

Fly ash
From Letters to the Editor
The Capital December 13, 2008

Regarding the story headlined "MDE creates new fly ash regulations" (*The Capital*, Nov. 26): The new rules for disposing of coal fly ash do not adequately address the severity of the waste's effects.

In 2007, I secured County Council approval of a ban on the disposal of fly ash at any site in the county. I took this action in response to a county groundwater investigation in Gambrills that concluded that combustion ash used as fill for mine reclamation presented potential health risks.

I urged the Maryland Department of the Environment to adopt new regulations against fly ash use. Unfortunately, MDE's new requirements for the disposal of coal combustion byproducts, including fly ash, fail to adequately protect Marylanders against these harmful substances.

MDE's new requirements for the use of landfill liners, leachate collection systems, and monitoring devices and equipment are not failsafe measures. Regulation loopholes must be closed so fly ash won't be used in a manner that places health at risk.

The regulations have other deficiencies. They fail to adequately address exposure to fugitive dust coming from fly ash sites. They were adopted without any standard for off-site air-quality monitoring or requirements for monitoring stations at the property boundary.

The regulations fail to adopt a sufficient setback - 1,000 feet from any adjoining property - for the approval of any new fly ash site. They don't address the requirement for certified laboratory testing.

The county legislation that prohibits the deposition of fly ash, which sunsets next October, is the only measure that fully protects against coal combustion byproducts in Anne - Arundel County. State and federal regulators should adopt an equally effective approach.

JOHN R. LEOPOLD County Executive "