



GROUP AGAINST SMOG & POLLUTION
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To the U.S. Environmental Protection Agency
On EPA Docket # EPA-HQ-RCRA-2009-0640
Identification and Listing of Special Waste:
Disposal of Coal Combustion Residuals
from Electric Utilities

Pittsburgh, Pennsylvania
September 21, 2010

Good afternoon, and thank you for the opportunity to provide comments on this proposed rulemaking. I work for the Group Against Smog and Pollution, or GASP, a nonprofit environmental organization based here in Pittsburgh. GASP strongly supports regulating Coal Combustion Residuals under subtitle C of the Resource Conservation and Recovery Act. CCRs are currently exempt under an amendment to RCRA, but EPA's new leach tests show that current storage methods of CCRs often lead to their leaching in concentrations that exceed hazardous waste thresholds many times over. It makes no sense to weakly regulate such toxic material.

Human beings did not create coal. We did not choose its chemical makeup. We have to take what Mother Nature has given us. Unfortunately, she saw fit to include arsenic, exposure to which causes nausea, arrhythmias, several types of cancer, cardiovascular disease, and even death at high-enough doses. EPA's 2009 study report of leachate found arsenic levels 1,800 times higher than the federal drinking water standard, and three times the level of the hazardous waste standard.

Nature has put selenium in coal as well. Selenium over-exposure in animals leads to impaired vision, paralysis, and death. Selenium bioaccumulates and causes deformations in fish and amphibians. It has wiped out entire fish populations in some locations. The EPA's report found selenium in leachate at levels 29 times the hazardous waste threshold. 29 times.

I'll stop my chemical analysis here, because I know that nothing that I could possibly say would be news to you. The EPA has conducted such an impressive amount of research on this topic that one could spend a decade or two mastering it.

GASP works mainly to clean pollution from the air. By scrubbing emissions from coal-fired power plants, the air is indeed cleaner, but the toxins do not disappear. They concentrate. And when stored improperly, they leach. GASP supports reducing the threats that coal burning produces, not just kicking the ashcan down the road.

GASP supports subtitle C, because it mandates federal or state permitting for disposal sites, giving communities more power over the toxins in their back yard.

GASP supports subtitle C, because it establishes minimum national standards for disposal. Subtitle D does not, meaning that making your disposal site safer would put you at a competitive disadvantage if the site one state over doesn't follow suit. This race to the bottom would help no one.

GASP supports subtitle C, because it creates federally-enforced regulations instead of just good advice.

GASP supports subtitle C, because we believe that hazardous waste should be treated as hazardous waste, no matter how powerful the industry is that produces it.

Thank you.