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March 11, 2022

The Honorable Kumar P. Barve  
Chairman, House Environment and Transportation Committee  
251 House Office Building  
Annapolis MD 21401

**Re: Letter of Information – House Bill 1331 – Coal Ash – Use, Recycling, and Management (Coal Ash Recycling Act of 2022)**

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 1331 but offers the following information for the Committee’s consideration.

House Bill 1331 requires that certain materials, including concrete, use coal ash as a component and requires preference be given to materials that include coal ash.

The Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) regularly oversees construction projects that include and surround high voltage rail; there are significant safety and cost concerns with mandating coal ash usage in projects in the vicinity of high voltage rail. The MDOT MTA has historically rejected coal ash concrete because suppliers are often unable to provide a full chemical breakdown of the material and confirm that it contains 0% Fe<sub>2</sub>O<sub>3</sub> and includes higher concentrations of Al<sub>2</sub>O<sub>3</sub> and SiO<sub>2</sub>. Coal ash concrete that does not contain this chemical makeup has been shown to increase the conductivity of the concrete and allows stray current propagation. Not only does this pose a severe safety risk for the public, but it also requires more frequent repair and replacement as concrete without this chemical makeup experiences corrosion due to moisture and salt.

Additionally, House Bill 1331 does not define the type of “coal ash” to be used. Coal ash includes both bottom ash and fly ash. Currently, the Maryland Department of Transportation State Highway Administration (MDOT SHA) and the Maryland Transportation Authority (MDTA) only use fly ash in concrete mixes. Bottom ash does not meet the American Standard Test Method (ASTM) or the American Association State Highway and Transportation Officials (AASHTO) specifications. Bottom ash also has a higher moisture content and different performance properties than can be potentially harmful to the environment.

The Maryland Department of Transportation Maryland Port Administration (MDOT MPA) oversees the construction of several infrastructure projects at the Port of Baltimore’s public marine terminals in which coal ash is not a component used by the Port’s construction vendors. It would not only be costly to incorporate coal ash into infrastructure project materials, but House Bill 1331 may result in higher costs for concrete without coal ash due to the proposed legislation discouraging purchase of the product, resulting in significant financial and supply chain impacts.

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Prior to the implementation of House Bill 1331, it may be beneficial to conduct a study on the use of this material, its costs, and any possible effects it could have on State projects.

The Maryland Department of Transportation respectfully requests the Committee consider the information when deliberating House Bill 1331.

Respectfully submitted,

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090