Statement of The Honorable Jim Costa
Chairman, Subcommittee on Energy and Mineral Resources
Oversight Hearing: "How Should the Federal Government Address the Health and Environmental Risks of Coal Combustion Waste?"
10 June 2008

Today's hearing is the first time in at least a decade that this Committee has focused on the important issue of coal combustion waste management. I expect, however, that this will be just the beginning of our examination of coal waste. Although our Committee's chairman, Mr. Rahall, has sought solutions to the problem of coal waste management since the 1980s, many of us on this Subcommittee are just beginning to learn about the environmental and health risks of coal combustion waste, and options for its safe management. We intend to hold additional hearings on coal combustion byproducts in which we can gain input from other perspectives, including federal agencies like the Environmental Protection Agency and the Office of Surface Mining, on how best to address the waste challenge safely and sustainably.

Why hold this hearing now? First, because the problem of how to handle coal combustion waste is growing. Coal is a fundamental part of our present and future energy supply. Coal-fired power plants generate half the nation's electricity. But, they yield approximately 125 million tons of coal waste a year that we must reuse or dispose.

Secondly, the time is ripe for this hearing because recent reports raise serious questions about the management of coal byproducts, like fly ash. The Environmental Protection Agency has identified 67 cases in which human or ecosystem health have been compromised by coal combustion waste. And, the Agency's draft risk assessment from 2007 revealed risks to human health and the environment from the disposal of coal waste in landfills and surface impoundments.

Another important report was published in 2006. At Chairman Rahall's request, the National Research Council analyzed how to safely manage coal combustion residues in mines. The Council's report determined that coal waste may cause problems at or near some mine disposal sites, and found gaps and inadequacies in state regulatory programs for coal waste disposal. The report recommended enforceable federal standards for mine placement of coal waste.

In short, today's hearing is an opportunity to gain a better understanding of the dangers coal waste can pose if mismanaged, and get input on what regulation is needed for coal waste disposal--whether in landfills, mines, quarries, or other kinds of sites.

I also think it is important that we examine how we can promote reuse of coal waste in products like concrete and roads. For example, Wisconsin reuses roughly 85% of its coal waste—the highest rate in the country. Caltrans, in my home state of California, is considered a leader among state transportation agencies because it requires the use of fly ash in concrete paving projects. A typical Caltrans project uses at least 25% fly ash as a

replacement for Portland cement. What are the opportunities to minimize the coal waste stream nationwide, as Wisconsin and California are striving to do?

My personal belief is that coal will continue to be a critical part of our energy supply--but pollution from coal waste should not be part of America's future. I look forward to learning how we can ensure that common sense safeguards are in place for people, communities, and water supplies.