

# Support H.R. 2273, The Coal Residuals Reuse and Management Act

## Ensure That Coal Ash Is Managed Safely, While Also Protecting Human Health and the Environment, Jobs, and the Economy

The U.S. Environmental Protection Agency (EPA) has proposed federal regulations to govern the disposal of coal ash and other coal combustion residuals (CCRs) under the Resource Conservation and Recovery Act (RCRA). The agency is weighing two options: regulating CCRs as hazardous waste under RCRA subtitle C, or regulating them as non-hazardous waste under RCRA subtitle D.

With EPA's rulemaking delayed, however, Congress is moving to establish a federal regulatory program to ensure the safe management of coal ash. A bill passed by the House Energy and Commerce Committee (H.R. 2273) establishes minimum federal requirements for the management and disposal of coal ash will ensure safety and the protection of human health and the environment. The federal criteria will be administered by states through enforceable permits and by EPA if a state fails to meet the federal baseline.

### H.R. 2273 Will Strengthen State Programs and Protect American Jobs

EPA's proposed hazardous waste coal ash rules would result in net job losses of between 184,000 and 316,000; while EPA's proposed non-hazardous waste rules would result in 39,000 to 65,000 job losses.<sup>1</sup> In contrast, H.R. 2273 ensures the safe regulation of coal ash without overwhelming state operating budgets and without imposing unnecessary and costly regulations on electric generation, energy costs, ash recycling, and the economy.

Specifically, H.R. 2273:

- Ensures that CCR disposal units are subject to enforceable permits under a state-administered CCR permit program that meets minimum federal requirements;
- Establishes a federal floor for state regulation of ash disposal by applying the controls already in place for municipal solid waste landfills, and additional controls tailored specifically for surface impoundments;
- Ensures impoundment safety by establishing structural integrity standards for coal ash impoundments and by establishing groundwater monitoring and closure requirements targeted specifically for coal ash disposal facilities;
- Ensures coal ash permits will incorporate standards for facility design, groundwater monitoring/protection, corrective action, closure, and financial assurance;

---

<sup>1</sup> Veritas Economic Consulting, "[An Economic Assessment of the Net Employment Impacts from Regulating Coal Combustion Residuals](#)," June 2011.

- Gives EPA the authority to enforce compliance with the standards if a state fails to meet certain conditions and preserves a state's prerogative to regulate more stringently than the federal floor;
- Preserves the beneficial uses of coal ash on which many good American jobs depend.

H.R. 2273 has earned the support of state regulators, ash recyclers, the utility industry, and the business community. The bill ensures the safe regulation of CCRs in a cost-effective manner, while protecting public health, the environment, and jobs.

**VOTE YES ON H.R. 2273**

*August 2, 2011*