

114TH CONGRESS  
2D SESSION

# H. R. 4827

To require the Administrator of the Environmental Protection Agency to review regulations for municipal solid waste landfills to determine if such regulations are, with the respect to the disposal of coal combustion residuals in such landfills, protective of health and the environment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2016

Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. GRIJALVA, Mr. GUTIÉRREZ, and Ms. PLASKETT) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Administrator of the Environmental Protection Agency to review regulations for municipal solid waste landfills to determine if such regulations are, with the respect to the disposal of coal combustion residuals in such landfills, protective of health and the environment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coal Ash Landfill Safe-  
5 ty Act”.

1 **SEC. 2. REVIEW OF REGULATIONS FOR MUNICIPAL SOLID**  
2 **WASTE LANDFILLS THAT RECEIVE COAL**  
3 **COMBUSTION RESIDUALS.**

4 (a) REVIEW.—Not later than 6 months after the date  
5 of enactment of this Act, the Administrator shall complete  
6 a review of the regulations issued under the Solid Waste  
7 Disposal Act (42 U.S.C. 6901 et seq.) applicable to munic-  
8 ipal solid waste landfills with respect to the disposal of  
9 coal combustion residuals at such landfills.

10 (b) CONTENTS.—In conducting the review under sub-  
11 section (a) the Administrator shall—

12 (1) determine, with respect to the disposal of  
13 coal combustion residuals, if the regulations de-  
14 scribed in subsection (a) for municipal solid waste  
15 landfills are at least as protective of health and the  
16 environment as the regulations set forth in the coal  
17 combustion residuals rule are for landfills and sur-  
18 face impoundments that are subject to such coal  
19 combustion residuals rule;

20 (2) examine, with respect to the disposal of coal  
21 combustion residuals, any differences in require-  
22 ments, protections, and impacts between the regula-  
23 tions described in subsection (a) and the regulations  
24 set forth in the coal combustion residuals rule, in-  
25 cluding—

26 (A) fugitive dust protections;

1 (B) groundwater monitoring for coal com-  
2 bustion residuals specific parameters;

3 (C) cleanup standards for coal combustion  
4 residuals contaminants;

5 (D) weekly, monthly, and annual inspec-  
6 tion requirements;

7 (E) a prohibition against placing coal com-  
8 bustion residuals within 5 feet of groundwater;

9 (F) public access to compliance data and  
10 information, including public posting of moni-  
11 toring data, corrective action plans, and inspec-  
12 tion reports on a publicly accessible Internet  
13 website; and

14 (G) disproportionate impacts to health and  
15 environment of low-income and minority popu-  
16 lations in accordance with Executive Order  
17 12898, “Federal Actions To Address Environ-  
18 mental Justice in Minority Populations and  
19 Low-Income Populations”.

20 (e) REVISION OF REGULATIONS.—If, pursuant to the  
21 review under subsection (a), the Administrator determines  
22 that, with respect to the disposal of coal combustion re-  
23 siduals, the regulations applicable to municipal solid waste  
24 landfills described in subsection (a) fail to provide at least  
25 equivalent protection for health and the environment as

1 the regulations set forth in the coal combustion residuals  
2 rule for landfills and surface impoundments subject to  
3 such coal combustion residuals rule, not later than 18  
4 months after the date of enactment of this Act, the Ad-  
5 ministrator shall revise the regulations applicable to mu-  
6 nicipal solid waste landfills that receive coal combustion  
7 residuals to provide equivalent or greater protection.

8 (d) DEFINITIONS.—In this Act:

9 (1) ADMINISTRATOR.—The term “Adminis-  
10 trator” means the Administrator of the Environ-  
11 mental Protection Agency.

12 (2) COAL COMBUSTION RESIDUALS.—The term  
13 “coal combustion residuals” means fly ash, bottom  
14 ash, boiler slag, and flue gas desulfurization mate-  
15 rials generated from burning coal for the purpose of  
16 generating electricity by electric utilities and inde-  
17 pendent power producers.

18 (3) COAL COMBUSTION RESIDUALS RULE.—The  
19 term “coal combustion residuals rule” means the  
20 rule entitled “Hazardous and Solid Waste Manage-  
21 ment System; Disposal of Coal Combustion Residu-  
22 als From Electric Utilities” published at 80 Fed.  
23 Reg. 21302 (April 17, 2015) (including any suc-  
24 cessor regulation).

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