



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 12 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Henry Waxman
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Waxman:

Thank you for your technical assistance inquiry regarding whether EPA has the authority to revise the criteria for coal combustion residuals (CCR) facilities. Under current law, EPA does not have the authority to add requirements for CCR landfills and surface impoundments to its existing RCRA Subtitle D revised criteria for municipal solid waste landfills in 40 CFR Part 258. The amendment to H.R. 2273 that your inquiry references continues to not provide EPA the necessary authority to develop regulations specific for these coal combustion residuals.

If you or your staff have further questions, please feel free to contact me at (202) 564-4741.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arvin Ganesan".

Arvin Ganesan
Associate Administrator