

OAR 2002-0051



August 19, 2009

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Fred Warner  
Commission Chair  
fwarner@bakercounty.org

Environmental Protection Agency  
EPA Docket Center (6102T)  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

RE: Docket ID No. EPA-HQ-OAR-2002-0051

Dear Administrator:

Jim L. Kerns  
Commissioner  
tkerns@bakercounty.org

The Baker County Board of Commissioners would like to comment on Docket ID No. EPA-HQ-OAR-2002-0051 regarding the proposed Maximum Achievable Control Technology rule for Portland cement.

Carl Stiff  
Commissioner  
cstiff@bakercounty.org

Baker County is an area rich in natural beauty, sparse population and vast landscapes. We take pride in protecting our environment while providing an economic base for our citizens. Ash Grove Cement Company's Durkee plant has been a solid corporate presence in our county for more than 50 years. The Durkee plant is one of the most energy efficient cement plants in the United States. It is the single largest private employer in Baker County providing high quality family wage jobs with benefits. In addition, Ash Grove is the largest taxpayer in Baker County paying nearly \$1,000,000 annually. This represents between 10 and 20 percent of our annual property tax income. Ash Grove's total payroll in Oregon approaches \$9,000,000 annually.

Ash Grove has been extremely proactive in dealing with environmental issues. In July 2008, Ash Grove Cement Company signed an agreement with the Oregon Department of Environmental Quality (ODEQ) to voluntarily reduce mercury emissions at the Durkee plant. This was done with input from citizens and leaders from around the State of Oregon. It is being implemented at extreme cost to the company and uses the best available science and peer reviewed technology. Ash Grove has pledged to control at least 75 percent of the mercury emissions at the plant with a secondary goal to reach 85 percent reduction or more.

The limestone in Baker County contains naturally high concentrations of mercury. Ash Grove uses no other inputs which are high in mercury and there is no substitute rock available on site to make cement.

We urge the EPA to create a sub-category to address variations of naturally occurring mercury among cement plants. This will allow cement plants, like Ash Grove Cement Company's Durkee Plant, to remain in operation. A sub-category would allow Ash Grove to employ Maximum Achievable Controlled Technology

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(MACT) to significantly reduce mercury emissions. It could also limit the use of offsite materials containing elevated levels of mercury. From Baker County's perspective, sub-categorization to address naturally occurring mercury offers significant advantages.

First, it adequately protects the environment. As for the ACI installation at the Durkee plant, use of the best known control technology will be implemented within 18 months, well ahead of EPA's schedule.

Second, it will save American jobs. Competition from Chinese and other Asian companies is fierce and they operate under much less stringent emission controls, which is bad for the global environment. Locally, we'd like to preserve existing jobs in Durkee. The current recession is nothing new for Baker County, which has struggled mightily over the past 30 years. In the 1980s, Baker County was home to 10 sawmills; now we have zero. Ash Grove Cement Company employs many of those former forest products workers; if Ash Grove closes down, those employees will have no recourse other than to move out of the area.

Third, sub-categorization will protect the tax base of rural communities and the well being of our schools. As stated above, Ash Grove Cement Company is the single largest private employer and taxpayer in Baker County. Without their economic contribution to our county, we quite literally do not know what we would do, or how we would put forth a viable budget. In addition, the support offered by Ash Grove for everything from scholarships and sponsorship of little league sports teams to refurbishing our courthouse clock and expansion of our YMCA is priceless; and were the Durkee plant to close down, no others could duplicate its giving efforts or replicate its community impacts. Ash Grove's community contributions total well over \$100,000 during the past decade.

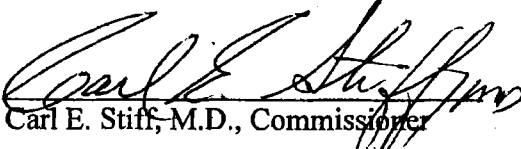
The Baker County Board of Commissioners believes the creation of a sub-category to address the variations of naturally occurring mercury in limestone is a win-win proposition. The environment will be significantly protected while a local, proactive company will be allowed to continue employing American workers and contribute to our local economy.

Thank you for your consideration.

Sincerely,

  
Fred Warner Jr., Commission Chair

  
Tim L. Kerns, Commissioner

  
Carl E. Stiff, M.D., Commissioner