

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
 Dynegy
 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
 Integrys 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