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## **Building and Construction Trades Department**

AMERICAN FEDERATION OF LABOR—CONGRESS OF INDUSTRIAL ORGANIZATIONS  
815 SIXTEENTH ST., N.W., SUITE 600 • WASHINGTON, D.C. 20006-4104

(202) 347-1461

[www.BCTD.org](http://www.BCTD.org)

FAX (202) 628-0724

January 27, 2010

Hon. Lisa Jackson, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW – Room 3000  
Washington, DC 20460

Dear Administrator Jackson:

On behalf of the affiliated unions of the AFL-CIO Building and Construction Trades Department, I write with regard to the Environmental Protection Agency's proposed National Emissions Standard for Hazardous Air Pollutants for the Portland Cement Industry. Our unions believe that avoiding environmental and economic leakage is paramount to any successful domestic regulatory program.

As you know, the U.S. Portland cement industry employs tens of thousands of Americans, produces a product that is a foundation of infrastructure construction and is, therefore, absolutely essential to U.S. economic recovery and security. The strength of the U.S. cement industry is of particular importance to us because the industry employs more than 17,000 individuals, many of whom are active members of unions under the Building Trades umbrella.

While we support reasonable efforts to limit the emission of hazardous pollutants, and support your efforts to craft effective and efficient regulations, we are hoping that you can address concerns about the National Emissions Standards for Hazardous Air Pollutants (NESHAP) that have been brought to our attention.

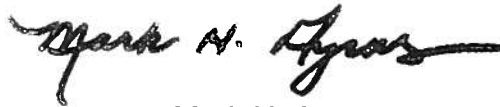
The cement manufacturing industry and its unions are concerned that it will be impossible to satisfy the standards in the NESHAP and simultaneously remain competitive against foreign cement that does not have to comply with these standards. It is a priority for all of our unions that U.S. infrastructure projects not only employ highly-skilled workers in the construction trades, but that they also serve to reinvigorate domestic manufacturing by relying on domestic cement and other materials to the maximum extent possible.

Further, concerns have been raised that the mandates in the NESHAP are not practically achievable, as no single cement plant in operation currently employs all of the technology required to comply with the proposed rule. We urge your consideration in ensuring the rule does not jeopardize portions of the U.S. cement manufacturing industry and, therefore, a large number of high paying manufacturing jobs. In this economy, those jobs would be very difficult to replace.

We know you have difficult choices to make as the Administration seeks to find the appropriate balance between environmental protection and economic growth. I hope you will consider our views and concerns as the Agency proceeds on these important matters. Of course, my Department welcomes the opportunity to meet with appropriate staff from your agency to discuss these important issues.

Thank you for your consideration of my concerns. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark H. Ayers", with a long horizontal flourish extending to the right.

Mark H. Ayers  
President