

March 5, 2003

Members of the Air Quality Committee,

We at Environmental Defense appreciate the significant effort that has been put forth by the Air Quality Committee (AQC) in evaluating the important issue of hydrogen sulfide (H₂S) regulation. We realize the complexity of the issue at hand and thank you for your persistence in developing policies that effectively serve to protect the health and welfare of the people of North Carolina. We are writing today to urge you to take the necessary steps in protecting public health by adopting the standards recommended by both the North Carolina Division of Public Health (NCPH) and the Scientific Advisory Board (SAB) for all industrial sources of H₂S emissions including those emitted from waste water ponds.

Both the SAB and the NCPH agree that standards of 56 ug/m³ 1-hr and 33 ug/m³ 24-hr are necessary to protect people near PCS Phosphate and pulp and paper mills from the negative effects of H₂S pollution. An AAL of 120 ug/m³ does not adequately protect public health. Studies have clearly shown human health effects at levels far below 120 ug/m³ and both the SAB and the NCPH have made this case quite clear. Furthermore, peaks in H₂S levels that can occur over a 24 hour averaging time present a significant risk to asthmatics living near these facilities making it absolutely necessary to include a one hour averaging period as part of any meaningful standard for H₂S. Since the SAB made their evaluation of the literature and their resulting recommendations, additional data has further validated the 56 ug/m³ 1-hr standard recommended by the SAB, reinforcing the importance of including a one-hour averaging period in the H₂S rulemaking.

The work of the SAB is both important and credible. We are concerned that the recommendations of North Carolina's experts in the Scientific Advisory Board may have been too easily discounted after the February 12th meeting. In Mr. Howard's presentation to the Air Quality Committee (AQC), he emphasized the important distinction between the role of the AQC as risk managers and the role of the Scientific Advisory Board as risk assessors in the making of public policy. We at Environmental Defense could not agree more on the importance of this distinction. Specifically, it is explicitly the role of the SAB to be the risk assessors, and to provide the AQC with the most current, comprehensive, and least biased evaluation of scientific information available. If the attempts made by industry to discredit the well-researched conclusions of the SAB are accepted, the AQC has supplanted its Science Advisory Board as risk assessors.

Communities should not be forced to pay the public health costs of H₂S pollution from these facilities. According to the NCPH analysis, at just 2 of these facilities, more than 8,000 asthmatics are exposed to levels above those recommended by the SAB, and more than 50,000 people are at risk of eye pain due to H₂S emissions from these facilities. The costs of H₂S pollution are currently being paid by the individuals and families that live in the communities that surround PCS Phosphate and pulp and paper mills. According to EPA, the cost of a single asthma related ER visit is estimated at \$9,000 and the cost of an asthma related hospitalization is estimated at \$12,700. Communities are also forced to endure eye pain and irritation as well as the rotten egg odor that has plagued the neighborhoods near PCS Phosphate and pulp and paper mills for decades.

H₂S emissions from pulp and paper wastewater treatment must be part of any meaningful standard to protect the public from the dangerous effects of H₂S pollution. The human respiratory system does not make a special exception for H₂S emissions that come from wastewater treatment processes and neither should the AQC. People who live in the communities around pulp and paper mills suffer the affects of H₂S emissions regardless of how they are emitted from the facility. Since wastewater treatment processes account for an average of about 89% of H₂S emissions at pulp and paper mills, these processes need to be included in the rulemaking to protect the health of people living near these facilities.

For these reasons, we ask that you take the necessary steps to protect the thousands of families who are affected by H₂S pollution from these facilities by adopting those standards recommended by the SAB for all industrial sources of H₂S. We are aware that the Environmental Management Commission (EMC) will not meet in the month of April. Thus, we also ask that the committee waive the 30-day rule, allowing the full EMC to vote on this rulemaking on March 13th. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael Shore". The signature is written in a cursive, slightly slanted style.

Michael Shore, Environmental Defense
Amber Lynn Munger, Environmental Defense