

## Two Proposed Rules Regulating Coal Ash Waste

The Environmental Protection Agency (EPA) is coordinating the development of two rules to regulate waste streams from coal-fired power plants, including coal ash:

1. Coal Ash Rule under the Resource Conservation and Recover Act (RCRA) would regulate coal ash landfills and impoundments; how they are constructed, monitored, maintained, and where they can be located.
2. Coal Water Pollution Standards under the Clean Water Act (also known as Effluent Limitation Guidelines or ELGs) would only regulate the wastewater discharged from impoundments to water bodies.

Currently, neither rule is finalized. The chart below explains how ELGs and Coal Ash Rule could work together to comprehensively address coal ash and other coal combustion wastes (CCW).

	Coal Water Pollution Standards	Coal Ash Rule
What does the act regulate?	Discharge of pollution from point sources to surface waters (rivers, streams, lakes)	Storage, treatment and disposal of coal ash and CCW
How would the rule address coal combustion waste?	Regulate surface water discharges of wastewater associated with CCW and coal ash	Two options currently proposed, under RCRA subtitle C and D. Would regulate siting, construction and monitoring of disposal facilities
What standards must EPA follow?	Standards must eliminate or reduce discharges of pollution to surface waters according to best available technology (BAT) or “best economically achievable”	Non-hazardous waste disposal standards must ensure no reasonable probability of adverse effects on health or the environment (RCRA Subtitle D). Hazardous waste disposal standards must protect human health and the environment (RCRA Subtitle C)
What is the potential outcome of rulemaking?	Effluent limits that reduce or eliminate CCW pollution in discharges to surface waters	Disposal standards to help prevent CCW from leaching into groundwater or environment
Areas of potential overlap between the two rules	EPA likely to find “dry” handling (landfills not wet impoundments) is BAT for ash, but dry landfills could still pollute groundwater. It’s unlikely that ELGs will cover discharges to groundwater, even though groundwater pollution is directly linked to surface water pollution. Will need strong groundwater protection in Coal Ash Rule.	
Water related issues not addressed by ELGs	Threats to human health and environment from direct exposure to coal ash ponds. Hazards posed by structural instability of coal ash ponds and dams. Groundwater pollution.	

Visit [www.southeastcoalash.org](http://www.southeastcoalash.org) to learn more about toxic coal ash and if it threatens the places you live, work, and play.