

United States Senate

WASHINGTON, DC 20510-1401

December 21, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

I have heard concerns from a number of individuals, energy companies, industrial manufacturers, and universities regarding potential regulations involving coal ash.

The majority of my constituents meet their daily energy needs from electricity generated in coal fired plants, and coal is also a valuable natural resource in Indiana. Coal ash regulations have the potential to negatively impact recycling these products in many beneficial uses and could also increase energy costs for millions of homeowners, farmers, and businesses.

While I am not opposed to uniform federal regulation of these products, I hope you will ensure that any regulatory actions that may impact energy availability in my state have both the intended actual improvements in health protections for citizens, as well as address any unintended consequences that may ensue. Specifically, I am hopeful that the EPA will carefully consider how any classification of coal ash as a hazardous waste could create uncertainty about beneficial use of these products and actually dissuade recycling and reuse efforts.

Sincerely,



Richard G. Lugar
United States Senator

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