



State of Utah

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Governor

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Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

October 30, 2009

Ms. Lisa Jackson, Environmental Protection Agency Administrator
United States Environmental Protection Agency
Ariel Rios Building, Room 3000
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Ms. Jackson,

Recently, the Utah Department of Transportation (UDOT) has learned that the United States Environmental Protection Agency (EPA) is considering a change, which could modify the current classification of fly ash from its status as a solid waste which is not a hazardous waste.

UDOT beneficially uses fly ash in its concrete for a number of reasons. Fly ash has traditionally been more economical than cement and has saved taxpayers money. However, it also has chemical properties that are vital to the transportation industry. Some aggregates used in concrete are susceptible to alkali silica reactivity (ASR). ASR greatly reduces the durability and longevity of concrete. Fly ash has been used successfully to mitigate ASR. Further, fly ash has been shown to improve durability, compressive and flexural strengths, reduce permeability as well as other needed benefits.

Although we have no reason to believe that the fly ash we use could be characterized as a hazardous waste, even the suggestion by the EPA that fly ash may be a hazardous waste would drastically change its use and the cost of concrete within transportation industry. Further, the beneficial recycling of fly ash saves needed capacity at the hazardous waste landfills across the country. Finally, there are few alternatives to fly ash and most alternatives are not economical. If UDOT were to eliminate the use of fly ash or if contractors were hesitant to use fly ash due to an EPA directive, the cost of concrete roadways and products would increase drastically which would have a direct impact on taxpayers and our economy.

Fly ash use in concrete has become very important to Utah for transportation purposes. However, it seems that from an environmental standpoint, the recycling of fly ash in concrete is prudent. Fly ash reduces landfill volume and is an appropriate and important recycling option. In addition, fly ash use reduces the amount cement used in concrete, which effectively reduces CO2 emissions from cement factories.

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UDOT strongly urges the EPA to consider the negative impact reclassification would have on our Department as well as other Departments of Transportation across the nation. Further, we strongly urge the EPA to weigh the many environmental benefits of recycling fly ash and recommend that the EPA continue the current exemption of fly ash and continue its classification as a solid waste that is not a hazardous waste.

Sincerely,

Kris T. Peterson

Director of Construction/Materials

KTP/gl

Cc: file
John Njord, Executive Director
Carlos Braceras, Deputy Director
Jim McMinimee, Director of Project Development