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## **Bipartisan Group of Senators Introduce the Coal Ash Recycling And Oversight Act of 2012**

### **Measure Will Preserve Jobs, Protect Local Oversight, Ensure Good Environmental Stewardship**

WASHINGTON – U.S. Senators John Hoeven (R-N.D.), Kent Conrad (D-N.D.) and Max Baucus (D-Mont.) today introduced bipartisan legislation that will ensure the safe and efficient recycling of coal ash into a valuable construction material for roads, buildings and other infrastructure projects.

The Hoeven-Conrad-Baucus Coal Ash Recycling and Oversight Act of 2012 provides strong state oversight for storage and management of coal residuals, while empowering industry to safely recycle it into useful and less-expensive construction materials. It takes a states-first approach that provides regulatory certainty for industry, local control for the states, and good environmental stewardship for the public.

Coal ash is a byproduct of coal-based electricity generation that has been safely recycled for buildings, roads, bridges and other infrastructure for years. The new bill will set up a state permitting program for coal ash under a section of the federal Resource Conservation and Recovery Act. It would ensure coal ash storage sites have requirements for timely and effective groundwater monitoring, protective lining, and properly engineered structures needed to protect communities and the environment. States that prefer could grant oversight to the Environmental Protection Agency (EPA).

The new legislation enables states to set up their own permitting programs, but they must be based on federal standards for the management, disposal and oversight of coal ash in order to protect human health and the environment. States and industry would have the predictability they need to manage residuals under the bill because the benchmarks for what constitutes a successful management program will be set in statute.

Hoeven today outlined the new legislation on the U.S. Senate floor in Washington, illustrating his comments with photos of Bismarck State University's National Center of Energy Excellence

and a rendering of the new North Dakota Heritage Center expansion, both of which incorporate recycled coal residuals in their construction.

“At a time when our nation very much needs jobs and economic growth, our bill will help to create both, while also helping to lower the cost of energy for American families and businesses,” Hoeven said. “North Dakota serves as a good example of how states can properly manage the disposal of coal residuals with good environmental stewardship, and at the same time, allow for its beneficial use in buildings, roads, bridges and other infrastructure with a material that is stronger and less expensive.”

“This bill takes a common-sense approach that keeps states at the forefront of regulating coal ash, but requires the states to meet a common set of standards to ensure that drinking water is safe,” Senator Conrad said. “This approach would ensure that coal-fired power plants can continue operating efficiently and providing affordable electricity to consumers. It will also mean that road builders can continue to use coal ash to make concrete roads and bridges both stronger and more affordable.”

“This is a commonsense approach that supports jobs while giving states like Montana and North Dakota the power to protect their own communities instead of bureaucrats calling the shots from Washington,” Baucus said. “This bill strikes a good balance to continue our strong commitment to protecting our outdoor heritage while supporting industries that turn coal ash into jobs building roads and bridges.”

The legislation introduced today is an amended version of a bill Senators Hoeven and Conrad introduced earlier. They’ve revised the measure to gain more bipartisan support, and the new legislation is now sponsored by 12 Republicans and 12 Democrats.

In addition to Hoeven, Conrad and Baucus, cosponsors of the legislation include Republican Leader Mitch McConnell (R-Ky.), Sens. Joe Manchin (D-W.Va.), Rob Portman (R-Ohio), John Boozman (R-Ark.), Mary Landrieu (D-La.), Roy Blunt (R-Mo.), Ben Nelson (D-Neb.), Ron Johnson (R-Wis.), Claire McCaskill (D-Mo.), Jerry Moran (R-Kans.), Pat Toomey (R-Penn.), Herb Kohl (D-Wis.), Lamar Alexander (R-Tenn.), Mark Warner (D-Va.), John Thune (R-S.D.), Mark Pryor (D-Ark.), Orrin Hatch (R-Utah), Bill Nelson (D-Fla.), Lindsey Graham (R-S.C.), Robert Casey (D-Penn.) Jim Webb (D-Va.).