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Mercury-Emitting Chlor-Alkali Plants Cause Unnecessary Harm to Human Health, CPR Member Scholar Tells Congressional Committee
Plants Could Convert to More Common, Non-Toxic Technology

(Washington) -- Four remaining chlor-alkali plants that emit mercury pollution should be converted to use a common non-toxic production method, Catherine O'Neill, a Member Scholar of the Center for Progressive Reform, told a congressional committee Tuesday. O'Neill, an associate professor at the Seattle University School of Law, testified before the House Energy and Commerce Committee's Subcommittee on Commerce, Trade, and Consumer Protection.

At least one in ten women of childbearing age in the United States has blood levels of mercury that threaten the neurological health of her newborn babies, and chlor-alkali plants are a major source of mercury pollution. The harm from chlor-alkali plants is completely unnecessary, O'Neill argues, because the industry developed an alternative technology decades ago that does not use any mercury. Approximately 95 percent of chlor-alkali is produced using those newer processes, "diaphragm cell" and "membrane cell," yet four remaining plants use the outdated "mercury cell" technology that continues to unnecessarily harm the public. Mercury emitted from the plants is deposited to surrounding land and water; Americans are exposed to it primarily through eating contaminated fish.

"It's unacceptable simply to tell women to stop eating fish for several decades of their lives, until they're certain they won't have any more children -- and yet that's basically the strategy we're using," Professor O'Neill says in her prepared testimony. "For years now, we've tried waiting this problem out, allowing the chlor-alkali plants to switch over to mercury-free production methods on their own. It's time to stop waiting, and start requiring them to clean up their act, so as to reduce this serious and entirely unnecessary risk."

O'Neill argues that while the EPA has required some industries to take significant steps to reduce their mercury emissions, it has asked little of the chlor-alkali industry, allowing plants that use the mercury-emitting process to continue.

O'Neill's testimony argues:

- **Mercury Contamination Continues to Pose a Grave Threat to Children and Others in the United States.** One in ten women of childbearing age has blood levels of mercury that threaten the neurological health of her newborn babies. Communities of color and low-income communities that depend on fish for food are often particularly harmed. Fully 27.4% of women of childbearing age who designated their ethnicity as "other" (i.e.,

who are Native American, Asian American, or from the Pacific or Caribbean Islands) have mercury in their blood at those dangerous levels.

- **The Harms of Mercury Emissions from Chlor-Alkali Plants are Completely Preventable.** The "mercury cell" technology was first used to produce chlorine and caustic soda in 1894 by chlor-alkali plants in 1894, but more than three decades ago new technologies were developed that could do the same job without using any mercury. The vast majority of chlor-alkali plants in the United States use those newer technologies. One of those technologies, "membrane cell," can be as much as 37 percent more efficient in terms of energy use -- one of the reasons that four new chlor-alkali facilities will be or are using it.
- **The Costs of Delay are Large in Economic Terms and Unconscionable in Human Terms.** Each year of delay means more children born with irreversible neurological damage. A recent study found that mercury from anthropogenic sources (including but not limited to chlor-alkali facilities) could cause loss of cognitive function in children of up to 24.4 IQ points.
- **Conversion to Newer, More Efficient Technologies Ensures Long-Term Viability of Chlor-Alkali Facilities, and the Communities and Jobs that Depend on these Facilities.** Facilities that have converted to the newer technology are likely to remain more competitive -- and provide jobs -- for years to come. One company that recently converted a plant said that if they had not modernized, they would have had to shut down in five to seven years. Now, they anticipate operating for 30 years or more. When a chlor-alkali facility decides to convert to mercury-free technology, it not only preserves existing jobs but also creates new local construction jobs associated with the conversion.

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