

Air Toxics Program Changes Get Perdue's Backing

GARY D. ROBERTSON, Associated Press

RALEIGH, N.C. (AP) — Democratic Gov. Beverly Perdue generally supports a Republican-backed legislative proposal to exempt industrial plants from North Carolina pollution rules if they already must comply with federal restrictions involving certain chemicals, a top environmental regulator said Thursday.

Assistant Secretary Robin Smith with the Department of Environment and Natural Resources told a legislative panel Perdue has seen the bill's language and backs changes to the state Air Toxics Program as long as public health is protected. Perdue's conditional support came as environmental groups and a pediatrician told lawmakers they're worried changes could increase health risks for citizens, especially children.

"We would value public health more in this particular situation," said Dr. David Tayloe of Goldsboro, a former president of the National Academy of Pediatrics, told the Environmental Review Commission. The panel will make recommendations soon to the full General Assembly this spring. Perdue would be asked to sign any changes into law.

Groups representing manufacturing and chemical production plants and the North Carolina Chamber support a proposal to scale back the program, which scrutinizes almost 800 facilities by measuring pollutants at plant property lines and their effects on human health.

The changes would exempt from the state program business operations such as power plants, paper mills and chemical manufacturers that already are required by a similar federal program to install equipment to reduce emissions by the maximum achievable amounts. The federal program covers 187 hazardous pollutants, all but 21 of which are already regulated by the state's program.

The overlap creates another layer of regulation that requires business to perform more statistical modeling for emissions, raising the cost of getting products to market and discouraging companies from building or expanding in the state, said Preston Howard, president of the Manufacturers & Chemical Industry Council of North Carolina,

"This request that's before you is about improving our competitive advantage," Howard said. "This is not about eliminating the state Air Toxics Program."

Dan Conrad, legislative counsel for the North Carolina Conservation Network and a spokesman for several environmental groups Thursday, said there are problems in the proposal that unnecessarily increase the threats to public health. Conrad said he calculated about two-thirds of the toxic air pollution emitted won't be subject to state program rules.

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Published on Chem.Info (<http://www.chem.info>)

The bill also would place permanently into state law a rule that has given leaders at the state Department of Environment and Natural Resources the ability to require permits to eliminate emissions considered an unacceptable risk to human health. Conrad said the so-called "director's call" should be made mandatory when objective criteria are met so that human health is better protected.

Taylor told the committee the state shouldn't mess up the state program as reported toxic air emissions have declined by one-third over the past decade or so. Howard has said those reductions should be attributed in part due to the equipment standards required in the federal program.

Rep. Mitch Gillespie, R-McDowell, a commission co-chairman who is shepherding the bill, said more changes to the bill could be ahead based on suggestions he's receiving. He told Taylor that Perdue's support of the bill shows the proposal remains on the right track when it comes to protecting health. Rep. Joe Hackney, D-Orange, said there's no doubt the proposal would weaken the state program and Taylor's admonishment should be taken seriously.

A written analysis of the proposal by the Department of Environment and Natural Resources said the changes are "appropriate regulatory reform" in keeping with administration policy. The proposal reflects a "more robust federal regulatory framework" that didn't exist when the state Air Toxics Program first began and retains tools to protect public health and regulate pollutants not covered in the federal program, the analysis said.

Source URL (retrieved on 03/11/2014 - 10:21pm):

<http://www.chem.info/news/2012/03/air-toxics-program-changes-get-perdues-backing>