



**OFFICE OF PUBLIC UTILITIES
CITY OF SPRINGFIELD, ILLINOIS**

**TIMOTHY J. DAVLIN, MAYOR
R. TODD RENFROW, GENERAL MANAGER
GENERAL OFFICE**

October 1, 2009

Ms. Judy Sheahan
U. S. Conference of Mayors
jsheahan@usmayors.org

RE: U. S. EPA Coal Ash Reclassification and Estimated Costs to CWLP

Dear Ms. Sheahan,

I am writing to you as General Manager of the City of Springfield's Office of Public Utilities, d/b/a City Water, Light and Power ("CWLP").

I am writing to inform you of a pending proposal by the U.S. Environmental Protection Agency which may seek to regulate as a hazardous waste coal ash generated during the combustion of coal to produce electricity (referred to as coal combustion byproducts or CCBs). Listing CCBs as hazardous waste would have dramatic adverse consequences for the City of Springfield and CWLP due to the increase in costs associated with managing and disposing of CCBs as well as the lack of availability of CCBs for construction projects. We wish to register our strong opposition to regulating CCBs as hazardous waste and request that you contact the U.S. EPA with our objection as possible opposing the designation of CCBs as hazardous waste.

We agree with the position expressed nearly universally by state transportation authorities, and virtually all industry groups that EPA should regulate CCBs as *non-hazardous* waste. Regulating CCBs pursuant to a federal non-hazardous waste program would allow for the imposition of management and disposal controls on CCBs that are fully protective of human health and the environment without unduly impacting the beneficial uses of CCBs and imposing substantial unwarranted costs on cities and municipalities across the nation.

In contrast, the regulation of CCBs as hazardous waste could require CWLP to dispose of CCBs generated during the production of electricity at commercial hazardous waste disposal facilities. There are very few such facilities in the U.S.

and these facilities have limited capacity and impose substantial costs for the disposal of hazardous wastes. The costs of disposing of CCBs will be substantially greater if CCBs are regulated as hazardous waste than if CCBs are regulated as non-hazardous. These costs will be borne directly by taxpayers and/or ratepayers in Springfield, notwithstanding the fact that CCBs can be regulated as non-hazardous waste while ensuring the safety of the public and the protection of the environment. Furthermore, because the few commercial hazardous waste disposal facilities are often located great distances from the generation of electricity (and CCBs), the costs of transporting significant volumes of CCBs to these facilities would substantially increase the already high costs of disposal of CCBs as hazardous waste.

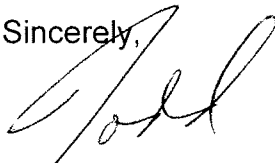
The listing of CCBs as hazardous waste will also significantly reduce the opportunities for beneficially using these materials, which could impact the cost and availability of materials for a variety of construction projects. As detailed in a letter to EPA, the American Concrete Institute maintains that due to potential liability concerns CCBs will not be used in concrete and other construction materials if regulated as hazardous waste. Unavailability of CCBs could increase the costs and/or seriously delay projects in Springfield including road construction projects, which often include substantial quantities of fly ash (a CCB).

It is necessary for EPA to understand that these unnecessary increases in costs for the disposal and transportation of CCBs as hazardous wastes as well as construction projects that use CCBs as construction materials are taking place in the context of drastic cuts in the services many cities and municipalities have had to impose during these challenging economic times. Many cities, including Springfield, have had to impose furloughs on some of its employees and has had to cut some services. Diverting city and municipality resources to the management of CCBs as hazardous waste will interfere with the priorities of Springfield and compound the difficulties of managing already tight budgets.

In light of the issues addressed above, we urge you to contact U. S. EPA to register opposition to the regulation of CCBs as hazardous waste. The estimated costs to CWLP is enclosed. The deadline for the comments to the EPA is October 1st 2009.

Please contact me at (217) 789-2116 with any questions. Thank you for your attention to this matter.

Sincerely,



R. Todd Renfrow
General Manager, CWLP

City of Springfield, Office of Public Utilities d/b/a City, Water, Light and Power ("CWLP")
 Estimated Costs to CWLP Associated With Coal Ash as a Hazardous Material

The following information was prepared by the Environmental Health and Safety Staff of CWLP after being notified that EPA is considering classifying coal ash as a hazardous waste. The required treatment cost can only be estimated at this time. The total of boiler slag, bottom ash and fly ash for 2008 was 65,300 tons, so a figure of 70,000 tons will be used in the cost estimates. The following locations have been identified as facilities that have been permitted to receive RCRA Hazardous Waste at their facilities:

1. Peoria Disposal Company, Peoria, IL (80 miles), Holly Cooper (309/676-4893)

They no longer have the capacity to landfill hazardous waste at their facility, but can treat it for the characteristic wastes and then transfer it to one of their non hazardous landfills. The cost would range from \$100 to \$120 per ton for this service.

2. Heritage Environmental Services, Roachdale, IN (180 miles), Raven Shryock (317-243-0811)

Treatment cost is estimated at \$113 per ton.

3. Wayne Disposal Landfill, Bellville, Michigan (430 miles) Margaret Harwood (734/329-8021)

Treatment cost is estimated at \$125 per ton.

4. Waste Management, Emelle, AL (590 miles) Polly Goodwin (205-652-8156)

If the waste has a characteristic code because of metals, the cost for stabilization and disposal would be \$175 per ton. If it could be directly landfilled similar to MGP Waste (Manufactured Gas Product), the cost would be \$80 per ton.

Cost Estimates

<u>Facility</u>	<u>Distance</u> (in miles)	<u>Treatment</u> (per ton/total)	<u>Transportation</u> * (per ton/total)	<u>Total</u> (per ton/total)
PDC	80	\$100-\$120/ \$7M to \$8.4	\$26/ \$1.82M	\$126-\$146/ \$8.82M to \$10.22M
HES	180	\$113/\$7.91M	\$50/\$3.5M	\$163/ \$11.41M
WDL	430	\$125/\$8.75M	\$90/\$6.3M	\$215/ \$15.05M
WM	590	\$80 -\$175 \$5.6M to \$12.25M	\$110/\$7.7M	\$190-\$285/ \$13.3M to \$19.95M

* Transportation estimates are based on figures provided by Bodine Environmental.

Not included in the above figures are the CWLP expense associated with loading the materials and handling all required waste manifests, which can be estimated to range up to \$200,000 annually.