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September 22, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, Mail Code: 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson,

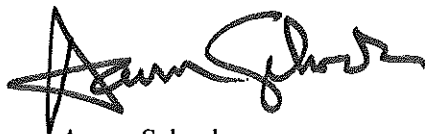
As your agency continues its consideration of new regulations governing the management of Coal Combustion By-products (CCBs), I respectfully request that you refrain from labeling these materials as hazardous waste.

Like you I am very concerned about the danger posed by CCBs. However, there is a difference between dangerous and the legal definition of "hazardous," as set by the Resource Conservation and Recovery Act (RCRA). The EPA has understood this fact and has on four previous occasions classified CCBs as non-hazardous waste. The Agency continues to make a tacit recognition of this fact by promoting the beneficial use of CCBs through the C²P² program.

I am very concerned that regulation of CCBs as hazardous waste would eliminate the beneficial use of these substances, thereby causing undue damage to industries that employ thousands of people throughout the United States. For example, Reed Minerals, of Pekin, Illinois is the largest blasting abrasives manufacturer in the U.S. and the third largest producer of roofing granules, the feedstock for these products is CCB. Should CCBs be labeled as hazardous, Reed Minerals would be financially devastated.

The continued classification of CCBs as a non-hazardous waste adequately protects the environment and the health of the population while allowing beneficial use to continue. In short, I am simply asking the Agency to continue its history of appropriate regulation. I thank you in advance for your thoughtful consideration of this request and I look forward to your response.

Sincerely,



Aaron Schock
Member of Congress