By: Kuempel H.C.R. No. 70

CONCURRENT RESOLUTION

WHEREAS, The use of electric arc furnace steel slag offers significant benefits in terms of price, performance, and the conservation of natural resources, but to date, the steel industry has been unsuccessful in its efforts to work with the Texas Department of Transportation to enable the use of EAF slag in road construction; and

WHEREAS, A coproduct of the steelmaking process, EAF slag is environmentally safe, as demonstrated in 1998 risk assessments conducted by the Steel Slag Coalition; steelmaking slag has been used commercially since at least the middle of the 19th century, and it is currently used in all industrialized countries; and

WHEREAS, The physical shape of slag particles allows them to interlock, making EAF slag more stable in formation than other aggregates; slag is found to outperform natural materials in many applications, providing excellent adhesion in asphaltic concrete and dramatically improving skid resistance in road materials; moreover, slag is highly stable when wet, prevents the formation of ice, is easily compacted, and is free from the problematic surface irregularities common to other aggregates; and

WHEREAS, Because EAF slag is a renewable mineral resource, its use reduces the consumption of natural resources by the construction industry; it is also more cost-effective than other products; and

WHEREAS, The Texas Department of Transportation already

recognizes ground and granulated blast furnace slag, a similar steelmaking coproduct, as an established nonhazardous recycled material suitable for use in road projects; across the country, steelmaking slag generally is either specifically exempted from state definitions of "solid waste" or labeled as a "coproduct" that is not waste; the Texas Natural Resource Conservation Commission, now the Texas Commission on Environmental Quality, made a case-specific regulatory determination in 1997 that EAF slag, as a coproduct, was not subject to solid waste regulations when used in a variety of applications, including raw material in cement, in road banks and stabilized shoulders, and in select material surfacing; and

WHEREAS, The use of EAF slag in the construction of Texas highways would save tax dollars while enhancing performance and helping conserve natural resources; now, therefore, be it

RESOLVED, That the 83rd Legislature of the State of Texas hereby urge the Texas Department of Transportation to amend its procurement guidelines to permit and encourage the use of electric arc furnace steel slag in road construction projects; and, be it further

RESOLVED, That the secretary of state forward an official copy of this resolution to the director of the Texas Department of Transportation.