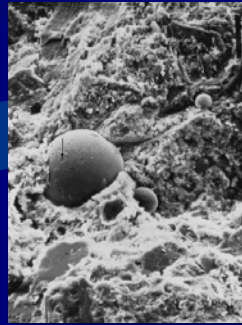


Coal Ash Regulatory Update



National Concrete Consortium

Reno, NV

April 22, 2015

American Coal Ash Association



CCP Regulatory Certainty

- Uncertainty over the status of CCP stopped investment in recycling
- Investment in beneficiation, transportation, and storage stopped
- The recycling rate has remained about the same since 2009



EPA Rule Published

- EPA announced its coal ash regulation on December 19, 2015
- Published on April 17, 2015
- Regulates under Subtitle D of the RCRA as a non-hazardous solid waste



Primary features

- Self-implementing – no state or federal role
- Enforcement through citizen suits
- Mostly addresses disposal of CCP
- Beneficial use mostly exempt



Beneficial Use

- “Encapsulated” uses – fly ash in concrete and gypsum in wall board are exempt
- Use of CCP within a roadway is exempt
- “Unencapsulated” use outside a roadway over 12,400 tons must be evaluated case by case



Legislation needed

- HR 1734 adopts the EPA rule, improves the rule, adds to the rule
- The bill would establish the status of CCP in RCRA
- House passage expected this summer
- Future in Senate is cloudy
- President inclined to sign



QUESTIONS?



American Coal Ash Association

Thank You

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