

July 22, 2013

Dear Representative:

We are writing to ask that you vote “yes” on H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, when it is brought before the U.S. House of Representatives. The House passed similar legislation during the last Congress, and the Energy and Commerce Committee has since worked to refine the bill through bipartisan Senate discussions and consultation with the U.S. Environmental Protection Agency (EPA).

H.R. 2218 accomplishes several very important objectives and reflects a significant consensus regarding how coal combustion residuals (CCR) should be managed and disposed. The bill:

- Establishes a non-hazardous regulatory framework to govern the disposal of CCR – a framework EPA has acknowledged is appropriate and that applies groundwater protection standards set by EPA;
- Ensures that the minimum federal requirements established by the bill for the disposal of CCR are implemented through enforceable permits issued by the states – something that cannot be done under EPA’s proposed Subtitle D non-hazardous waste rule for CCR; and
- Ensures that the nation can continue to receive the substantial employment and environmental benefits that come from the beneficial use of coal ash in transportation, agriculture, housing and building construction, and other uses.

We believe that the states are in the best position to implement and enforce a permit program for CCR disposal. H.R. 2218 establishes an environmentally protective framework that includes a key role for EPA to ensure state programs are properly developed to implement CCR disposal requirements. Under H.R. 2218, the public can have confidence that the central components of an effective regulatory program will be implemented at facilities across the country. Even more important, they can have confidence that a disposal unit that does not meet environmental and safety standards will be closed.

Furthermore, enactment of H.R. 2218 would resolve the longstanding regulatory uncertainty that has caused beneficial use of CCR to stall. Between 2000, when EPA issued its Final Regulatory Determination that CCR did not warrant regulation as a hazardous waste, and 2008, beneficial use rates increased from 29.7 percent to 44.5 percent. Regulatory uncertainty returned in 2009 and beneficial use dropped. If the last three years had simply remained equal with 2008’s utilization, 14.2 million fewer tons of CCR would have been disposed in landfills and impoundments.

We believe H.R. 2218 is the best and most effective path to resolve the regulatory uncertainty surrounding the disposal of CCR. Accordingly, we urge you to support H.R. 2218.

Sincerely,

Abrasives, Inc.  
AES  
ADA-ES, Inc.  
Aggregate & Ready Mix Association of Minnesota  
Alabama Rural Electric Association  
ALLETE / Minnesota Power  
Alliant Energy Corp  
Ameren Corp  
American Coal Ash Association  
American Concrete Pavement Association  
American Concrete Pipe Association  
American Concrete Pumping Association  
American Electric Power  
American Forest & Paper Association  
American Public Power Association  
American Road & Transportation Builders Association  
American Segmental Bridge Institute  
American Society of Concrete Contractors  
Anza Electric Cooperative, Inc.  
ARIPPA (Anthracite Region Independent Power Producers Association)  
Arch Coal, Inc.  
Arizona Generation and Transmission Cooperatives  
Arkansas Ready Mixed Concrete Association  
Ash Grove Cement Company  
Ash Grove Resources, LLC  
Association of American Railroads  
Association of Illinois Electric Cooperatives  
Association of Louisiana Electric Cooperatives, Inc.  
Association of Missouri Electric Cooperatives, Inc.  
Aurora Energy Services, LLC  
Avista Corp  
B&B Concrete Co., Inc.  
Baker Ready Mix & Building Materials  
Basin Electric Power Cooperative  
Bayou Concrete, LLC  
Beaver Lake Concrete  
Beneficial Reuse Management, LLC  
Big Rivers Electric Corporation  
Bluegrass Paving  
Boral Material Technologies, LLC  
Brick Industry Association

Buckeye Power, Inc.  
Buffalo Ridge Concrete, Inc.  
California Construction and Industrial Materials Association  
Capital Concrete, Inc.  
Carew Concrete & Supply Co.  
Carl V. Carlson Company  
Carlo Ditta, Inc.  
Carolina SunRock, LLC  
Carroll Concrete Co.  
Carpet and Rug Institute  
CEMEX, Inc.  
Cemexpress LLC  
Cemstone  
Central Electric Power Cooperative – Missouri  
Central Electric Power Cooperative – South Carolina  
Ceratech, Inc.  
Chandler Concrete Co., Inc.  
Chaney Enterprises  
Charah, Inc.  
Citizens for Recycling First  
CMS Energy Corp  
Colorado Rural Electric Association  
Colorado Springs Utilities  
Concrete Foundations Association  
Concrete Reinforcing Steel Institute  
Concrete Supply Co  
Connecticut Construction Industries Association  
Connecticut Ready-Mixed Concrete Association  
Connecticut Road Builders Association  
Construction & Demolition Recycling Association  
Corn Refiners Association  
Council of Industrial Boiler Owners  
Dairyland Power Cooperative  
Dayton Power & Light  
Dells Materials Company  
Deseret G&T Cooperative  
DiGioia, Gray & Associates, LLC  
Dolese Bros. Co.  
Dominion  
Drake Aggregates, LLC  
Drake Materials  
DTE Energy  
Duke Energy Corp  
Dynege  
Eagle Environmental Services, LLC  
East Kentucky Power Cooperative, Inc.

East River Electric Power Cooperative, Inc.  
Eastman Chemical Company  
Edison Electric Institute  
Electric Cooperatives of Arkansas  
Electric Power Associations of Mississippi, Inc.  
Electric Reliability Coordinating Council  
Empire District Electric  
Ensio Resources, Inc.  
Entergy Corp  
Everhard Products, Inc.  
Evonik Corporation  
FirstEnergy Corp  
Florida Electric Cooperatives Association, Inc.  
General Resource Technology  
Generators for Clean Air  
Geneva Rock Products, Inc.  
Georgia Electric Membership Corporation  
Geosyntec Consultants, Inc.  
Geosynthetic Materials Association  
Gerhold Concrete Company, Inc.  
Golder Associates, Inc.  
Grand Canyon State Electric Cooperative Association  
Great River Energy  
Gypsoil, LLC  
Harper Company  
Harsco Minerals International  
Headwaters Resources, Inc.  
Heartland Consumers Power District  
High Grade Materials  
Hoosier Energy Rural Electric Cooperative  
Hull & Associates, Inc.  
Idaho Consumer-Owned Utilities Association  
Indianapolis Power & Light  
Indiana Statewide Association of Rural Electric Cooperatives  
Industrial Energy Consumers of America  
Institute of Makers of Explosives  
Integrays Energy Group  
Interlocking Concrete Pavement Institute  
Iowa Association of Business and Industry  
Iowa Association of Electric Cooperatives  
James Construction Group  
JD Concrete  
JEA  
JJ Ferguson Prestress/Precast Co.  
JMT Holdings, LLC  
John Richardson & Company, Inc.

Kansas City Power & Light  
Kansas Electric Cooperatives, Inc.  
Kearney Concrete Co.  
Kentucky Association of Electric Cooperatives, Inc.  
Kentucky Utilities Co.  
LB Industrial Systems, LLC  
Lafarge (US)  
Large Public Power Council  
Lehigh Hanson, Inc.  
Louisville Gas & Electric Co.  
Luminant  
Lyman-Richey Corporation  
LyondellBasell  
Mason Contractors Association  
Maxxon Corp.  
MEAG Power  
Metro Ready Mix  
Michael Harris Construction Company  
Michigan Electric Cooperative Association  
Michigan Municipal Electric Association  
MidAmerican Energy Company  
Midwest Coal Ash Association  
Midwest Food Processors Association  
Minnesota Rural Electric Association  
Minnkota Power Cooperative, Inc.  
Mississippi Concrete Industries Association  
Missouri Concrete Association  
MMC Materials, Inc.  
Mobile Abrasives  
Mobley Concrete Company  
Montana-Dakota Utilities Co.  
Montana Electric Cooperatives' Association  
National Association of Manufacturers  
National Concrete Masonry Association  
National Gypsum  
National Mining Association  
National Oilseed Processors Association  
National Precast Concrete Association  
National Ready Mixed Concrete Association  
National Rural Electric Cooperative Association  
National Slag Association  
Nebraska Concrete & Aggregates Association  
Nebraska Power Association  
Nebraska Rural Electric Association  
Nevada Rural Electric Association  
New Mexico Rural Electric Cooperative Association, Inc.

NIPSCO  
North Carolina's Electric Cooperatives  
North Dakota Association of Rural Electric Cooperatives  
Northeast Utilities  
North Florida Hauling LLC  
Northwest Iowa Power Cooperative  
OGE Energy Corp.  
Oglethorpe Power Corporation  
Ohio Concrete  
Ohio Rural Electric Cooperatives, Inc.  
Oklahoma Association of Electric Cooperatives  
Old Castle Materials, Inc.  
Old Dominion Electric Cooperative  
Oregon Concrete & Aggregate Producers Association  
Otter Tail Power Company  
Overland Ready Mix  
Ozinga Bros., Inc.  
Pacific Power  
Pebble Technologies, Inc.  
Penn United Technologies, Inc.  
Pennsylvania Aggregates and Concrete Association  
Pennsylvania Rural Electric Association  
Phoenix Cement Company  
Pinnacle West Capital Corporation, parent company to Arizona Public Service Company  
Platte River Power Authority  
PMI Ash Technologies  
Port Aggregates, Inc.  
Portland Cement Association  
Portland General Electric  
PPL Corp  
Public Service Company of New Mexico  
Puget Sound Energy  
RLH Investments, LLC  
Rocky Mountain Power  
S&ME, Inc.  
Salt River Materials Group  
Salt River Project  
San Miguel Electric Cooperative, Inc.  
Santee Cooper  
SCANA  
Seminole Electric Cooperative, Inc.  
Separation Technologies LLC  
Shamrock Concrete Company  
Shayeson-Huff Properties  
Silar Services, Inc.  
Smith Ready Mix

Solomon Colors, Inc.  
Souixland Concrete  
Souris Valley Ready Mix, LLC  
South Dakota Ready Mixed Concrete Association  
South Dakota Rural Electric Association  
South Mississippi Electric Power Association  
Southern Company  
Spurlino Materials  
Standard Ready Mix  
Sunflower Electric Power Corporation  
Sunshine Concrete & Materials, LLC  
Supermix  
Tampa Electric Company  
Tau Technical Communications, LLC  
Tennessee Concrete Association  
Tennessee Electric Cooperative Association  
Terrebonne Concrete LLC  
Texas Coal Ash Users Group  
Texas Electric Cooperatives  
The Electric Cooperatives of South Carolina, Inc.  
The Wells Group, LLC  
Tile Roofing Institute  
Tilt-up Concrete Association  
Titan America LLC  
Transcement LLC  
TransWood Carriers, Inc.  
Tri-State Generation & Transmission Association  
UNS Energy Corporation  
USC Technologies  
US Chamber of Commerce  
Usibelli Coal Mine, Inc.  
U.S. Minerals, Inc.  
Utah Rural Electric Association  
Utility Solid Waste Activities Group  
Vectren Corporation  
Vulcan Materials Company  
Wahoo Concrete  
Washington Aggregates & Concrete Association  
Wells Fargo Insurance Services  
Westar Energy  
Western Farmers Electric Cooperative  
Wisconsin Cast Metals Association  
Wisconsin Electric Cooperative Association  
Wisconsin Energy Corporation  
Wisconsin Industrial Energy Group  
Wisconsin Manufacturers & Commerce

Wisconsin Paper Council  
Wisconsin Public Service Corporation  
Wisconsin Ready Mixed Concrete Association  
Wisconsin Transportation Builders Association  
Wisconsin Utilities Association  
Wolverine Power Supply Cooperative  
WPPI Energy  
Wyoming Rural Electric Association