



COMMITTEE ON ENERGY AND COMMERCE

Chairman Fred Upton
113th Congress

The Coal Residuals Reuse and Management Act of 2013 (H.R. 2218)

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The bill builds on an [existing bipartisan legislative framework](#) set forth last Congress, providing a practical alternative to EPA's plan to regulate coal ash by creating a state-based program that sets enforceable federal standards. Specifically, the bill:

- Provides for consistent state regulatory authority over coal ash under Subtitle D of the Solid Waste Disposal Act.
- Substitutes a state-oriented regulatory program for EPA's proposal that would regulate coal ash as a hazardous waste.
- Provides minimum requirements designed to protect human health and the environment.
- Uses a successful, existing regulatory program to set enforceable federal standards for coal ash, but leaves regulation and enforcement to the states.

The commonsense, bipartisan legislation would replace EPA's proposal to regulate coal ash as a hazardous waste, which would put hundreds of thousands of jobs at risk and drive up electricity and construction costs:

- The administration's regulatory plan under RCRA would increase costs for coal-fired power plants and threaten the recycling and beneficial use of coal ash, which is widely used in construction products such as cement, concrete, wallboard, and roofing materials.
- EPA's proposal to classify coal ash as a hazardous waste is estimated to put up to 316,000 jobs at risk.
- Compliance costs for EPA's coal ash rule could total \$79 billion to \$110 billion over 20 years.

H.R. 2218 provides a regulatory solution that protects both jobs and the environment:

- This legislation will bring much-needed regulatory certainty to job creators and protect the beneficial use of coal ash, which keeps electricity costs low, provides for low-cost durable construction materials, and reduces the amount of waste going into surface impoundments and landfills.
- In the decade from 1999 to 2009, American industries successfully recycled 519 million tons of coal ash – some 38 percent of the 1.35 billion tons of coal ash produced. Greenhouse gas emissions decreased by more than 138 million tons during that period through the use of coal ash in concrete products.

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