

March 4, 2020

The Honorable Paul Tonko  
Chairman  
Energy & Commerce  
Subcommittee on the Environment  
House of Representatives  
Washington, DC 20515

The Honorable John Shimkus  
Ranking Member  
Energy & Commerce  
Subcommittee on the Environment  
House of Representatives  
Washington, DC 20515

Dear Chairman Tonko and Ranking Member Shimkus:

The Portland Cement Association (PCA) is pleased to provide the following statement to the Energy and Commerce Subcommittee on Environment and Climate Change in support of your hearing today *Reduce, Reuse, Recycle, Reform: Addressing America's Plastic Waste Crisis*. Our membership recognizes the growing crisis with plastic waste. As a solution, we support innovative uses for post-consumer and post-industrial plastics and other secondary materials, which have tremendous energy value. Their use as fuels helps to reduce industrial emissions of greenhouse gases (GHG) and other emissions, limit landfill disposal of materials that can become public health vectors and safety risks, conserve natural resources, and provide low-cost, sustainable fuels. While we recognize the importance of recycling plastic wastes, using plastics and non-hazardous secondary materials as fuel for energy recovery should also be part of the strategy to address the growing crisis with plastic waste.

PCA, founded in 1916, is the premier policy, research, education, and market intelligence organization serving America's cement manufacturers. PCA members represent 93 percent of the United States' cement production capacity and have facilities in all 50 states. Cement and concrete product manufacturing, directly and indirectly, employs approximately 610,000 people in our country, and our collective industries contribute over \$100 billion to our economy. Portland cement is the fundamental ingredient in concrete. The Association promotes safety, sustainability, and innovation in all aspects of construction, fosters continuous improvement in cement manufacturing and distribution, and promotes economic growth and sound infrastructure investment.

The cement industry has a long history of safe and efficient use of alternative fuels, ranging from used tires and biomass to a wide variety of secondary and waste materials. Cement kilns are uniquely suited to the safe and efficient use of a wide range of alternative fuels. Cement kilns heat limestone and other raw materials to over 2,700 degrees Fahrenheit during the cement manufacturing process. The high operating temperature and long residence times make cement kilns extremely efficient at combusting any fuel source with high heating value while maintaining emissions at or below the levels from traditional fossil fuels. The final product, cement, is the main component in concrete, a critical component of roads, buildings, water projects, and other forms of resilient infrastructure that are desperately needed at this time. For the cement industry, secondary materials that would otherwise have little market value are valuable commodities, offering a cost-effective and environmentally sustainable alternative to traditional fossil fuels.

The cement industry is constrained by legal barriers through the Resource Conservation and Recovery Act, the Clean Air Act, as interpreted by the courts, and Environmental Protection Agency regulations restricting the use of non-hazardous secondary materials and wastes as fuels. In 2007, the DC Circuit Court of Appeals found that facilities combusting solid waste for energy recovery must be regulated as solid waste incinerators. In response, the EPA issued regulations attempting to clarify when non-hazardous secondary materials would be deemed solid waste when used as fuel for the purposes of energy recovery. In theory, the 2011 Non-Hazardous Secondary Materials Rule should allow for and encourage secondary materials to be used for energy recovery if they met specific legitimacy criteria. In practice, the standards and procedures established under the rule prevent significant amounts of landfilled materials such as plastics, paper, fabrics/fibers, and other secondary materials from being used as fuels, despite their demonstrably lower greenhouse gas and other air emissions. Today, alternative fuels make up only about 15 percent of the fuel used by domestic manufacturers, compared to more than 36 percent in the European Union, including as high as 60 percent in Germany.

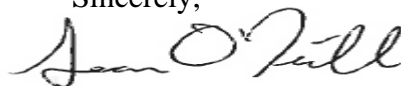
The cement industry can beneficially reuse the millions of tons of plastics and other landfilled materials for energy recovery. The cement industry's use of scrap tires provides an illustrative example for beneficially reusing materials traditionally landfilled as fuels. EPA lowered regulatory barriers to using scrap tires as fuel helping the industry to increase its use of tire derived fuel (TDF) from 40 million tires in 2011 to 60 million tires in 2017. TDF serves as excellent fuel for cement kilns as they have high heating value and have demonstrated lower GHG, nitrogen oxide (NOx), sulfur dioxide (SO2), and particulate matter (PM) emissions than traditional fossil fuels. There is a similar opportunity to reuse the millions of tons of plastics discarded into landfills, including the marine debris plastics that could further reduce GHG and other air emissions, promote energy security, and ensure cleaner waters.

Considering the Committee's interest in addressing climate change, we encourage further exploration into ways the EPA can lower barriers for manufacturers to increase their use of alternative fuels. Such actions by Congress would permit:

- beneficial reuse landfilled materials for energy recovery,
- reduced reliance on traditional fossil fuels,
- benefit the environment and public health through lower GHG and air emissions, and
- a decrease in public health and vector risks.

PCA appreciates the opportunity to share our member's views on the plastic waste crisis. We look forward to working with the committee to modernize our nation's waste laws to improve sustainability and environmental stewardship.

Sincerely,



Sean O'Neill

Senior Vice-President, Government Affairs  
Portland Cement Association