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| Enzi | Lautenberg | Santorum |
| Feingold | Leahy | Sarbanes |
| Feinstein | Levin | Schumer |
| Frist | Lieberman | Sessions |
| Graham | Lincoln | Shelby |
| Grassley | Lott | Smith |
| Gregg | Lugar | Snowe |
| Hagel | McCain | Specter |
| Harkin | McConnell | Stabenow |
| Hatch | Mikulski | Stevens |
| Hutchison | Murkowski | Sununu |
| Inhofe | Murray | Talent |
| Isakson | Nelson (FL) | Thomas |
| Jeffords | Nelson (NE) | Thune |
| Johnson | Obama | Vitter |
| Kennedy | Pryor | Voivovich |
| Kohl | Reed | Warner |
| Kyl | Reid | Wyden |
| Landrieu | Salazar | |

NOT VOTING—8

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| Burns | Inouye | Roberts |
| Chambliss | Kerry | Rockefeller |
| DeMint | Martinez | |

The motion was agreed to.
The PRESIDING OFFICER. The Senator from Ohio is recognized.

MORNING BUSINESS

Mr. VOINOVICH. Mr. President, I ask unanimous consent that there be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLEAN AIR MERCURY RULE

Mr. VOINOVICH. Mr. President, I rise this evening to express opposition to the resolution that we are going to be voting on tomorrow morning. First, for the benefit of my colleagues, I would like to explain that to be effective the resolution must be passed by the Senate and the House and signed by the President. While the act provides for expedited and privileged procedures in the Senate, there are not such rules in the House. I have every reason to believe this resolution will not be considered by the House, and even if it is considered by the House and passed, the President has announced today that he would veto this legislation. So it is clear where this is going.

What are we talking about? On March 15 of this year, EPA finalized the clean air mercury rule and made the United States the first nation in the world to regulate mercury emissions from existing coal-fired powerplants. That is the first in the world. We know we have coal-fired powerplants all over the world—China, India, all over. Through two phases in a program called cap and trade, mercury emissions will be reduced by 70 percent. The program is modeled after the Nation's most successful clean air program, the Acid Rain Program. There were not any lawsuits filed, and it went through and made a big difference in terms of reducing acid rain.

Modeling by the Electric Power Research Institute, an independent non-profit research organization, shows that the rule is going to reduce mercury in every State. This is quite amazing given the nature of mercury.

Let us talk about mercury and where it comes from because the debate ear-

lier this evening gave the impression that all of the mercury that people are experiencing today in the United States comes from the United States. Not so. Mercury travels hundreds and thousands of miles. About 55 percent of worldwide mercury emissions come from natural sources such as oceans and volcanoes. So it is already in the environment. Only 1 percent of worldwide emissions come from U.S. powerplants, which is what we are talking about today.

From 1990 to 1999, the Environmental Protection Agency estimates that U.S. emissions of mercury were reduced by nearly half. So we have been doing some real good, and that has been completely offset by increases in emissions from Asia.

As many of my colleagues know, throughout my career I have focused a lot of my time and energy on the Great Lakes. In a report published after a workshop sponsored by the International Air Quality Advisory Board of the International Joint Commission—the International Joint Commission is made up of U.S. and Canadian representatives and the Commission for Environmental Cooperation—I learned that as much as 45 percent of the mercury disposition in the Great Lakes is believed to come from Asia.

We have had some discussion today about mercury control technology. I would like to share with my colleagues that the testing performed by the Department of Energy, EPA, and the electric utility industry has demonstrated that existing control equipment for sulfur dioxide, nitrogen oxide, and particulate matter can reduce mercury emissions by approximately 40 percent. In other words, if we do a better job of reducing NO_x and SO_x, we will have a real impact on the reduction of mercury in the United States.

According to the DOE's national environmental technology laboratory, the ability of these existing pollution controls to reduce mercury can vary from zero levels approaching 90 percent. In fact, some combinations of control technologies for reasons unexplained show an increase in mercury emissions.

So the status of the technology is really fuzzy. If mercury technology is so settled, as my colleagues would lead many to believe, then why is the Department of Energy supporting 36 mercury control projects located in 12 States—California, Washington, Alabama, Pennsylvania, Virginia, Ohio, West Virginia, Colorado, North Dakota, North Carolina, and Iowa.

Additionally, Green Wire published an article, by the way, that was referenced by the Senator from Delaware, where the first sentence reads: A leading technology for removing mercury from the coal combustion process will be fully applied for the first time to a commercial scale powerplant. So this is proven technology of one or two out of more than a thousand coal-fired units are going to install it.

In other words, we have a couple of plants that they are talking about doing something in terms of this mercury technology. The vendor that is going to install this technology on two plants in the Midwest has said their target is 80 percent.

Those who are promoting the resolution want a 90-percent reduction within 3 years. Now, here is somebody who is out there in front on technology, and they are talking about their target being 80 percent. The President's regulation, EPA regulation, is a reduction of 70 percent.

So let us look at this. Two plants out of more than 1,000 coal-fired plants. I am not sure that one could argue with a straight face that the technology is out there to do what the sponsors of this resolution would say that they could do.

According to the DOE, currently no single technology exists that can uniformly control mercury from all powerplant gas emissions. For that reason, the EPA concluded that mercury-specific control technologies are not yet commercially available and does not believe widely applicable technologies can be developed and broadly applied over the next 5 years.

The sponsors of this resolution, as I mentioned, are for something called the Maximum Available Control Technology. They want a 90-percent reduction in 3 to 4 years. First of all, the technology is not there, but let's say what would happen if it were there. EPA's cap-and-trade program, the one that is reflected in the regulation that EPA promoted on mercury, is going to cost \$2 billion, while the regulation of the sponsors of this regulation would cost \$358 billion. That is not million; we are talking about \$2 billion versus \$358 billion.

Utilities will be forced to increase their use of natural gas by almost 30 percent because natural gas is the only means available at the present time to achieve significant mercury reductions within such a short timeframe. Natural gas prices will increase by over 20 percent. National average electricity prices will increase by 20 percent. Some regions of the United States, especially those that rely on coal, are projected to experience electricity price increases as much as 45 percent.

I have to say that I come from the State of Ohio. I live in Cleveland, OH. We have seen our natural gas prices increase almost 100 percent since 2001. In fact, I believe that is when the recession started in my State. This is impacting dramatically on those people who are the least able to pay. It is impacting dramatically on the businesses in my State and, frankly, throughout the United States of America. I suspect it is also impacting on those people in the Northeastern part of the United States, the home of many of those who are sponsoring this resolution to overturn the EPA rule on mercury.

Let's talk about natural gas prices. According to the independent Energy