



August 27, 2010

To whom it may concern:

RE: EPA proposal for “Standards for the Management of Coal Combustion Residuals Generated by Commercial Electric Power Producers” and effects on LEED

On June 21st 2010 the Environmental Protection Agency (EPA) put forth two proposed rules to regulate coal ash by addressing the risks from the disposal of the wastes generated by electric utilities and independent power producers. The purpose of the proposed rules is to appropriately regulate the transportation, manifestation, and disposal of coal ash. Coal ash, or fly ash’s formal designation Coal Combustion Residuals (CCRs) originate from the combustion of coal in power plants and are captured by pollution control technologies. This material is sometimes used as a binding agent in concrete mixes in place of portland cement, and when used in this way, can reduce the lifecycle impacts of concrete. EPA is considering two possible options for coal ash management under the Resource Conservation and Recovery Act (RCRA). Under both proposals, the Bevill exemption for beneficial use (such as concrete) would remain in place.

The effort to measure and determine the environmental impacts and health risks of Coal Combustion Residuals is valuable and worthwhile. EPA supports and encourages safe and environmentally appropriate beneficial use of CCRs (www.epa.gov/coalashrule). USGBC’s LEED rating system includes incentives for the beneficial use of CCR in building materials such as concrete in buildings.

The issues encompassed in the two proposals will not directly cause any changes in the LEED rating systems. USGBC will continue to provide guidance for LEED projects. We will also continue to support beneficial use of CCRs where appropriate as determined by our committee process and in alignment with EPA regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Scot Horst".

Scot Horst
Senior Vice President, LEED
U.S. Green Building Council