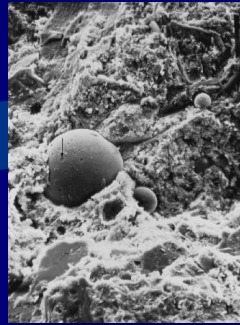
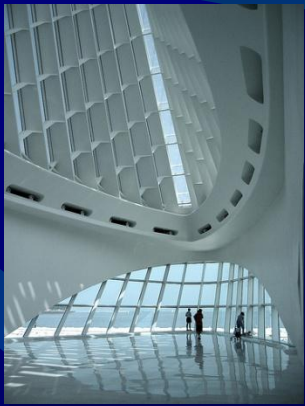


# Title: CCP Regulatory Update



July 26, 2012

American Coal Ash Association



# CCP Disposal Regulations: Almost But Not Quite Yet

- EPA Continues to Work to Create Disposal Regulations
- Lawsuit Filed by ENGOs and Marketers
- Congress Almost Passes Legislation



# EPA Labors On

- With over 450,000 comments EPA continues to study
- A Notice of Data Availability is expected soon
- A risk evaluation methodology is being developed to assess specific beneficial uses



# Suits by Strange Bedfellows

- ENGOs sue EPA to force a review
- Headwaters and Boral sue EPA on the same basis
- National Mining Association file to gain intervener status
- Suits consolidated
- Briefs due by end of year



# Congress Acts

- HR 2273 (McKinley Bill) passed last October with bipartisan support
- Senate introduces S 1751
- Transportation Conference considers inclusion of HR 2273 as an amendment
- Senate expected to introduce a new version of S 1751

# Capitol Hill Odds

- Reintroduced bill passed before November elections? **Not likely**
- Reintroduced bill passed in lame duck?  
**who knows?**
- New bill in next congress depends on results of election



# Summary

- EPA continues to try to arrive at a regulation but not likely to get a rule out until sometime in 2013
- Court could rule by end of first quarter of 2013 and set a deadline for a rule
- Congress may solve the issue but nothing is for sure



# Questions?

Thomas H. Adams

(720)870-7897

[thadams@acaa-usa.org](mailto:thadams@acaa-usa.org)

[www.acaa-usa.org](http://www.acaa-usa.org)



American Coal Ash Association

**ACAA**