



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

July 23, 2013
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 2218 - Coal Residuals Reuse and Management Act

(Rep. McKinley, R-WV, and 54 cosponsors)

The Administration appreciates the efforts by Members of the House to improve previous coal combustion residual management bills. However, the Administration has concerns with H.R. 2218 that need to be addressed for the legislation to adequately protect public health and the environment.

To ensure that H.R. 2218 provides for the safe management and disposal of coal ash, important gaps should be filled, including: (1) authority to address inactive or abandoned disposal sites and for areas where coal ash is used in large scale fill operations; (2) clear and appropriate authority for taking potential corrective action on unlined or leaking impoundments or units; (3) groundwater protection standards that address the constituents of coal combustion residuals identified in H.R. 2218; and (4) clear minimum standards for EPA to identify and remedy State program deficiencies. Additionally, the Administration is concerned that overly broad preemption language in the bill may unintentionally block important protections under the Clean Water Act.

The 2008 failure of a coal ash impoundment in Kingston, Tennessee, which spilled more than five million cubic yards of coal ash and will require \$1.2 billion for clean-up, was a stark reminder of the need for safe disposal and management of coal ash.

The Administration would like to work with Congress to address the important issues with H.R. 2218 to allow for development, implementation, and enforcement of appropriate standards for facilities managing coal combustion residuals, while encouraging the beneficial use of this economically important material.

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