

DECLARATION OF BECKY BORNHORST

1. My name is Becky Bornhorst. For about 19 years, I have been a board member of Downwinders at Risk, a grassroots citizens group organized to oppose cement plant pollution in North Texas. I have volunteered with the organization for about the same amount of time.
2. I live in DeSoto, Texas, a suburb of Dallas. DeSoto is about 10 miles northeast, and immediately downwind, of Midlothian, Texas, the self-proclaimed cement capital of Texas. When I walk my dog through my neighborhood, I can see the stacks from the Holcim plant on the horizon.
3. We drive through Midlothian when we travel, which is about 3 to 4 times per month.
4. In Midlothian, there are a total of ten kilns, or furnaces, that produce over 6 million tons of cement a year for three large companies: TXI, Holcim, and Ash Grove. Of the ten, 5 kilns—three at Ash Grove and 2 at Holcim—will be covered under EPA's recently revised CISWI rule.
5. These plants are allowed to burn not only coal for their energy source, but a veritable toxic soup of waste products as "fuel," including wastes with nonflammable metals and chlorides, rubber wastes, used tires, refinery wastes, oil filter fluff waste and castoff roofing materials. Because loopholes in the law allow these cement plants to burn such a wide variety of wastes under current permits, there is always the potential for an increase in mercury emissions with day-to-day changes in waste streams.
6. I am aware that Portland cement kilns emit mercury, arsenic, beryllium, lead, and polychlorinated biphenyls (PCBs), among other hazardous air pollutants.
7. I am aware that exposure to these pollutants can cause adverse health effects including cancer, liver disease, reproductive disorders, immune disorders, respiratory disease, asthma attacks, bronchitis, heart problems, kidney disease, and death.
8. I am aware that emissions from Portland cement kilns are preferentially deposited on land and water bodies located near their sources, and also transported over great distances.
9. I am aware that some emissions from Portland kilns, including mercury, settle into water or onto land, where it persists for long periods of time. In addition, it is absorbed by plants and bioaccumulates in fish and animals.
10. I am aware that the Ash Grove and Holcim cement kilns in Midlothian, Texas, in addition to waste, also burn natural gas, bituminous coal, and petroleum coke. EPA recognizes that the major pollutants of concern from bituminous coal combustion are particulate matter (PM), sulfur oxides (SO₂), and nitrogen oxide (NO₂).

11. I am concerned with the emissions from the Ash Grove and Holcim plants in Midlothian. In particular, I am concerned about emissions of persistent and bioaccumulative toxic pollutants, such as mercury and dioxins, which contaminate the air, water, wildlife and food sources on our property and in the area where we live and recreate. The pollution from the plants diminishes our enjoyment of the recreational activities in which we engage, including hiking and skiing, which we avoid when emissions are bad.

12. My family and I are exposed to pollutants emitted by the plants, including mercury, total hydrocarbons, hydrochloric acid, particulate matter, nitrogen oxides, and sulfur dioxide, by breathing air, drinking water, eating food, and touching water and soil. Emissions from this plant threaten our health, and cause us to limit or avoid activities that we otherwise would enjoy. I limit my outdoor activities in DeSoto now that I know what is being emitted from the kilns.

13. My family used to enjoy outdoor activities such as sailing, canoeing, and swimming in Texas lakes and rivers, but now we avoid recreating in those lakes and rivers because of the dangers posed by toxic pollutants, as illustrated by fish advisories or bans for 22 Texas bodies of water.

14. Near my home is Joe Poole Lake, the water source for Midlothian. This was where my family most often went to sail. It was found to have mercury levels of .5 ppm, just barely below the Texas Dept. of Health warning level of .7 ppm. This is depressing to me because the lake is not very old, which means that mercury is accumulating in its fish population a very fast rate. We no longer are able to sail and swim here because of the emissions from the plants.

15. We now recreate in Lake Travis near Austin, Texas, which is about three hours away, for sailing, boating, and swimming a couple times a month to avoid the pollution from the Midlothian plants.

16. Besides recreating in the state's waters, my family also enjoys eating fish. However, independent testing of fish from Dallas grocery stores by a statewide group found two-thirds of the fish samples tested exceeded EPA mercury guidelines. Mercury poisoning is a threat to me and my family whether we're at the lake, at the supermarket, or just breathing when the wind is blowing from the wrong direction. We cannot escape it.

17. I am aware that EPA's recently finalized standards for toxic pollution from waste-burning kilns are weaker than the Act allows. Because they do not require plants like those near my home to reduce their emissions to the extent required by the Act, there will be more toxic pollution released into the community where my family and I live, work, and recreate than there would be. I will be forced to breathe in more dangerous pollution than I otherwise would, and consequently will face greater danger to my health. The damage to my ability to enjoy daily life and recreational activities, in and around my home, will be prolonged; depriving me permanently of the ability to fully enjoy my life here during that time. If EPA strengthened the standards, those harms would be reduced.

19. I am aware that industry groups have challenged the Clean Air Act rules applicable to the Holcim and Ash Grove plants and other similar plants, seeking to weaken or eliminate the protections they do contain. I am aware that reductions in the protections in the new rules may increase my exposure to toxins and the pollutants that the CISWI rule seeks to control and the harms that they cause. I am afraid that because of this, the air will get worse.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23 day of September, 2014.


Becky Bornhorst