



Construction and
Demolition Landfill

2501 Manchester Tfwy., Kansas City, MO 64129
Phone: 816-921-8200 Fax: 816-921-8251

October 5, 2009

The Honorable Lisa Jackson
Administrator
United States Environmental Protection Agency
Room 3000, Mail Code 1101A
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Pink Hill Acres Demolition Landfill – Beneficial Use of Fly-Ash Material

Dear Administrator Jackson:

We are a privately held Construction and Demolition Landfill located in Blue Springs, Missouri. The footprint of our site is approximately 80 acres, with 20 acres being permitted for use as a landfill. Prior to our ownership, the site was an underground rock quarry. Therefore, a large portion of the site outside of the landfill footprint is undermined.

We are firm believers in the benefits that can be realized for our society through making recycling a priority. The majority of the waste that comes through our gates is either recycled or used in a beneficial way for our site. We recycle asphalt shingles, wood waste, and broken concrete and asphalt.

In addition to recycling these products, we have found that using fly-ash from the local power plant to stabilize the underground mine on our site has been very beneficial. We have been placing fly ash slurry in our mine since 2006. This stabilization has prevented many cave-ins, and allowed us to use the land on top of the mines for other recycling operations. Without having the stabilization that the fly-ash product gives us, we would not be able to use this land for fear of it caving in.

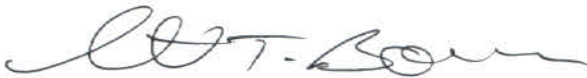
The particular limestone mine and rock strata at our site is very restrictive to groundwater flow. The permeability in the mine bedrock of 10^{-7} to 10^{-8} cm/sec is lower than current requirements (10^{-5} cm/sec) for the clay portion of ash landfills, and in fact is so low that it is in the range of current RCRA Subtitle D regulatory requirement (of 10^{-7} cm/sec) for the clay portion of Municipal Solid Waste Landfill liners. We use only fly ash that is pozzolonic (self-cementing) in nature to provide the structural strength needed to support the mine. Any heavy metals in this material are effectively encapsulated within the naturally cemented fill, thus being further protective of the environment.

It is our understanding that the EPA is considering classifying fly-ash material as a hazardous waste. This classification would prevent us from using the product to improve our land. We would no longer be able to use the ash to stabilize our mine, and would not be able to use the land on top of the mine for our recycling activities or future development.

In our opinion, classifying fly-ash as a hazardous waste is unnecessary, and would limit the beneficial use of the product to sites such as ours and the many other valuable uses the product provides to the construction industry. We have not had any problems with this product as verified through our groundwater monitoring wells. We hope to continue its use in the future.

Thank you for carefully considering the regulation of fly ash material so it can continue to be safely used in beneficial ways. Please call me at 816.921.8200 if you have any questions.

Sincerely,
Pink Hill Acres Demolition Landfill

A handwritten signature in black ink, appearing to read "M. Bowen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mathew Bowen
General Manager

c: Matt Hale
Mathy Stanislaus
Senator Kit Bond
Senator Claire McCaskill
Congressman Emanuel Cleaver