



LEAGUE OF CONSERVATION VOTERS

October 13, 2011

United States House of Representatives
Washington, DC 20515

Re: Oppose H.R. 2273, which endangers public health and fails to promote coal ash recycling

Dear Representative:

The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the *National Environmental Scorecard*, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 2273—the latest in the suite of attacks on public health safeguards outlined in Majority Leader Cantor’s Fall Agenda. This bill fails to protect the health of communities from the dangers of toxic coal ash pollution, and it won’t promote coal ash recycling. H.R. 2273 is in fact less protective of public health than EPA’s Subtitle D proposal, the least stringent of the two proposals EPA has offered during its ongoing science-based rulemaking process. The bill cuts off the rulemaking, thus silencing the voices of the more than 450,000 Americans who commented on the proposed safeguards.

Coal ash, the toxic byproduct of burning coal that’s laden with arsenic, lead, and other heavy metals, is stored across the country in nearly 700 largely unregulated sludge impoundments, many of which have leached dangerous chemicals into water Americans count on. These toxic lagoons can also fail catastrophically, as when more than one billion gallons of ash spilled across 300 acres when a dam failed at a Tennessee Valley Authority site in December 2008. Incredibly, H.R. 2273—even with Representative Shimkus’ Manager’s Amendment—affords communities fewer protections from these toxic sludge ponds than they currently receive from their local household garbage landfill. That defies common sense.

H.R. 2273 also won’t boost coal ash recycling. Ash that’s dumped in wet impoundments can no longer be beneficially recycled into products like concrete, yet H.R. 2273 fails to phase out these wet ponds. Indeed, the bill’s weak protections will only encourage utilities to continue dumping coal ash cheaply in wet ponds at the expense of public health, while stronger protections would incentivize utilities to recycle their ash.

We urge you to reject this latest attempt to protect polluters instead of public health and vote NO on H.R. 2273. We urge you to support all pro-environment amendments and oppose the underlying bill. We will strongly consider including votes on this bill in the 2011 Scorecard. If you need more information, please call Alex Taurel, Tiernan Sittenfeld, or Sara Chieffo in my office at (202) 785-8683.

Sincerely,

Gene Karpinski
President