



Industrial Energy Consumers of America

The Voice of the Industrial Energy Consumers

1776 K Street, NW, Suite 720 • Washington, D.C. 20006
Telephone 202-223-1420 • www.ieca-us.org

July 7, 2015

The Honorable John Boehner
Speaker
U.S. House of Representatives
1011 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
Majority Leader
U.S. House of Representatives
2421 Rayburn House Office Building
Washington, DC 20515

Re: IECA Supports H.R. 1734, the “Improving Coal Combustion Residuals Regulation Act of 2015”

Dear Speaker Boehner and Majority Leader McCarthy:

On behalf of the Industrial Energy Consumers of America (IECA), we support passage of H.R. 1734, the “Improving Coal Combustion Residuals Regulation Act of 2015.” We would urge you to hold a vote on the House floor on H.R. 1734, the “Improving Coal Combustion Residuals Regulation Act of 2015” during the month of July 2015.

IECA companies are energy-intensive trade-exposed (EITE) industries and represent a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, building products, brewing, independent oil refining, and cement. Coal Combustion Products (CCPs) or coal ash is used in manufacturing processes and ensures billions of dollars in economic benefits, supports the creation of jobs across many industries, and has multiple environmental benefits, including GHG reductions, reduced water use, and improved energy efficiency.

Under the EPA’s finalized rule for the *Disposal of Coal Combustion Residuals from Electric Utilities (CCR)*, EPA lacks authority to provide for implementation of the new federal requirements through a state permit program. Also, EPA tried to finesse its lack of authority to establish a permit program under the non-hazardous waste provisions of the Resource Conservation and Recovery Act (RCRA) by encouraging states to amend their solid waste management plans, however this sets up dual regulatory requirements.

H.R. 1734 would provide fixes to these problems. The bill would allow states to establish a state-based CCR permit program. It provides EPA with authority to review state programs and their implementation of the requirements, and if the state chooses not to implement the requirements or has failed to implement them adequately, it authorizes EPA to implement the permit program. Also, the bill addresses the uncertainty created by EPA’s preamble language suggesting that, in the future, it might reconsider the decision to regulate CCR as non-hazardous.

The final rule will go into effect on October 19, 2015. It is imperative that this bill be voted upon in July to give time for consideration in the Senate before final implementation of the rule takes place. H.R. 1734 would assure a coherent, consistent implementation of the final CCR rule in a

manner that appropriately addresses site-specific circumstances of each facility to better protect the public and industry.

Sincerely,

Paul N. Cicio
President

cc: U.S. House of Representatives

The Industrial Energy Consumers of America is a nonpartisan association of leading manufacturing companies with \$1.0 trillion in annual sales, over 2,900 facilities nationwide, and with more than 1.4 million employees worldwide. It is an organization created to promote the interests of manufacturing companies through advocacy and collaboration for which the availability, use and cost of energy, power or feedstock play a significant role in their ability to compete in domestic and world markets. IECA membership represents a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, pharmaceutical, building products, brewing, independent oil refining, and cement.