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EPA chief turns coal lobbyist

Mercury foe now represents a top polluter

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As director of the Illinois Environmental Protection Agency, Renee Cipriano pushed for tough limits on the mercury pollution that contaminates every river, stream and lake in the state.

Six months after she left state government, Cipriano still is talking about mercury. Only now she's working for a power company that's trying to scuttle mercury standards proposed last month by her former boss, Gov. Rod Blagojevich.

In yet another example of state officials passing through a revolving door between government and special interests, Cipriano is one of two former top Blagojevich aides hired as utility lobbyists, according to recently filed registration forms.

A third Blagojevich confidant continues to represent Midwest Generation, owner of five coal-fired power plants in the Chicago area, while acting as chief spokesman for the governor's re-election campaign.

Cipriano said she and others in her Chicago law firm were hired by St. Louis-based Ameren to work on a variety of issues, including Blagojevich's proposal to cut mercury pollution from coal-fired power plants by 90 percent within three years.

Ameren and other utilities argue that the state's rules would cost too much and provide few, if any, health benefits. The companies back a less stringent national proposal from the Bush administration that would give them until at least 2018 to reduce emissions by 70 percent.

"My job as a lawyer is to represent my client, and that's what I'm doing," Cipriano said.

A 2003 ethics law bars state employees from working for companies they formerly regulated for at least one year. Cipriano left the state payroll on June 30, but an EPA spokeswoman argued Wednesday that the law doesn't apply to Cipriano's new job lobbying for a power company subject to scores of environmental regulations.

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Coal-fired power plants, including seven owned by Ameren, largely are responsible for Illinois ranking fifth in the nation in emissions of mercury, a toxic metal that can affect health, particularly in young children.

Mercury falls into waterways, where bacteria convert it into a potent form that becomes more dangerous as it moves up the food chain. The highest levels generally are found in predator fish such as bass, pike and walleye.

The mercury problem is bad enough in Illinois that pregnant or nursing women, young children and women of childbearing age are warned to limit eating fish caught in all state waters to one meal a week. About a dozen lakes and rivers are so contaminated that some kinds of fish should be eaten only once a month.

Enlisting current and former members of Blagojevich's inner circle reflects the high-stakes attempt by power companies to thwart the governor's mercury proposal, which would impose the most stringent standards in the nation.

Public health groups and environmental activists are backing the governor's plan, noting that there have been several successful tests of mercury controls at coal plants. Most involve relatively inexpensive equipment that filters mercury particles.

"We're disappointed these companies are choosing to fight instead of cleaning up," said Jack Darin, director of the Illinois chapter of the Sierra Club. "We would be a lot healthier if these companies spent their money on pollution controls instead of spending it on lawyers and lobbyists."

To help make the industry's case, Ameren hired Cipriano and six other members of her Chicago law firm, including Mary Gade, who was EPA director under former Gov. Jim Edgar.

New role a 180 on mercury

Cipriano's role is the direct opposite of what it was when she served as director of the state's environmental agency. Two years ago, she testified at a U.S. EPA hearing that the federal proposal favored by utilities was "too lax and must be tightened."

Mercury from power plants "must be seriously addressed if we are to reduce this environmental health hazard that particularly threatens children and pregnant women who consume fish," Cipriano wrote later in an EPA newsletter.

Her new client, Ameren, would be among the companies hit hardest by Blagojevich's mercury rules. The utility's coal plants released 1,023 pounds of mercury into the air during 2003, the latest year for which figures are available from the U.S. EPA's Toxics Release Inventory.

'Hired for expertise'

Another firm hired as part of Ameren's beefed-up presence in Springfield includes lobbyist Julie Curry, a former state lawmaker who was Blagojevich's deputy chief of staff until December 2004.

"We hired these individuals for their expertise, nothing more nothing less," said Leigh Morris, an Ameren spokesman.

Curry also has been hired as a lobbyist by Midwest Generation, the state's top source of mercury pollution. The company's six Illinois coal plants--in Pilsen, Little Village, Joliet, Romeoville, Waukegan and Tazewell

County--released 1,818 pounds of mercury during 2003, according to federal records.

Another Midwest Generation lobbyist is Doug Scofield, who is working for the power company and other clients while he is chief spokesman for Blagojevich's re-election campaign.

Scofield has acknowledged that he met with top Blagojevich aides on behalf of Midwest Generation just before the administration decided in October 2004 to abandon an aggressive campaign to force the state's coal plants to reduce mercury and other pollution.

At the time, the administration agreed with utilities that making state regulations stricter than federal rules would be "irresponsible."

After being spokesman for Blagojevich's 2002 campaign, Scofield briefly was deputy governor before leaving to open a communications and lobbying firm. His other clients include cable television companies and the Illinois Math and Science Academy.

Curry spent about two years as the governor's deputy chief of staff before leaving to join a lobbying firm called Illinois Strategies. Neither Scofield nor Curry returned telephone calls seeking comment.

Blagojevich has said he decided to push for state mercury rules after reading a recent Tribune series that explored the public health threats of mercury pollution.

Doug Scott, Cipriano's successor at the Illinois EPA, said he doesn't find anything unusual about Cipriano, Curry and Scofield lining up on the opposite side of an issue from the governor.

"These are all good people and we like them," Scott said. "They're in the private sector now and they're representing clients. There's nothing unusual about that."

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