

July 15, 2003

Attention: Project Manager  
Mercury Management EIS  
DNSC-E  
Defense National Stockpile Center  
8725 John J. Kingman Road, Suite 3229  
Fort Belvoir, VA 22060-6223

Dear Sir or Madam:

The purpose of this correspondence is to provide the Defense National Stockpile Center (DNSC) with comments regarding the Draft Mercury Management Environmental Impact Statement (EIS), announced in the *Federal Register* on April 11, 2003 (68 FR 17787) on behalf of the Quicksilver Caucus (QSC), a coalition of State associations formed to address and resolve health and environmental problems resulting from the release of mercury to the environment. The membership of the QSC includes the Environmental Council of the States, The Association of State and Territorial Solid Waste Management Officials, The State and Territorial Air Pollution Program Administrators, The Association of Local Air Pollution Control Officials, The Association of State and Interstate Water Pollution Control Administrators, The Association of State Drinking Water Administrators.

The following comments represent consensus views of the QSC regarding the overall directions presented by the EIS, and are summary in nature. Individual associations of the caucus, or individual States may address specific, programmatic or locational issues in separate comments. We urge the DNSC to consider those comments with great attention, as they will represent the views of program experts and those who would be most directly involved with implementation of your selected course of action.

First, we commend DNSC for its diligence and attention to detail in producing this draft EIS document. Also, we wish to thank you for your willingness to discuss the issues and to inform members and guests of our organizations in numerous briefings and meetings over the past two years. Your organizational attitude has been consistently open and positive.

Regarding the final alternatives you present, we agree that sales should not be adopted as a solution in any of the alternative forms you examined. The international controls on mercury are inadequate to protect the global population in general, and the United States homeland in particular, from continuing releases and atmospheric deposition to our waters that eventually will affect our wildlife and our citizens. Even efforts to use these excess stocks as offsets for suspended mining cannot be guaranteed with any certainty. The discussions of risks of the sales option at Sections 4.4 and 4.5 do not appear to recognize the weakness of the current international management system that allows continuing releases to the environment, and the contradictions of options that would see the United States contribute to those continuing mercury releases are too obvious to be acceptable. We continue to strongly oppose this option.

We can support either of the other two options presented, retaining existing storage locations and consolidating storage in a single location, as long as the storage is safe, fully resourced by the federal government to maintain those safe storage standards, and most importantly, has been

accepted and agreed to by the State(s) and community (-ies) concerned. If there has been complete and open consultation on the part of DoD and its components, and acceptance by the governments representing the storage location(s), we are prepared to accept either option.

Beyond the fundamental issue of safety, the agreement of those governments directly involved with the storage location, whether those are new locations or existing locations, is the deciding factor to us in your final selection between these two options. The rather cursory description of requirements for consultation in Section 5.3 strikes us as inadequate to achieve the level of buy-in we think is necessary, and we recommend that you expand the EIS discussion elsewhere to describe the ways DoD and its elements would consult with, establish conditions, and gain agreement of State and local governments to the details of storage site locations. We do not disagree with your preference for consolidation. We see the obvious economic benefits of scale and the promise of some improved storage technology in consolidated storage, although there are probably some disadvantages inherent in the handling, cross-country ground transportation, and the security challenge such a consolidation would involve.

We are submitting for the docket record, four draft stewardship documents completed by the QSC in February 2003, and we would urge DNSC to review these closely for their bearing on the selection of a final option and the subsequent implementation planning that must follow. The Best Management Practices and Options for Storage of Mercury will be useful in preparing for the no change or consolidation options. You will find that the remaining two documents, Analysis of Mercury Market Policy Options and Review of Mercury Commodity Markets, support our judgment that the sales option is unacceptable.

Thank you for your cooperation and outreach throughout the EIS development process, and for this opportunity to provide our consensus comments on this final draft. We look forward to continuing to work with you as the Department of Defense decision is implemented.

Sincerely yours,


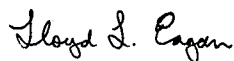


ASIWPCA

Karen L. Smith, ASIWPCA President, Arizona Department of Environmental Quality



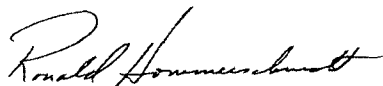
Jennifer Kaduck, ASTSWMO President, Georgia Department of Natural Resources



STAPPA / ALAPCO

Lloyd Eagan, STAPPA President, Wisconsin Department of Natural Resources

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ECOS

Ronald F. Hammerschmidt, Past President, Kansas Department of Health and Environment

Enclosures