

JO BONNER
1ST DISTRICT, ALABAMA

ASSISTANT REPUBLICAN WHIP
REPUBLICAN STUDY COMMITTEE

SERVING BALDWIN, CLARKE,
ESCAMBIA, MOBILE, MONROE AND
WASHINGTON COUNTIES

Congress of the United States
House of Representatives

Washington, DC 20515

September 25, 2009

APPROPRIATIONS
SUBCOMMITTEES:
COMMERCE, JUSTICE, SCIENCE
LABOR, HEALTH AND HUMAN SERVICES,
EDUCATION

ETHICS
RANKING MEMBER

ALAN C. SPENCER
CHIEF OF STAFF

The Honorable Lisa P. Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Jackson:

I understand that the U.S. Environmental and Protection Agency (EPA) is considering the implementation of new regulations governing the management of Coal Combustion By-products (CCBs), and expects to issue a proposed rule by the end of the year. I am writing to express my objection to regulating CCBs under Subtitle C of the Resource Conservation and Recovery Act (RCRA), as hazardous waste.

It is my understanding that regulation of CCBs as hazardous waste would almost surely eliminate their beneficial use, and severely impact an industry that employs thousands of people throughout the United States. It would have devastating consequences on my constituents' businesses, and would in all likelihood lead to the end of some of their operations.

I commend the EPA for recognizing and strongly promoting the beneficial use of CCBs through the C²P² program while at the same time strictly controlling their management. I understand that regulation of CCBs under Subtitle D of RCRA would continue to promote its beneficial use while at the same time adequately protect the environment and the health of the population. According to your findings on four previous occasions over the last 20 years, regulation under Subtitle C is not warranted based on sound scientific evidence. I have been informed that unless the science has changed, it appears any regulation of CCBs can and should be done under subtitle D of RCRA, consistent with protecting human health and environment and your previous decisions.

Thank you for your consideration of this request. With kind regards, I remain

Sincerely,



Jo Bonner
Member of Congress

JB:jh