

# CEMEX makes improvements to comply with environmental standards.

by Caitlin Dean  
The Lyons Recorder

This weekend a group of Lyons' residents will organize a march in support of a Notice of Violation (NOV) that was issued to the CEMEX-Lyons Cement Plant last month.

According to the Colorado Department of Public Health and Environment, the NOV is the result of several on-site tests conducted at the CEMEX Plant during 2007 and 2008. The NOV includes charges relating to opacity violations, failure to conduct necessary stack tests in a timely fashion, failure to operate monitoring equipment within requirements, failure to file appropriate and timely air pollutant emission notices, and record-keeping errors. CEMEX will have a chance to respond to these allegations as well as submit data and discuss the NOV.

In response to this, most recent NOV plant manager, Steve Goodrich, couldn't comment on much, because of the pending discussions with the state about the accuracy and validation behind some of the allegations in the NOV. He did say that most of the violations had to do with such mistakes as reports not being filed correctly, but as far as any emission related violations, there haven't been any. "Since the NOV given out in 2005, we have discovered most of the improvements that needed to be made to the plant and made them and then reported them to the state," said Goodrich.

The voluntary improvements began after Goodrich was hired in 2006. He mentioned that the changes were in response to the 2005 NOV in an effort to improve overall environmental quality at the plant. The long list includes technology updates, updated training procedures, and personnel changes. The staff in the Environmental Department at CEMEX doubled, and even the hiring of Goodrich, who is a former Park Ranger and has a background in environmental procedures, was an effort to focus more on improving the environmental impact of the plant. All of these improvements were done voluntarily and then reported to the state.

Even with all of the changes, Goodrich isn't satisfied and feels the plant can make even more improvements. "I'm enthusiastic with what we've done, and we can do a lot more," said Goodrich. "I'd like to see this facility reach flagship status for the CEMEX company and be a pilot site for new technology that helps improve the environmental impact of the

plants."

Some members of the community feel that the improvements that have been made to the Lyons plant aren't enough. "We feel that CEMEX needs to comply with the law so that we can have clean air in our community," said Lois Hickman, the head organizer of the march. "They have been so reluctant in the past that it takes the community to raise up with one voice, sometimes we have to take on that responsibility as concerned citizens."

"CEMEX has not been in compliance with their operating permits for eight years and it gets fined, pays the fines, and continues to stay out of compliance," said area resident Rich Cargill. Cargill is helping to organize the march and emphasizes that the goal is not to shut down CEMEX, but to encourage them to make the best improvements possible.

In response to some of the heated criticisms, and responses to the most recent NOV as well as past NOV's, Goodrich replies that the company has discussed it with many of the community members. "We employ over 100 people here and they have a different perspective of the issue, we've talked with members of the community such as elected officials and they have a different perspective of the issues as well," said Goodrich. "We have heard what some of the community members have said but we don't believe they represent the entire community." He encourages all community members, especially the concerned citizens, to attend the CEMEX open house that will be held on July 19, at the CEMEX plant.

The open house includes tours of part of the indoor facility, bus tours of the outdoor facility at the plant, bus tour of the quarry across the road, informational presentations, and activities for kids so parents can partake in tours and presentations. Many of the CEMEX employees will be present to help with the tours and presentations, as well as answer any questions the public may have. Goodrich feels that this is a prime opportunity for the community to come and learn what CEMEX is all about as well as a good opportunity for them to voice their concerns to the plant directly. "The purpose is to demystify the whole process, and we want the community to come in and see we are a part of this community too and what goes on here," said Goodrich. "A lot of people have an inaccurate picture of the plant and this is an opportunity for us

## 2006-2008 Voluntary Air Quality Related Improvements:

- Expanded environmental staff with appropriately educated and experienced personnel,
- Expanded environmental training for plant staff,
- Implemented root cause analysis of all control system malfunctions,
- Established and reinforced priorities to focus the plant team (e.g., by beginning daily meeting with health and safety and environmental performance reviews),
- Replaced environmental data acquisition system with more sophisticated, transparent, and user-friendly system. (Complemented by new control system installed in early 2008),
- Installed pressure monitors on plant dust collectors for enhanced inspection and control,
- Installed remote control dust surveillance cameras with control room video monitor,
- Re-paved areas of broken concrete for effective sweeping.
- Relocated stockpiles closer to plant point of use to reduce travel distance/plant footprint,
- Re-vegetated areas no longer in use, including tree planting,
- Improved truck rinse (controlled exit, automated switch, increased pump pressure),
- Installation of: new negative pressure (vacuum) truck loading spouts, correctly designed dust collectors on A5 product silo and waste dust silo, fully enclosed air suspension belt on raw material belt system, foam/fogger system on Quarry belts and stacker for better dust control, fully automated vehicle door with remote operation on clinker storage building, additional man and vehicle doors in plant.
- These improvements are just a few that have been made since Goodrich started working at the plant, and the total cost for these updates was around \$4 million, not including the new control system that was added in early 2008.

to correct that." Goodrich even mentions improving community relations on his list of goals for the CEMEX plant.

There are also plans to meet with the marchers on Saturday in order to accept their comments and answer any questions they may have about the current situation. If anyone has any questions about the NOV's and CEMEX's environmental efforts they are encouraged to attend the march as well as the open house.

## To the Editor:

On Saturday, July 12th, local area residents will be walking from the Stone Cup in downtown Lyons to the CEMEX-Lyons facility to show support for our county, state, and federal governments' efforts to bring CEMEX-Lyons into compliance with clean air laws.

Because our family farm is across the street from CEMEX, we've tried to keep track of the long and complicated history of CEMEX's problems complying with clean air regulations. We'll be walking on the 12th.

Here's why:

CEMEX-Lyons just received notice from the Colorado Air Quality Control Division that 2007 state inspections show CEMEX to be in violation of Colorado clean air law. Previous inspections at CEMEX showed violations in years 2000, 2001, 2003, 2004, 2005, and 2006.

How serious are these violations of state law? The language of the state notices is pretty technical. Violations are for things like particle emissions beyond permitted levels as measured by opacity; failure to install and properly maintain kiln dust filtering devices; exceeding temperature control limits for dioxin and furan emissions; failure to install and maintain measuring instruments; and improper record keeping.

CEMEX's public relations office out of Houston attempts to minimize any real health risks to our community – year after year – every time CEMEX-Lyons receives another notice that they are violating state clean air law.

The Colorado Air Quality Control Division is a little more skeptical. Margie Perkins, the former director, describes CEMEX as a "pay and pollute" company. The Division fined CEMEX \$282,000 in 2004 and \$1.5 million in 2006 for their violations of state law.

Well, who are you going to believe?

In 2007, the Federal EPA weighed in with a Notice of Violation for CEMEX-Lyons as well. The Federal allegations deal less with day-to-day operations at the plant than with pollution control standards required under the Clean Air Act passed by Congress in the 1970s. Because the CEMEX-Lyons plant was built in the 1960s, it was grandfathered for emission levels required by the Clean Air Act. As long as the plant makes no "major modifications," CEMEX can legally operate under the weak emissions standards of 1977. However, according to the Clean Air Act, any major modification to the plant requires installation of the best available pollution control technology. Present technologies can reduce emissions from coal-fired kilns like the one at CEMEX by as much as 90%.

CEMEX argues that no major modifications have been made at the Lyons facility in the last 30 years. The Federal EPA disagrees. While CEMEX lawyers debate with the EPA about what "major modification" means, CEMEX-Lyons continues to operate under the outdated legal emissions standards of 1977. No one, however, disputes that CEMEX-Lyons COULD dramatically reduce their pollution levels by voluntary installation of best available technology if they choose to do so tomorrow.

Citizens from Lyons, Boulder, Estes Park, Hygiene, Longmont, and other communities in range of CEMEX emissions have decided that it's time for individuals to support governmental efforts to get CEMEX to comply with air pollution laws. A couple of miles isn't a long way to walk for clean air. We'll meet in the parking lot of the Stone Cup at 2:30 p.m. on July 12. Bring a hat, a water bottle, and whatever message you have for CEMEX.

**John Martin  
Kayann Short**

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municipal, were passed in second reading after a little input from citizens Chris Combs and Debbie Stevens and a short discussion among the Board.

When it came time for the second reading for an ordinance concerning dogs-off-leash in Bohn Park and the definition of view and voice control, Trustees Carroll and Donnell each expressed reservations about the present wording of the ordinance, which they felt was significantly different than the one which passed first reading three weeks ago at the last BOT meeting.

At the June 16 meeting, the verbiage implied that dogs would continue to be allowed off leash in Bohn Park, and the phrase view and voice control would be better defined. The present ordinance defined view and voice control, but stated that dogs must be on leash in Bohn Park, except during

the hours of 5 to 9 a.m. and 8 to 10 p.m. Both Carroll and Donnell felt if the dog owners of Lyons had been aware of the changes, the BOT would have been playing to a packed house of concerned citizens. The rest of the Board agreed, and it was decided to put off the second reading and public hearing until the August 4 BOT meeting.

There were short discussions about; a joint BOT/PCDC meeting later this month, the hows and whys of email retention by BOT and staff, holding pre-meeting workshop discussions about agenda items, and a budget amendment for future workshops similar to last month's with consultant Gary Suitor.

There were no staff reports due to Armstrong's absence, the accounts payable and the June 16 minutes were passed post haste and the evening's meeting was adjourned at 9:50 p.m.

*A painter paints pictures on canvas. But musicians paint their pictures on silence.*

*~Leopold Stokowski*