

**Excerpt from**  
**Compilation of State Comments received by ASTSWMO**  
**regarding EPA Proposed Regulation of CCB**

This compilation incorporates responses received by ASTSWMO as of March 31, 2009, from:

Colorado, Florida, Hawaii, Iowa, Kansas, Michigan, Missouri, Ohio, South Dakota, Tennessee, Virginia, West Virginia and Wisconsin.

The compilation includes copies of letters sent by some of these States directly to EPA.

**Hawaii**

Hawaii does not have any coal ash surface impoundments. However, we do have a couple of coal combustion plants whose ash is managed in-state. We have developed a risk-based approach in evaluating reuse options, and believe that our scientific approach is defensible. Based on the analytical data from the coal ash generated in Hawaii, we do not believe that Subtitle C nor a Subtitle C-D hybrid is appropriate. Even a Subtitle D disposal requirement, if similar to MSW Landfills, is questionable. Hawaii has provided EPA with substantial comments on their proposed guidelines for risk evaluation of coal ash in the last year or so, and we still believe that it's the direction that EPA should take, if any.