

Congress of the United States
Washington, DC 20515

June 17, 2014

The Honorable Gina McCarthy
Administrator
United States Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator McCarthy:

We write to respectfully urge the United States Environmental Protection Agency (EPA) to finalize strong federal standards for the safe disposal of coal ash under the Resource Conservation and Recovery Act (RCRA) by the end of 2014. We support a final coal ash rule which establishes federal backstop protections including financial assurance, enforceable deadlines, and stringent requirements for coal ash management and cleanup. We encourage the EPA to finalize protections that phase out dangerous wet impoundments, including those at legacy sites, and ensure that facilities use protective liners and groundwater monitoring to safeguard against contamination.

Coal ash, the byproduct left from coal combustion, has several safe reuses but excess coal ash is often stored in more than 400 landfills and more than 1,000 wet impoundments near power plants across the country. Chemicals in coal ash can be harmful to human health and the environment if storage impoundments fail and they contaminate ground water, streams, rivers, or lakes. Coal ash can enter the watershed through the catastrophic failure of an impoundment wall or can slowly leach into groundwater and surface water when the impoundment is unlined. Our constituents deserve to be able to count on safe drinking water and to have their waterways protected from harmful contaminants.

Major coal ash spills in 2014 into the Dan River in North Carolina and in 2008 in Kingston, Tennessee are examples of full impoundment failures and show that our constituents must be better protected. Both spills originated from wet coal ash impoundments located near power plants adjacent to rivers where the failure of impoundment walls sent harmful chemicals directly into the waterways. The Dan River spill caused coal ash to travel 70 miles downstream and the Kingston spill caused more than one billion gallons of coal ash to enter the water supply and destroyed residential communities. The EPA has evaluated wet coal ash impoundments across the country and found more than 300 sites which would endanger human life, or cause significant economic, environmental, or infrastructure damage if full failures occurred.


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Far more common than full impoundment failure is the slow leaching of coal ash contaminants from wet impoundments into ground and surface waters. The majority of wet impoundments across the country lack adequate liners and groundwater monitoring systems. The EPA has identified more than 200 cases of water contamination from coal ash in 27 states.


It appears we are only now beginning to see the alarming truth about coal ash in our communities. It is troubling that it has taken large coal ash spills like those in North Carolina and Tennessee to mobilize stakeholders to engage in a frank dialogue about its dangers and propose changes to mitigate those hazards. Those catastrophes could have been avoided and we owe it to all Americans to put the necessary safeguards in place to ensure similar disasters do not occur in the future.

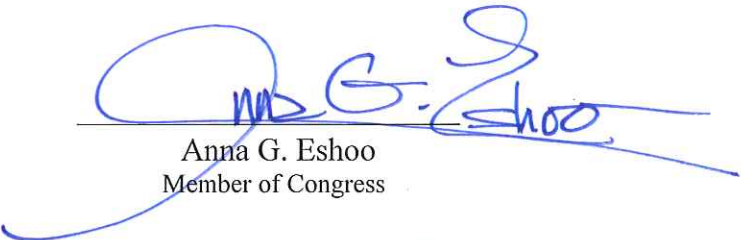
Thank you for your attention to this matter. We look forward to its timely resolution.

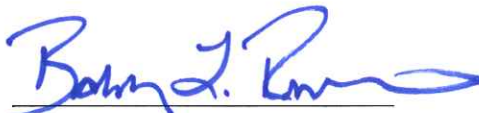
Sincerely,


G. K. Butterfield
Member of Congress

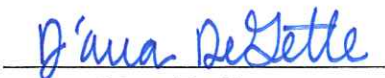

David Price
Member of Congress


Henry A. Waxman
Member of Congress

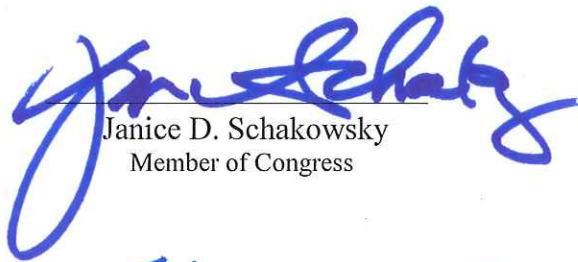

Anna G. Eshoo
Member of Congress


Bobby L. Rush
Member of Congress

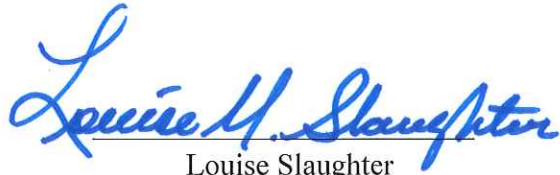

Frank Pallone, Jr.
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Diana DeGette
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Paul Tonko
Member of Congress



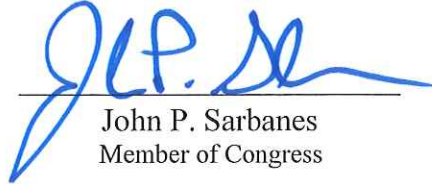
Janice D. Schakowsky
Member of Congress



Louise Slaughter
Member of Congress



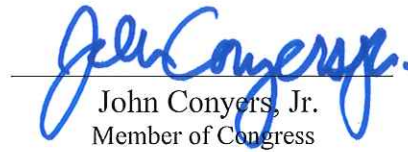
Steve Israel
Member of Congress



John P. Sarbanes
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Gerald E. Connolly
Member of Congress



John Conyers, Jr.
Member of Congress



Robin Kelly
Member of Congress



C. A. Dutch Ruppertsberger
Member of Congress



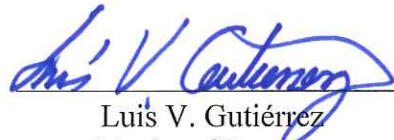
Rosa L. DeLauro
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Adam B. Schiff
Member of Congress



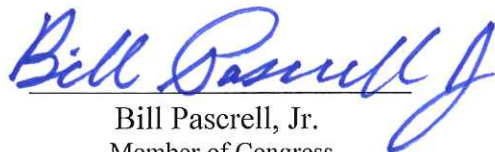
Scott Peters
Member of Congress



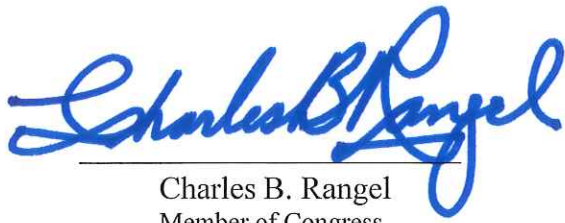
Luis V. Gutiérrez
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Steve Cohen
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Charles B. Rangel
Member of Congress



Emanuel Cleaver
Member of Congress



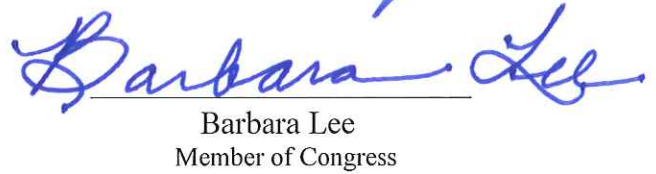
Lucille Roybal-Allard
Member of Congress



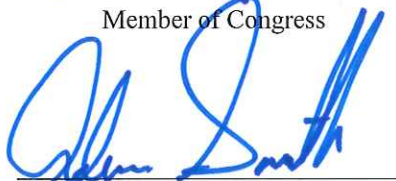
Carolyn Maloney
Member of Congress



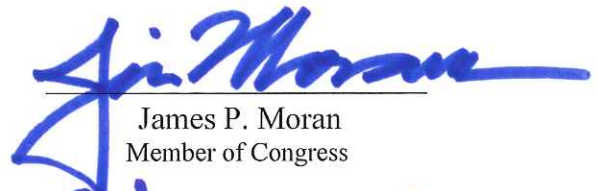
Chaka Fattah
Member of Congress



Barbara Lee
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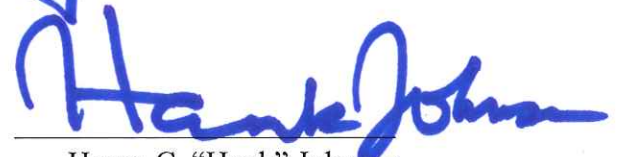
Adam Smith
Member of Congress



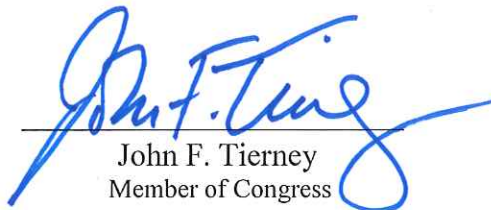
James P. Moran
Member of Congress



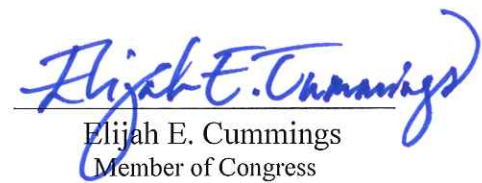
Keith Ellison
Member of Congress



Henry C. "Hank" Johnson
Member of Congress



John F. Tierney
Member of Congress



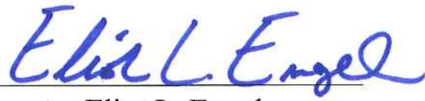
Elijah E. Cummings
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Lois Capps
Member of Congress



Maxine Waters
Member of Congress



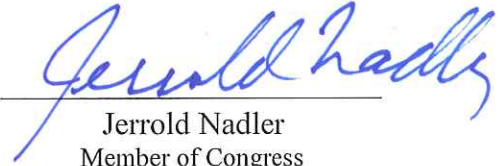
Eliot L. Engel
Member of Congress



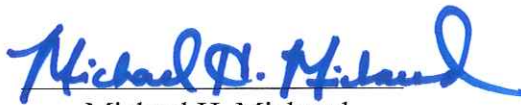
Sheila Jackson Lee
Member of Congress



Eleanor Holmes Norton
Member of Congress



Jerrold Nadler
Member of Congress



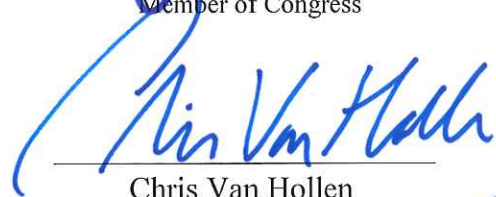
Michael H. Michaud
Member of Congress



Betty McCollum
Member of Congress



Michael M. Honda
Member of Congress



Chris Van Hollen
Member of Congress



Jared Huffman
Member of Congress



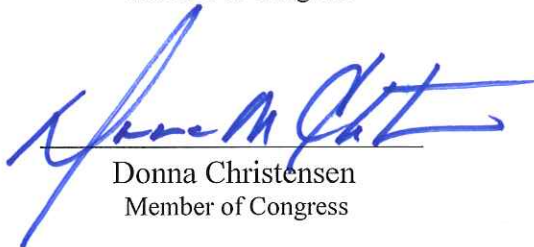
Niki Tsongas
Member of Congress



Carol Shea-Porter
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Raúl M. Grijalva
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Donna Christensen
Member of Congress



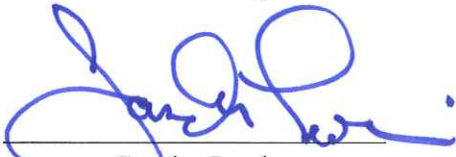
Matt Cartwright
Member of Congress



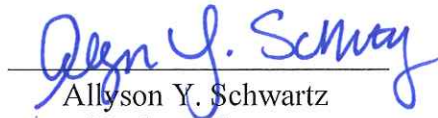
Zoe Lofgren
Member of Congress



Chellie Pingree
Member of Congress



Sander Levin
Member of Congress



Allyson Y. Schwartz
Member of Congress



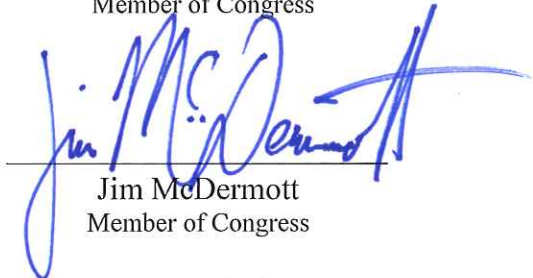
Rush Holt
Member of Congress



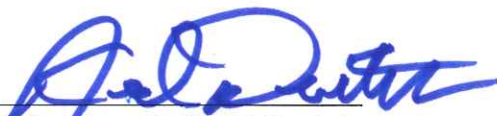
Robert C. "Bobby" Scott
Member of Congress



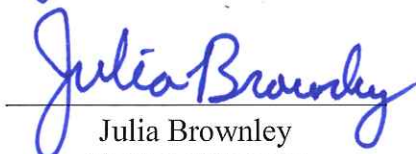
Mike Quigley
Member of Congress



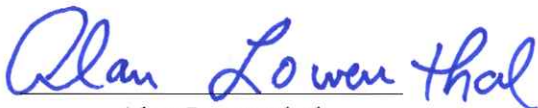
Jim McDermott
Member of Congress



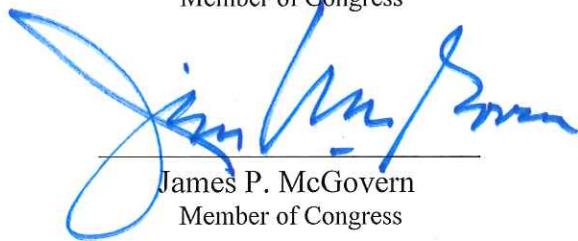
Theodore E. "Ted" Deutch
Member of Congress



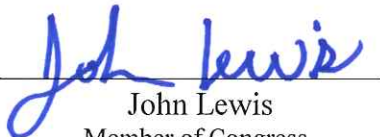
Julia Brownley
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Alan Lowenthal
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James P. McGovern
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John Lewis
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William R. Keating
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Jackie Speier
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Kathy Castor
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David Cicilline
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James Langevin
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Ann McLane Kuster
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Donna F. Edwards
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Alan Grayson
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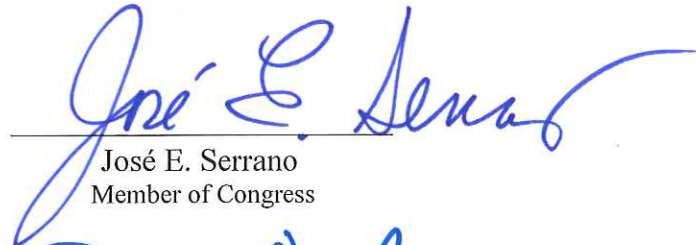
Joe Courtney
Member of Congress



Earl Blumenauer
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Sam Farr
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José E. Serrano
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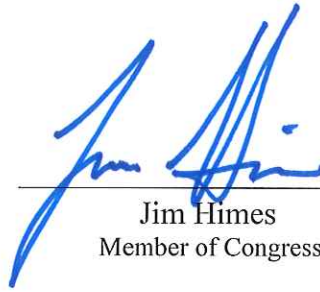
Brad Sherman
Member of Congress



Doris O. Matsui
Member of Congress



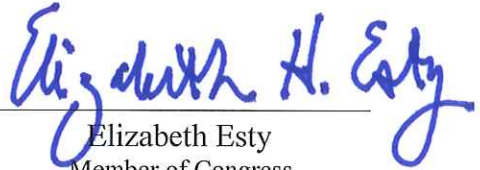
Mike Thompson
Member of Congress



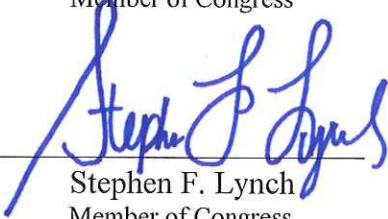
Jim Himes
Member of Congress



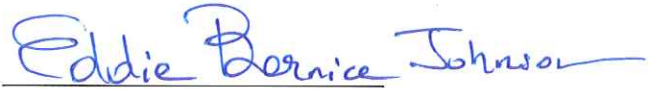
George Miller
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Elizabeth Esty
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Stephen F. Lynch
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Eddie Bernice Johnson
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Brad Schneider
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