U.S. Environmental Protection Agency, and the industry and its plant operators. Comprehensive reporting of all sources puts the Inventory into proper perspective.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Ted Michaels". The signature is written in a cursive style with a large, sweeping flourish at the end.

Ted Michaels
President