

GM Caves to Pressure on Mercury Pollution – But More Work Ahead

By Michael Bender, Mercury Policy Project

This week, General Motors finally caved in to pressure and agreed to cover the costs of keeping mercury from its cars out of the atmosphere. That's the good news: the environmental community and our recycling industry and policymaker allies have managed to back GM down on an issue that is crucial to public health.

But here's the bad news: GM has yet to make this decision permanent – and step back from the entire idea that it can declare “environmental bankruptcy.”

Here's what's happened, and what comes next. For months after its bankruptcy, GM refused to honor its commitment to the nation's auto mercury recycling program (along with an unknown number of other environmental legacy responsibilities).

You see, unless they are removed first, the mercury from auto switches is released to the air when vehicles are recycled at steel mills. This source contributes to both local and global mercury pollution and contamination of fish – and ultimately can cause devastating effects in human beings. Mercury is a potent neurotoxin that can impair the neurological development in fetuses and young children and damage the nervous system of adults.

And don't think that because switches are small, so is the total amount of mercury we're talking about. According to industry estimates, there are still more than 18 million mercury switches in GM models now on the road across the country. This translates into 39,000 pounds of the highly toxic substance.

Accordingly, the federal government helped bring together automakers in a voluntary program run by the not-for-profit End-of-Life Vehicle Solutions (ELVS) Corp. ELVS is funded by car manufacturers on a proportional basis – and GM was the biggest contributor because more than half the mercury switches found in cars were installed in GM models.

But following their federally structured bankruptcy, General Motors Company or the “new GM” informed ELVS that it was not a member of ELVS and not responsible for mercury switches produced by “old GM” now known as Motors Liquidation Corporation.

Hiding behind its bankruptcy, GM made a stark attempt to renege on their legacy clean-up responsibilities, and then for months ignored campaigning from concerned environmental and industry groups and pressure from numerous state governments, culminating in attention from US Sen. Sheldon Whitehouse, D-R.I.

Finally, this week, GM agreed to renew its participation in ELVS. The move breathes new life into a program that was nearly at death's door.

We welcome the fact that in the short term, GM is living up to its responsibility to mitigate the damaging impact of the mercury it had placed in its vehicles. However, in the long term, we are far from safe from the company's mercury.

Motors Liquidation – the name for “Old” GM – won't be around forever, the new GM still needs to take long-term responsibility for its environmental legacy.

The reality is that GM is trying to declare environmental bankruptcy, and it should not be allowed to do so. Taxpayers invested \$50.2 billion to see that the company survived. They should not be repaid with a broad attempt by GM to retreat from their legacy clean-up costs.

The company should be going in the opposite direction. As a partially publicly owned entity, GM should be working for the common good. Instead of seeking to duck its mercury recycling responsibility, GM should

be working with policymakers to take affirmative steps to see that mercury stays out of our environment – and our bloodstreams.

Here's what GM could do, today, to be a constructive voice against the mercury pollution its products cause.

First, GM should reaffirm its long-term commitment to the mercury recycling program, beyond the limited lifetime of Motors Liquidation.

Second, GM should use its Obama Administration ties to encourage the EPA to place more stringent mercury reduction standards on the electric arc furnace (EAF) facilities that melt down their cars. It is these facilities that actually pollute our communities.

Finally, GM should work to strengthen facility reporting and compliance verification requirements at EAFs, so we all know what is happening to the mercury it placed in vehicles over the last century.

Without GM's support the ELVS mercury switch recycling program would have collapsed, potentially sending tons of mercury into the environment, particularly now that the nation's junk yards are stretched to capacity dealing with the influx of end-of-life vehicles from the cash-for-clunkers program.

While the latest move resuscitates mercury recycling, the program is still on life support. We're not out of the woods yet.

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