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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R. _____

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.

IN THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of Georgia introduced the following bill; which was referred to the Committee on _____

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. REVIEW OF REGULATIONS FOR MUNICIPAL SOLID**
5 **WASTE LANDFILLS THAT RECEIVE COAL**
6 **COMBUSTION RESIDUALS.**

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

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

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

23 (2) examine, with respect to the disposal of coal
24 combustion residuals, any differences in require-
25 ments, protections, and impacts between the regula-
26 tions described in subsection (a) and the regulations

1 set forth in the coal combustion residuals rule, in-
2 cluding—

3 (A) fugitive dust protections;

4 (B) groundwater monitoring for coal com-
5 bustion residuals specific parameters;

6 (C) cleanup standards for coal combustion
7 residuals contaminants;

8 (D) weekly, monthly, and annual inspec-
9 tion requirements;

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

12 (F) public access to compliance data and
13 information, including public posting of moni-
14 toring data, corrective action plans, and inspec-
15 tion reports on a publicly accessible internet
16 website; and

17 (G) disproportionate impacts to health and
18 environment of low-income and minority popu-
19 lations in accordance with Executive Order
20 12898, “Federal Actions To Address Environ-
21 mental Justice in Minority Populations and
22 Low-Income Populations”.

23 (c) REVISION OF REGULATIONS.—If, pursuant to the
24 review under subsection (a), the Administrator determines
25 that, with respect to the disposal of coal combustion re-

1 siduals, the regulations applicable to municipal solid waste
2 landfills described in subsection (a) fail to provide at least
3 equivalent protection for health and the environment as
4 the regulations set forth in the coal combustion residuals
5 rule for landfills and surface impoundments subject to
6 such coal combustion residuals rule, not later than 18
7 months after the date of enactment of this Act, the Ad-
8 ministrators shall revise the regulations applicable to mu-
9 nicipal solid waste landfills that receive coal combustion
10 residuals to provide equivalent or greater protection.

11 (d) DEFINITIONS.—In this Act:

12 (1) ADMINISTRATOR.—The term “Adminis-
13 trator” means the Administrator of the Environ-
14 mental Protection Agency.

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

21 (3) COAL COMBUSTION RESIDUALS RULE.—The
22 term “coal combustion residuals rule” means the
23 rule entitled “Hazardous and Solid Waste Manage-
24 ment System; Disposal of Coal Combustion Residu-
25 als From Electric Utilities” published at 80 Fed.

- 1 Reg. 21302 (April 17, 2015) (including any suc-
- 2 cessor regulation).