



November 21, 2017

VIA E-DOCKET

US Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

**Re: Docket EPA-HQ-OAR-2016-0442
National Emission Standards for Hazardous Air Pollutants from the Portland
Cement Manufacturing Industry Residual Risk and Technology Review
82 Fed. Reg. 44,254 (Sept. 21, 2017)**

Dear Sir or Madam:

The Cement Kiln Recycling Coalition (CKRC) appreciates the opportunity to comment on the U.S. Environmental Protection Agency's (EPA) proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement (PC) Manufacturing Industry. CKRC is a national trade association representing cement companies that use hazardous waste and other secondary materials as alternative fuels and raw materials in cement kilns. Our membership also includes companies that collect, process, and manage secondary materials and companies that provide services to the industry.

CKRC members are directly or indirectly affected by this proposed rule. Some CKRC members own or operate units that are subject to the PC NESHAP and any amendments that may be issued under the RTR rule. Other CKRC members own or operate units that may not be affected sources under the PC NESHAP, but which will be affected by the precedential effect of EPA's reasoning and conclusions in this NESHAP.

As discussed below, CKRC agrees with EPA's conclusions that 1) the risk from air emissions from portland cement sources is acceptable and the existing emission limits ensure an ample margin of safety; and 2) there are no new cost-effective controls that require revisions to the emission limits. EPA also proposed a number of technical, recordkeeping, reporting and other revisions to the NESHAP. The Portland Cement Association (PCA), which is the leading voice for the U.S. cement manufacturing industry, has done a careful study of those revisions and CKRC associates itself with the PCA comments submitted to this docket, including with respect to EPA's proposed amendments to the NESHAP.

CKRC is concerned with multiple errors in the risk assessment portion of the proposed RTR and associated background documents. CKRC is committed to working with EPA to address such problems with the underlying data and analysis, in order to ensure accuracy in the rulemaking.

I. Background

EPA initially promulgated NESHAP for the Portland Cement Manufacturing Industry on June 14, 1999.¹ 82 FR 44254 at 44258. The Portland Cement NESHAP was subsequently amended in 2002, 2006, 2010, 2011, 2013, 2015, and 2016.² Under Section 112 of the Clean Air Act (CAA), EPA must conduct risk and technology reviews (RTR) within eight years of promulgation of the NESHAP and promulgate new standards if needed, depending on the results of EPA's analyses.

EPA published a proposed rule to address the results of the RTR on September 21, 2017. Based on its risk analysis, EPA concluded that the risk due to emissions of air toxics from the Portland Cement source category is acceptable with an ample margin of safety. Regarding its technology review, EPA identified no new processes or cost-effective controls for the source category. 82 FR 22254 (Sept. 21, 2017). Accordingly, EPA did not propose any revisions to numerical emissions limits. *Id.*

II. Residual Risk

CKRC supports EPA's determination that the risks from the Portland Cement Manufacturing Industry source category are acceptable, the current standards provide an ample margin of safety, and the source category does not adversely affect the environment. 82 FR at 44276-44277. It is important to note that EPA arrived at these conclusions based in part on a facility-wide assessment of cancer risks that is overly conservative due to flawed data. CKRC understands some of its member companies have plants whose data is misrepresented in the rulemaking, which resulted in assumptions that greatly overestimated that risk. CKRC urges EPA to address these and any other data and analytic errors in the record, which, once corrected, will even more strongly support the correctness of EPA's overall risk review conclusions.

III. Technology Review

CKRC also supports EPA's analysis and conclusions of its technology review. In the proposed rule, EPA concludes that there is no new cost-effective technology that clearly reduces hazardous air pollutant (HAP) emissions relative to the technologies EPA considered in the 2013 Portland Cement Manufacturing Industry NESHAP. 82 FR at 44277. EPA also concludes that there are some available technologies with potential to reduce HAP emissions, but that specific data regarding their long term performance and costs is lacking because these technologies have not been widely used in the industry. 82 FR at 44278. Additionally, EPA concludes that Selective Catalytic Reduction (SCR) is most effective on non-dioxin organic HAP and, even if it were widely used in the industry, the impact of SCRs on total hydrocarbons and organic HAP would be small. 82 FR at 44278. CKRC members'

¹ See 64 FR 31898; 40 CFR 63, subpart LLL.

² See 82 FR at 44258. The PC NESHAP was amended on April 5, 2002 (67 FR 16614); July 5, 2002 (67 FR 44766); December 6, 2002 (67 FR 72580); December 20, 2006 (71 FR 76518); September 9, 2010 (75 FR 54970); January 18, 2011 (76 FR 2832); February 12, 2013 (78 FR 10006); July 27, 2015 (80 FR 44772); September 11, 2015 (80 FR 54728); and July 25, 2016 (81 FR 48356).

experience at their plants bear out these conclusions and CKRC supports EPA's technology review conclusions.

CKRC appreciates the opportunity to comment on EPA's proposed amendments to the Portland Cement Manufacturing Industry NESHAP. Should you have any questions, please feel free to contact me.

Sincerely,

/s/ Michelle Lusk

Michelle Lusk

Executive Director

Cement Kiln Recycling Coalition