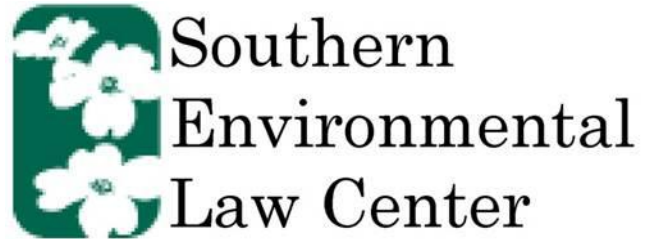


Press Release

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Chapel Hill, NC – The state shirked its legal responsibility to protect people from avoidable harm by not requiring the proposed Titan America cement plant in New Hanover County to reduce its pollution to the maximum extent possible, according to documents filed today by the Southern Environmental Law Center in state court. The law center filed a legal challenge to the N.C. Division of Air Quality’s air permit for the plant on behalf of the N.C. Coastal Federation, Cape Fear River Watch, PenderWatch & Conservancy, and Sierra Club in the Office of Administrative Hearings.

“By allowing the cement company to emit unnecessary and harmful levels of pollution, the state’s permit for Titan’s pollution fails residents and visitors of North Carolina and violates state and federal law,” said Geoff Gisler, an attorney for the Southern Environmental Law Center who represents the groups. “Ignoring available pollution controls, the state granted Titan’s toxic recipe to pollute the air we all breathe.”

The state air permit fails to require the Titan cement plant—expected to be one of the largest in the United States—to implement proven pollution controls that have been applied to existing cement kilns domestically and in other countries. If required, those controls could significantly reduce Titan’s harmful pollution levels.

“People’s health and the protection of our state’s natural resources should come first,” said Tracy Skrabal, coastal scientist for the N.C. Coastal Federation. “New Hanover County already has the distinction of having some of the highest levels of toxic air pollutants in the state and this permit will make our air even more hazardous for residents and visitors to this region.”

After a 2009 Wake County Superior Court determination that DAQ violated state law in issuing Titan a draft permit, Titan America submitted a revised application in 2011. The

revised application proposed to emit 5423 tons of particulate matter, sulfur dioxide, nitrous oxides, carbon monoxide, and volatile organic compounds each year into the air breathed by North Carolina residents and visitors despite the availability of better pollution controls. DENR's analysis only resulted in a reduction of 110 tons before issuing a permit for the company to put 5313 annual tons of those harmful pollutants – 98 percent of what Titan requested – into the air that people breathe.

According to a recent analysis, air pollution allowed by the state would result in hundreds of cases of acute respiratory symptoms, one premature death each year, and associated health costs of millions of dollars for the adjacent three county area.

"The Northeast Cape Fear River is a significant part of what defines this region of North Carolina and supports recreational fishing," said Kemp Burdette, Cape Fear RIVERKEEPER®, Cape Fear River Watch. "This permit will cause long-term harm to the river and the communities that depend on it."

Located on the Northeast Cape Fear River in Castle Hayne, the cement kiln would be a significant source of toxic emissions, such as mercury and hydrochloric acid, as well as sulfur dioxide and other pollutants that contribute to ozone pollution. Toxic mercury accumulates in people and wildlife that eat contaminated fish from nearby waters. According to the Centers for Disease Control and Prevention, eight percent of American women of childbearing age have mercury in their bodies at levels high enough to put their babies at risk of birth defects, loss of IQ, learning disabilities and developmental problems.

"The state's legal responsibility is to protect its citizens by requiring Titan to use the best available technology to limit toxic emissions from its proposed cement plant," said Allie Sheffield, president of PenderWatch & Conservancy. "This irresponsible permit puts the health of North Carolinians unnecessarily at risk."

Sulfur dioxide, nitrous oxides, and ozone are known to aggravate asthma and other respiratory conditions and can be particularly harmful to sensitive populations, including children and the elderly.

"When a facility proposes emitting over 5,000 tons of harmful air pollution into the air we all breathe, the spirit and letter of the law require the state to protect the health and welfare of its citizens by requiring the best pollution control technology available," said Molly Diggins the state director for the NC Sierra Club.

The mine for the limestone to make the cement is expected destroy about 1,000 acres of wetlands.

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About Southern Environmental Law Center

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of more than 40 law and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use.

WEB: www.SouthernEnvironment.org

TWITTER: http://www.twitter.com/selc_org

About North Carolina Coastal Federation

The North Carolina Coastal Federation (NCCF) is the state's only non-profit organization focused exclusively on protecting and restoring the coast of North Carolina through education, advocacy and habitat restoration and preservation. www.nccoast.org

About Cape Fear River Watch

Cape Fear River Watch was founded in 1993 and began as a nonprofit organization, open to everyone, dedicated to the improvement and preservation of the health, beauty, cleanliness, and heritage of the Cape Fear River Basin. CFRW's mission is to "protect and improve the water quality of the Lower Cape Fear River Basin through education, advocacy and action." CFRW supports the work of the Cape Fear RIVERKEEPER, a member of the WATERKEEPER

ALLIANCE. www.capefearriverwatch.org

About PenderWatch & Conservancy

PenderWatch and Conservancy is an 450 member, all-volunteer and dues-supported organization which was founded in 1986 to be responsible advocates for the environment. It is located in Hampstead, NC. Visit us at www.penderwatch.org.

About Sierra Club

The Sierra Club is a national grassroots conservation organization with over 600,000 members nationwide. The Sierra Club, through its North Carolina Chapter, has a long history of working to reduce air pollution that adversely affects air quality in the state. These efforts would be hampered by air pollution from the proposed Titan facility. The Sierra Club's over 15,000 North Carolina members include persons who use and enjoy the waters and natural areas in the vicinity of Titan's proposed plant. DAQ's permitting of the Titan facility endangers the health and welfare of these members and their families by allowing excessive levels of emissions that cause air pollution.