



LEAGUE OF CONSERVATION VOTERS

July 23, 2013

United States House
Washington, DC 20515

Re: Oppose H.R. 2218 – Fails to Protect Public Health from Improper Coal Ash Disposal

Dear Representative:

The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the *National Environmental Scorecard*, which details the voting records of members of Congress on environmental legislation. The *Scorecard* is distributed to LCV members, concerned voters nationwide and the media.

LCV urges you to vote NO on H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, which fails to protect human health and the environment from the unsafe disposal of toxic coal ash. Every year more than 140 million tons of coal ash—the toxic byproduct of burning coal that’s laden with arsenic, lead, and other heavy metals—is created and stored in more than 1,300 impoundments across the country, many of which have leached dangerous chemicals into water Americans count on. There have been at least 200 documented cases of water contamination from coal ash in no fewer than 37 states. These toxic impoundments have also been known to fail catastrophically, as when more than one billion gallons of ash spilled across 300 acres when a dam failed at a Tennessee Valley Authority site in December 2008. For years, the EPA has worked to develop a rule to protect the public; however this bill strips its authority to finalize the current rule or to promulgate any future regulation of this toxic waste.

Despite the evident dangers from improper coal ash disposal, this bill fails to ensure that states will protect public health and the environment from the risks of coal ash. The nonpartisan Congressional Research Service concluded in a June 4th memorandum that the bill:

- Lacks a nationwide standard of protection, such as protecting human health and the environment.
- Eliminates the EPA’s ability to act as a federal backstop, removing its authority to enforce criteria if states are unwilling or unable to do so.
- Lacks specificity to ensure that states’ definitions of disposal “structures” do not exclude many dangerous coal ash dumps.
- Fails to require leaking landfills and impoundments to close by a date certain and fails to address old polluting sites.

We urge you to REJECT H.R. 2218, which fails to protect human health and the environment from the risks of coal ash. We will strongly consider including votes on this bill in the 2013 *Scorecard*. If you need more information, please call Tiernan Sittenfeld, Ashley Friedman or Alex Taurel in my office at (202) 785-8683.

Sincerely,

Gene Karpinski
President