

U.S. House Passes HR 2273 Coal Ash Bill With Strong Bipartisan Support

The U.S. House of Representatives on October 14 passed legislation designed to protect coal ash recycling and strengthen coal ash disposal regulations without a “hazardous waste” designation for the material.

HR 2273 – the “Coal Residuals Reuse and Management Act” – was approved by a bipartisan vote of 267-144, with 37 Democrats voting in favor of the bill. That is the highest number of Democrats to vote for any of the House bills considered this year to address regulations proposed by the U.S. Environmental Protection Agency.

Action will now move to the U.S. Senate, where discussions are taking place regarding a bill based on the HR 2273 approach. The bill mandates the first ever national standards for coal ash disposal. The standards are patterned after successful regulatory programs for managing municipal solid waste. The bill requires state-administered permit programs to create enforceable requirements for groundwater monitoring, lining of landfills, corrective action when environmental damage occurs and structural criteria. It also provides that if a state is unable or unwilling to implement the permit program, the federal EPA would have authority to do so.

In a statement by the White House earlier in the week, President Obama opposed the bill but did NOT threaten to veto it. All of the other EPA-related bills considered in the House this year have attracted a presidential veto threat.