



Washington Aggregates and Concrete Association

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2008-2009 Officers:

September 7, 2009

President:

Greg McKinnon
 Stoneway Concrete
 Seattle

The Honorable Lisa Jackson
 Administrator
 United States Environmental Protection Agency
 Room 3000

Vice President:

Brad Barton
 Concrete Northwest
 Mt. Vernon

Ariel Rios Building
 1200 Pennsylvania Avenue, NW
 Washington, DC 20460

Secretary-Treasurer:

Rob Johnson
 Cadman Inc.
 Redmond

Dear Administrator Jackson:

The Washington Aggregates and Concrete Association would be opposed to any potential ruling by U.S. EPA that would regulate fly ash as a hazardous waste material. Such regulation would have the adverse impact of severely limiting the beneficial uses of this construction material and likely increase the stockpiles that pose the very risks that EPA intends to mitigate.

Past President:

Steve Robinson
 Spokane Rock Products
 Spokane

Directors:

Mark Leatham
 CalPortland
 Seattle

In 2007, the national concrete industry consumed approximately 14.5 million tons of fly ash in concrete, as a primary strategy to reduce Portland cement consumption and related GHG emissions as a supplemental cementitious material (SCM). In The Pacific Northwest region, principally Washington State, our industry used almost 250 thousand tons of Fly ash from mostly local resources to mitigate the same consumption of Portland cement and related emissions. Because of its unique properties, Fly ash works in combination with Portland cement during the hydration process to more effectively utilize the Portland cement used in the manufacture of ready mix concrete as well as providing additional structural, long term durability, impermeability characteristics and real economic benefits. When used in the manufacture of ready mix concrete, the Fly ash ingredients are combined chemically and physically into the cement matrix and become encapsulated within the hardened concrete. Fly ash in our market place has become an acceptably 5th ingredient in our concrete manufacturing. Engineers and Architects regionally, nationally and worldwide understand the value of specifying Fly ash for numerous applications and mandates its use for applications subject to harsh marine environments, public sewage treatment facilities, structural qualities for seismic protection and durability to ensure longer lasting roadways and bridge structures.

Tom Zamzow
 Granite Northwest
 Everett

Craig Mayfield
 Central Pre-Mix
 Pasco

Patrick Harrigan
 CEMEX USA
 Everett

Marvin Prince
 Bayview ReadyMix
 Aberdeen

While we recognize the considerations of the EPA to intervene on the recent waste ash spill and the necessity to deal with and prevent future occurrences, we would urge the EPA not to unilaterally react and preclude the availability and benefits this post industrial product has to our industry segment. We would encourage the EPA to address proper containment in the storage of ash not used in manufacturing processes, but to also encourage greater usage of the material to minimize the quantities that would otherwise be land filled or require stored containment. The EPA has the ability to prescribe proper storage and handling of Fly ash quantities not appropriate for use as a construction material.

Jim Burnette
 Leon Mountain Quarry
Associate Director:

Chuck Duncan
 Seattle Mack
 Des Moines

Cement Director:

Pete Morse
 CalPortland
 Seattle

Staff:

Bruce T. Chatten
 Executive Director

Sarah Patterson
 Executive Assistant

Steve Buckner
 Millenna Public Affairs

In the Pacific Northwest, we are very limited in the availability of regional fly ash sources. To essentially make this product even less available would dramatically impact the significant usage our industry consumes on a daily basis. Further restriction of available fly ash would lead to using more expensive and less reliable sources from Canada. The import of fly ash sources from well outside our regional market place would increase the transportation emissions necessary to import the material. This would be counter intuitive to the benefits of using a local and readily available fly ash resource within our regional market and the emission reductions we currently achieve. The isolation of our market place from other regional sources would only make imported fly ash products available to us that may not be acceptable to WSDOT specifications, leaving us with limited ability or the inability to meet stringent WSDOT specification criteria.

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The possible actions of the EPA come at a rather unique crossroad when the EPA may also be promulgating significant Cap and Trade requirements on GHG emissions. These regulations would target the limitation of CO₂ emissions from the use of Portland cement products. The EPA must recognize and NOT impose more stringent regulations and restrictions to reduce emissions and then take way the primary form of mitigation from the same industry to be in compliance with emission reductions.

It was recently reported the EPA and the UK governments are in active dialogue on promoting greater use of Fly ash products as a supplemental cementitious material. This is exactly the avenue the EPA should pursue rather than have one side of the agency undermine these efforts.

The use of Fly ash is a key strategy in our industry's efforts to meet desirable climate change impacts. If the EPA takes an action to reclassify Fly ash we would be penalized in our ability and unable to meet future emission restrictions or standards. Accordingly, we would encourage the EPA to work with the industry to effectively increase the potential uses of Fly ash. This will have significant advantages to the industry and nation:

- Reduce the amount of fly ash materials that would be otherwise land filled
- Reduce the need to stockpile unused or waste ash materials
- Would assist our industry in meeting future GHG emission reductions and achieve agency objectives.
- Reduce individual facility and collective industry GHG and CO₂ emissions through the replacement of Portland cement.
- Create better and more durable concrete products used to rebuild the nation's public works infrastructure
- Create the use of more "Green Roads and Highways" lasting 50 – 75 years or more thereby reducing the need for interim maintenance, related maintenance expenses, and use of future virginial natural resources.
- The EPA can inspire federal, state and local governments to allow specifications to consider and encourage the use of Fly ash in concrete products. Traditional governmental specifications are generally more restrictive than private specifications.
- Require the use of Fly ash in Federal General Administration specifications and DOT specifications that receive federal or economic stimulus funding for projects or projects that require LEED sustainability standards
- The EPA can lead the way in promoting and provide incentives for the use of Concrete products using Fly ash as a primary strategy to encourage greater use of post industrial wastes and promote governmental sustainable construction practices.

The environmental benefits of using this industrial byproduct are significant to the concrete industry and results in longer lasting structures; reductions in the amount of waste materials sent to landfills, raw materials extracted, energy required for manufacturing, and air emissions.

For these reasons, we respectfully and urgently ask you to meet with and fully discuss the consequences of your potential actions with industry leaders and seek to find the right balance of providing safe storage requirements, while encouraging the fundamental use of Fly ash in more federal, state and private funded projects.

Our industries ability to meet climate change mandates will be directly tied to the availability and unrestricted use of Fly ash products. The EPA can help us lead the way in this area, but must do so with the full knowledge and scope of consequences potential actions by the EPA will unintentionally create. Please take this opportunity to learn more about how the industry and agency can mutually provide even greater leadership in the use environmental and sustainable construction materials before you consider or take any further actions.

Sincerely,
Bruce T. Chattin
Executive Director

