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November 8, 2010

Contact: Jared Saylor, Earthjustice (202) 667-4500, x213
Jane Williams, Sierra Club (661) 256-2101
Becky Bornhorst, Downwinders at Risk [TX] (214) 912-2093
Susan Falzon, Friends of Hudson [NY] (518) 698-8503
Bill Freese, Huron Environmental Activist League [MI] (989) 464-2689
Kris Thomas, Montanans Against Toxic Burning [MT], parkside@bigsky.net

Cement Industry Challenges Pollution Cuts That Would Save Lives, Money

Lobby group heads to court to fight mercury and other air pollution cuts for over 100 cement kilns

Washington, D.C. – The Portland Cement Association (PCA) has filed a lawsuit challenging the U.S. Environmental Protection Agency's decision to cut toxic air pollution from cement kilns. According to the EPA, these cuts would avoid up to 2,500 premature deaths every year and result in up to \$18 billion in health benefits.

For years, the PCA has been fighting efforts to clean up pollution from the cement industry, some of the nation's dirtiest polluters. This industry trade association represents 41 of the biggest cement companies in North America, including Lafarge North America, Inc.; Lehigh Cement Company LLC; Essroc Cement Corporation; Ash Grove Cement Company, LLC; Holcim (US) Inc.; Texas-Lehigh Cement Company; and Titan America LLC.

The PCA lawsuit follows intentions by Ash Grove Cement Company to also challenge the EPA's health based standard. Ash Grove operates the Durkee Cement Kiln in eastern Oregon, which in 2009 the EPA ranked as the nation's biggest polluter of mercury emissions into the air: 1,962 pounds. Studies have shown it only takes 1/70th of a teaspoon of mercury to contaminate a 20-acre lake to the point where fish are unsafe to eat.

Earthjustice, on behalf of Desert Citizens Against Pollution (CA), Downwinders at Risk (TX), Friends of Hudson (NY), Huron Environmental Activist League (MI), Montanans Against Toxic Burning (MT) and Sierra Club will intervene on behalf of the EPA by filing a brief that supports the EPA's decision to control cement kilns' toxic pollution.

"The multi-billion dollar cement industry prefers to delay important health protections rather than act as good neighbors in the communities where they operate," said Earthjustice attorney James Pew. "We are not going to let this industry steal these protections away at the last minute. The standards the EPA finally set are required by federal law, badly needed, and long overdue."

"Cost effective control technologies to reduce air pollution from these kilns have been available for years. But now that EPA is finally mandating this pollution control equipment, the industry is crying poor," said Jane Williams with Sierra Club. "They have gotten away with shifting the burden of their pollution onto local communities for years and now it is time for the industry to value the health and welfare of the community members who live under the stack."

"These new EPA rules were desperately needed to bring America's cement plants kicking and screaming into the 21st Century," said Becky Bornhorst, co-chair of Downwinders At Risk. "They mean less death and disease from pollution in communities hosting obsolete kilns. Some of us are living next to plants that haven't been updated in any meaningful way since the 1960's, or even earlier. Every other major industrial sector in the country has gone through the same process. Now it's the cement industry's turn, and it's long overdue."

“Our community in upstate New York has been poisoned by cement kiln pollution for far too long,” said Susan Falzon, director of Friends of Hudson. “These pollution reductions are achievable, reasonable, beneficial to society and an opportunity for some the nation’s dirtiest cement kilns to clean up their mess. Cleaner kilns mean cleaner jobs, and it’s truly a shame that the cement industry continues to reject meaningful pollution reductions that will clean the air for their neighbors and their employees.”

“We have as much sympathy for PCA’s concern for the dirtiest cement plants as they have had for us,” said Bill Freese, director of the Huron Environmental Activist League. “**The Lafarge plant in Alpena, Michigan is rated by the EPA’s Toxic Release Inventory as the dirtiest cement plant in North America.** In 1988 they became one of the largest hazardous waste burning facilities in North America. They burned hazardous waste until late 2001, but the emissions continued. We have waited for years for rules to clean up our air and environment. They are long past due.

“Cement kilns have escaped meaningful pollution controls for years,” said Jennifer Swearingen, with Montanans Against Toxic Burning. “Citizen groups have fought for strong pollution cuts that will make our air cleaner and our lives healthier. Finally, the EPA made a strong stand to protect our communities, but the cement industry continues to drag their feet.”

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