
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1006 Session of
2013

INTRODUCED BY WARD, VOGEL, PILEGGI, ERICKSON, BLAKE, SMITH,
KASUNIC, WHITE, YUDICHAK, RAFFERTY AND WAUGH, JUNE 12, 2013

REFERRED TO TRANSPORTATION, JUNE 12, 2013

AN ACT

1 Providing for the development of uniform standards for the use
2 of blast furnace and steel slag aggregates in highway and
3 road construction and maintenance.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Steel and
8 Blast Furnace Slag Aggregates Act.

9 Section 2. Findings and declaration of policy.

10 (a) Findings.--The General Assembly finds that:

11 (1) Blast furnace and steel slag aggregates are valuable
12 products produced as a result of the production and process
13 of iron and steel.

14 (2) The use of blast furnace and steel slag aggregates
15 in highway and road construction and maintenance reduces the
16 environmental impacts of surface and deep mining to obtain
17 supplies of coarse and fine aggregates, eliminates the need
18 for the disposal in landfills of surplus supplies of slag,

1 reduces the costs of construction and promotes employment and
2 investment in the iron and steel industries in this
3 Commonwealth.

4 (3) The department has been a nationwide leader in
5 certifying various types and grades of slag aggregates for
6 multiple uses in highway and road construction and
7 maintenance, including use as sub-base material, as aggregate
8 in bituminous and concrete mixes, in drainage and pipe bed
9 preparations and as anti-skid material on ice and snow-
10 covered pavements.

11 (4) The department should establish a uniform policy
12 encouraging the use of slag aggregates in highway and road
13 construction and maintenance by or on behalf of the
14 Commonwealth.

15 Section 3. Definitions.

16 The following words and phrases when used in this act shall
17 have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 "Department." The Department of Transportation of the
20 Commonwealth.

21 "Commonwealth." The Commonwealth or a municipality.

22 Section 4. Uniform standards.

23 (a) Statement of policy.--The department shall develop
24 uniform standards for the use of slag aggregates in highway and
25 road construction and maintenance by or on behalf of the
26 Commonwealth. Standards developed by the department shall be
27 published and disseminated as statements of policy incorporated
28 into the department's highway construction manual and other
29 similar publications.

30 (b) Approval.--The department shall review and approve:

1 (1) Supplies and suppliers of slag aggregates for use in
2 highway and road construction and maintenance based upon the
3 standards developed under subsection (a).

4 (2) Uniform testing procedures developed by the
5 department to ensure compliance with the standards developed
6 under subsection (a).

7 Section 5. Permitted use.

8 (a) Construction.--Contractors and subcontractors engaged in
9 the construction of highways and roads on behalf of the
10 Commonwealth may utilize:

11 (1) Slag aggregates in the construction and maintenance
12 of highways and roads in the manner designated as permissible
13 in the department's Highway Construction Manual, effective
14 January 1, 2013, or as approved by the department under
15 section 4(a).

16 (2) Supplies and suppliers of slag aggregates approved
17 by the department in the manner provided under section 4(b).

18 (b) Additional uses.--Nothing under this act shall prohibit
19 agencies other than the department and political subdivisions
20 from approving additional uses of slag aggregates in highway and
21 road construction and maintenance or from approving additional
22 supplies and suppliers of slag aggregates.

23 Section 6. Prohibitions and restrictions.

24 (a) Satisfactory performance.--The department may prohibit
25 or restrict the use of any type, grade or source of supply of
26 slag aggregates which complies with uniform standards for the
27 use of slag aggregates in highway and road construction and
28 maintenance in effect on January 1, 2013, if, based on
29 controlled multisite comparisons between the slag aggregate in
30 question and other materials, it can be shown that that type,

1 grade or source of supply of slag aggregate will not perform in
2 a satisfactory manner based on objective, quantifiable and
3 reliable engineering criteria.

4 (b) Public notice.--Prior to the adoption of prohibitions or
5 restrictions on the use of any slag aggregate under subsection
6 (a), public notice shall be published in the Pennsylvania
7 Bulletin with at least 30 days provided for public comment.
8 Notice of a decision by the department or the Department of
9 General Services regarding the imposition of a prohibition or
10 restriction shall be given to any person submitting comments
11 regarding the adoption of the prohibitions and restrictions, and
12 the final action taken imposing the restrictions shall be
13 subject to review in the manner provided under 2 Pa.C.S. Chs. 5,
14 Subch. A (relating to practice and procedure of Commonwealth
15 agencies) and 7, Subch. A (relating to judicial review of
16 Commonwealth agency action).

17 (c) Current and future restrictions and limitations.--The
18 following shall apply:

19 (1) Plan notes, job specifications, invitations for
20 bids, other contract terms or conditions, construction or
21 maintenance requirements or other policies established by a
22 contracting agency, political subdivision or other general
23 contractor may not impose restrictions or limitations on the
24 use of slag aggregates in highway and road construction
25 authorized under section 4(a), except as provided under this
26 section.

27 (2) Any restriction or limitation under paragraph (1) in
28 effect on the effective date of this section shall be deemed
29 void and unenforceable.

30 Section 7. Applicability.

1 This act shall apply to the use of blast furnace and steel
2 slag aggregates in this Commonwealth and the construction and
3 maintenance of highways and roads by the Commonwealth.

4 Section 20. Effective date.

5 This act shall take effect immediately.