

Congress of the United States
Washington, DC 20515

July 22, 2010

Mr. Cass R. Sunstein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
1650 Pennsylvania Avenue, NW
Room 262
Washington, D.C. 20503

Dear Administrator Sunstein:

As Co-Chairs of the House Cement Caucus, we are writing to share our perspectives on the portland cement national emission standards for hazardous air pollutants (NESHAP). The rule was proposed in May 2009 (74 Fed. Reg. 21136), and the Environmental Protection Agency (EPA) is expected to finalize rule changes on August 6, 2010. The rule is designed to limit emissions of select pollutants from cement kilns.

While we support the EPA's efforts to update the NESHAP standard, we are concerned that the rule, as proposed by EPA, will dramatically reduce our domestic cement production capacity. It is estimated that the rule might lead to the closure of more than 30 existing plants, representing nearly one-third of U.S. cement plants. We are also concerned by reports from the cement industry that the proposed rule could cost in excess of \$4.5 billion to implement.

Although the demand for cement is currently down, that will change as the economy picks up again. If the rule is implemented as proposed, we are concerned that our domestic supply will not be sufficient and we will see a large increase in the amount of cement that is imported. This will mean a loss of U.S. manufacturing jobs and more of our cement will be coming from developing countries that lack sufficient environmental safeguards.

We understand that the cement industry has worked closely with EPA to develop a set of alternative standards and approaches that are designed to produce significant environmental improvements, while also preserving this vital U.S. industry. We urge you to carefully consider these industry proposals during your review of the draft final NESHAP rule.

Sincerely,



Bart Stupak
Member of Congress
Co-Chairman, Cement Caucus



Charles W. Dent
Member of Congress
Co-Chairman, Cement Caucus