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WASHINGTON OFFICE  
NATIONAL LEGISLATIVE DEPARTMENT

October 13, 2011

Members  
United States House of Representatives  
Washington, DC 20515

Dear Representative:

Re: H.R. 2273 - the Coal Residuals Reuse and Management Act.

The United Transportation Union (UTU) is writing to express our strong support for H.R. 2273 - the Coal Residuals Reuse and Management Act. This legislation would establish new federal standards for the management of Coal Combustion Residuals (CCRs). We believe that H.R. 2273, legislation which has bipartisan committee support, will provide the federal oversight needed to ensure the safe disposal or recycling of CCRs while strengthening existing state authorities to manage their solid waste programs.

The Environmental Protection Agency (EPA) has proposed new federal regulations governing the disposition of coal ash and other CCRs under the Resource Conservation and Recovery Act (RCRA). In its proposed rule, the EPA presented two options: regulate CCRs as hazardous waste under RCRA Subtitle C or regulate them as non-hazardous waste under RCRA Subtitle D. The designation of CCRs as hazardous waste under RCRA Subtitle C would have a devastating impact on the jobs of railroad workers and negative economic impacts on electricity consumers, on industries that recycle coal ash and on our nation's economy.

According to a June 2011 study by Veritas Economic Consulting, the United States would experience the net loss of an estimated 183,900–316,000 jobs under a Subtitle C designation.

H.R. 2273 strengthens state programs by establishing a federal baseline for the regulation of CCR disposal under RCRA Subtitle D, the municipal solid waste program. The bill also gives the EPA the authority to intervene if a state is unable or unwilling to meet the federal baseline program. These new federal standards are applied in a way that allows for state flexibility in implementation, such as allowing existing safe and well engineered

facilities to operate to the end of their design life, while mandating thorough monitoring and compliance by utilities. This gives states the ability to strengthen their disposal programs to protect the environment, while preserving beneficial reuse programs and avoiding unacceptable job losses.

Again, we strongly support H.R. 2273 and urge you to vote for passage in the House this week. If you have any further questions, please call UTU at 202-543-7714.

Sincerely yours,

A handwritten signature in blue ink, reading "James A. Stem, Jr." in a cursive style.

James A. Stem, Jr.  
National Legislative Director