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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, MAJORITY STAFF DIRECTOR
ZAK BAIG, REPUBLICAN STAFF DIRECTOR

August 7, 2013

Dear Colleague,

I am writing concerning H.R. 2218, the Coal Residuals Reuse and Management Act, which recently passed the House of Representatives and is currently being held at the desk in the Senate. Proponents of this bill claim that it protects the public from coal ash by authorizing states to regulate the handling and disposal of this toxic material.

However, it is important to note that this bill passed while the Environmental Protection Agency (EPA) is developing protective national standards, and this bill would prevent EPA from moving forward with these national standards to safeguard the people we represent.

We must be mindful of what happened in Kingston, Tennessee in 2008, when a wall failed on a 40-acre coal ash impoundment, releasing over one billion gallons of waste and causing over \$1 billion in cleanup costs.

There are over 600 coal waste disposal impoundments across the nation and more than 100 million tons of coal waste are generated each year. Coal waste contains toxic chemicals, such as arsenic, lead, mercury, and selenium, which are known to cause cancer, harm development and reproduction, and damage the kidneys and lungs -- pregnant women and children are especially at risk.

The suggestion by the bill's proponents that EPA does not oppose H.R. 2218 is not true, and it is important for you to know the facts -- EPA has confirmed to me that the Agency does not support H.R. 2218 as drafted.

I would be happy to send you an analysis by the Congressional Research Service, which outlines serious concerns about the bill's failure to provide the protections necessary to safeguard communities near coal waste sites across the nation.

I will oppose this bill at every turn, because if it became law, coal ash would continue to pose a grave threat to public health and safety.

Please contact Grant Cope at 202-224-8832 if you have any questions.

Sincerely,



Barbara Boxer
Chairman