

**STANDING COMMITTEE ON HIGHWAYS
PROPOSED POLICY RESOLUTION**

TITLE: Seek to protect the ability to use Fly Ash in Highway Construction

WHEREAS, AASHTO has observed the spring 2009 EPA regulatory agenda plans to issue a proposed ruling regarding certain uses of coal waste, with intent to apply to landfill and surface impoundment facilities; and

WHEREAS, Fly Ash is a coal combustion byproduct commonly used in highway construction applications such as bridges, pavements, and sub-grades, and could potentially be designated as “hazardous waste” for disposal purposes with exception for certain beneficial uses under the proposed ruling; and

WHEREAS, Even if EPA’s proposed ruling allows for the beneficial use of Fly Ash, the stigma associated with using a “hazardous waste” material could effectively eliminate the use of Fly Ash in highway construction; and

WHEREAS, With proper controls and in appropriate applications, fly ash can serve a tremendous engineering benefit in an environmentally responsible manner; and

WHEREAS, The May 2000 Federal register notice states “We support increases in these beneficial uses, such as for additions to cement and concrete products”; and

WHEREAS, The benefits of using Fly Ash in concrete to improve durability, increase ultimate compressive and flexural strengths, reduce permeability, and mitigate of Alkali silica reactivity, will no longer be an option for state DOTs; and

WHEREAS, The use of Fly Ash in highway construction measurably reduces greenhouse gas emissions through the reduced consumption of Portland cement; and

WHEREAS, The use of Fly Ash in highway construction promotes recycling of a byproduct that would otherwise require disposal; and

WHEREAS, Fly Ash has been used in highway construction for many years without documented adverse environmental impacts; no research exists which conclusively provides a scientific argument to designate Fly Ash as “hazardous waste;” now therefore be it

RESOLVED, That the AASHTO Board of Directors supports the action of the Highways Subcommittee on Materials to notify the EPA of the adverse impact this proposed ruling would have on the nation’s infrastructure; and be it further

RESOLVED, That AASHTO seeks to protect the use Fly Ash in highway construction and is against any proposed ruling that would impede its use for those purposes.