



# The Large Public Power Council

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May 8, 2012

The Honorable Barbara Boxer  
U.S. Senate  
112 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable John Mica  
U.S. House of Representatives  
2187 Rayburn House Office Building  
Washington, DC 20515

The Honorable James M. Inhofe  
U.S. Senate  
205 Russell Senate Office Building  
Washington, DC 20510 -3603

The Honorable Nick Rahall  
U.S. House of Representatives  
2307 Rayburn House Office Building  
Washington, DC 20515

Dear Chairwoman Boxer, Ranking Member Inhofe, Chairman Mica and Ranking Member Rahall:

I am writing on behalf of the Large Public Power Council (LPPC) to voice our support for inclusion of Sec. 501 of H.R. 4348, the Highway and Infrastructure Safety through the Protection of Coal Combustion Residual Recycling (the Rep. McKinley amendment), in the final Transportation bill.

The Large Public Power Council represents 25 of the largest locally owned and operated not-for-profit electric systems in the nation. Members are located in 11 states and Puerto Rico. LPPC member utilities supply electricity to some of the largest cities in the country -- including Los Angeles, Seattle, Omaha, Phoenix, Sacramento, Jacksonville, San Antonio, Orlando and Austin.

Collectively, our members own and operate approximately 35,000 circuit miles of transmission lines and over 86,000 megaWatts of generation, reflecting a portfolio of renewable energy, fossil fuel, nuclear, hydropower and other resources.

We have a strong interest in workable rules for the disposal of coal combustion residuals (CCR).

The members of the LPPC believe that coal combustion residuals should be regulated as a non-hazardous waste. This is in accordance with EPA's two previous final regulatory determinations that CCR *does not warrant* regulation under the Resource Conservation and Recovery Act's hazardous waste program. We believe there should be federal guidelines for the disposal of CCR and that EPA should be able to enforce the standards if a state fails to do so.

This language in the House Transportation bill achieves these goals by creating federally enforceable disposal standards with the same level of stringency as those for municipal solid waste. Importantly, not regulating CCR as a hazardous waste allows the beneficial reuse of CCR to continue. Currently, about 40% of CCR in the US is directed to beneficial reuse (e.g., cement) rather than landfills or impoundments.

The members of the LPPC urge inclusion of section 501 – the language on CCR – in the final Transportation bill.

Sincerely,

Brian H. Moeck

CC: Transportation Conference Committee Members

Austin Energy (TX) • Chelan County PUD (WA) • Clark Public Utilities (WA) • Colorado Springs Utilities (CO) • CPS Energy (TX)  
ElectriCities of North Carolina, Inc. (NC) • Grant County PUD (WA) • IID (CA) • JEA (FL) • Long Island Power Authority (NY)  
Los Angeles Department of Water and Power (CA) • Lower Colorado River Authority (TX) • MEAG Power (GA) • Nebraska Public Power District (NE)  
New York Power Authority (NY) • Omaha Public Power District (NE) • OUC (FL) • Platte River Power Authority (CO)  
Puerto Rico Electric Power Authority (PR) • Sacramento Municipal Utility District (CA) • Salt River Project (AZ) • Santee Cooper (SC)  
Seattle City Light (WA) • Snohomish County PUD (WA) • Tacoma Public Utilities (WA)