

Alabama Groups Petition State Commission to Impose Stricter Limits on Toxic Pollutants in Waters



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Nine environmental groups have petitioned the Alabama Environmental Management Commission to adopt new or revised limits on toxic pollutants in surface waters. These limits are intended to protect human health and aquatic life.

In 1994, the Commission revised existing limits on toxic pollutants for the protection of human health based on a fish consumption study that demonstrated that Alabama anglers consume considerably more fish than most other Americans. The fish consumption rate accepted by the Commission was 30 g/day – a rate reflective of angler consumption of fish caught from reservoirs and tailwaters below dams. However, the study also indicates that the same anglers consume another 15 g/day of fish caught from rivers and lakes. Furthermore, the study does not account for any estuarine fish and shellfish consumption.

"Continued reliance on the 30 g/day fish consumption rate does not adequately protect human health because it underestimates fish consumption and the potential for human exposure to toxic pollutants," said David Ludder, the groups' attorney. The groups recommend that the Commission increase the fish consumption rate significantly.

In 2001 the U.S. Environmental Protection Agency recommended that states adopt limits on methylmercury in fish tissue to protect consumers from the adverse health effects of exposure to methylmercury (loss of peripheral vision, "pins and needles" feelings, usually in the hands, feet, and around the mouth; lack of coordination of movements impairment of speech, hearing, walking muscle weakness). The Alabama Department of Public Health has issued numerous health advisories urging limited consumption of fish from certain waters because of methylmercury contamination. Fifteen years later, the Commission has still not adopted a limit for methylmercury in fish tissue.

"The lack of any limit for methylmercury will ensure that little action is taken to reduce methylmercury contamination," Ludder said. The groups recommend that the Commission

adopt a limit on methylmercury in fish tissue.

Finally, in June 2015, the U.S. Environmental Protection Agency revised its recommendations for limits on 94 toxic pollutants for the protection of human health. These recommendations incorporate the latest scientific information about pollutant toxicity and accumulation of toxic pollutants in fish tissue, as well as new data on human body weights and water consumption. The Commission has yet to announce any intention to revise its toxic pollutant limits to reflect this new scientific information.

"Protection of human health should be the first order of business for the Commission," Ludder said. The groups recommend that the Commission immediately commence rulemaking to revise state limits on toxic pollutants in surface waters consistent with the latest scientific information.

The groups include Environmental Defense Alliance, Alabama Rivers Alliance, Black Warrior Riverkeeper, Cahaba River Society, Cahaba Riverkeeper, Choctawhatchee Riverkeeper, Coosa Riverkeeper, Friends of the Little Cahaba River, and GASP.

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