

October 13, 2011

The Honorable Jerry Moran
U.S. Senate
C4 Russell Senate Office Building
Washington, DC 20510

Re: Recommendation to Support H.R. 2273, the "Coal Residuals Reuse and Management Act"

Dear Senator Moran,

As you may know, the full House of Representatives is scheduled to vote on H.R. 2273, the Coal Residuals Reuse and Management Act, this Friday, October 14, 2011. The Kansas Department of Health and Environment encourages your support of this bill which will establish a practical and environmentally sound approach to the management of coal combustion residuals. This alternative to EPA's proposals is supported by the Environmental Council of States (ECOS) and the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), which worked closely with congressional staff to develop this technically sound bill.

H.R. 2273 will allow states to administer protective "solid waste" permitting programs to ensure that coal combustion wastes are managed in a manner that is adequately protective of human health and the environment. The alternative approaches being considered by EPA include options which will greatly impact the reuse of combustion wastes, burden state regulatory programs, and greatly add to the cost of residual management without providing significant added benefit. To the best of our knowledge, affected industry is supportive of this bill as an alternative to EPA's proposals.

You may have seen news releases from various environmental interest groups that oppose this legislation. It is KDHE's opinion that the concerns raised in those news releases are exaggerations or distortions of the facts.

Please contact Mr. Bill Bider, director of the KDHE Bureau of Waste Management, if you have any questions. He can be contacted by telephone at (785) 296-1612 or by e-mail at wbider@kdheks.gov.

Thank you for your support.

Sincerely,



Robert Moser, MD
Secretary

C Governor Sam Brownback
John Mitchell, Director, Division of Environment
Bill Bider, Director, Bureau of Waste Management