



August 5, 2013

Comments for DAQ Public Hearing

Good evening. My name is Myra Blake, and I'm an attorney with the Southern Environmental Law Center. The new Draft Permit contains numerous errors, but tonight I will focus on two: first, DAQ bypassed one of the Clean Air Act's core requirements: to determine the maximum emission reductions that Titan can achieve. And second, DAQ weakened the limit for particulate matter emissions, or PM, even though both DAQ and Titan have both admitted that the existing PM standard is achievable. PM causes numerous health problems, including asthma, chronic bronchitis, heart attacks, and premature death. PM with a smaller diameter, also known as PM2.5, is especially dangerous to human health. Because of these errors, the Draft Permit allows Titan to emit more pollution than is legally permissible, and must be revised.

The Draft Permit would allow Titan to start construction up to three years after DAQ's initial authorization. Before granting an extension for commencing construction, DAQ must update its analysis to ensure that pollutant limits are based on the most

current, best available control technology. DAQ failed to do so. For example, DAQ proposed a carbon monoxide limit for the Titan plant that is three times higher than the limits in the permit for the Universal Cement plant in Illinois, but failed to give any site-specific reasons that would prohibit Titan from meeting an equally protective standard.

DAQ must also fix pervasive errors in its analysis. These errors include repeatedly setting permit limits at the national, industry-wide floor, rather than determining the best that this particular plant can do, as required under the Clean Air Act.

Rather than updating its analysis to reflect better emission reductions as required, DAQ is not proposing to do anything but weaken Titan's PM standard. DAQ relaxed the PM standard in the new Draft Permit to make it equal to the revised floor for cement kilns. But DAQ is required to go beyond the floor: it must determine the *best* that the plant can do. And DAQ had already determined that Titan could do better than the proposed limit in the Draft Permit. In fact, DAQ has admitted that the bagfilter control technology that Titan will use is "likely to do better" than the plant's *current, more protective* PM limit. The company has also admitted that the current PM limit is achievable. If the current limit is achievable, as both DAQ and Titan have recognized, there is no reason to weaken the PM standard.

In support of the more lax limit on the PM concentration at the end of the stack, DAQ inappropriately relied on data from a single plant built in 1982. Data from this 30-year-old plant cannot be the sole basis for determining the lowest concentration that Titan can achieve based on current technology.

The increase in PM emissions is not trivial: the revised permit would allow Titan to emit at least 10 additional *tons* of PM10 each year, and 22 additional tons of PM2.5. The additional PM2.5 emissions alone would be more than twice the level that the federal EPA has determined to be “significant.”

DAQ must re-do its analysis to fix these errors and require Titan to reduce its pollution to the maximum extent that it can. Thank you.