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MARYLAND ASPHALT ASSOCIATION



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March 11, 2022

Delegate Kumar P. Barve, Chair
House Environment and Transportation Committee
251 House Office Building
Annapolis, MD 21401

RE: HB 1331– UNFAVORABLE – Coal Ash – Use, Recycling, and Management (Coal Ash Recycling Act of 2022)

Dear Chairman Barve and Members of the Environment and Transportation Committee:

The Maryland Asphalt Association (MAA) is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

House Bill 1331 requires all licensed contractors in the State to use and give preference to materials that include coal ash as a component of the material. It also requires coal ash to be included as a component in precast concrete and concrete used in forms, castings, and wind turbine foundations. Coal ash is defined as residual coal ash from the burning of coal.

Our concerns with this bill are two-fold. First, the bill uses the wrong terminology. The term coal ash is no longer used in the industry, and hasn’t been for quite a long time. Coal ash is not used directly in concrete, but must first be processed to meet standards set by the American Society for Testing and Materials. Moreover, the industry already uses fly ash, which is the correct term, when it makes sense to include it in mixes. Second, we have always taken the position that the legislature should not be mandating the kinds of materials our industry should use, and feel this is best left to the experts in the field.

This bill could have unintended consequences, therefore respectfully we urge an unfavorable report on HB 1331. We thank you for your time and consideration.

Thank you,

Marshall Klinefelter
President
Maryland Asphalt Association