

# Proposed Coal Combustion Residuals (CCR) Federal Permitting Program Rule

## Background

In April 2015, the U.S. Environmental Protection Agency (EPA) promulgated a comprehensive set of requirements for the management of coal combustion residuals (CCR) in landfills and impoundments. CCR include a variety of waste streams, specifically, fly ash, bottom ash, boiler slag, and flue gas desulfurization materials generated from coal-fired electricity utilities; these waste streams are commonly known as coal ash. The rule established corrective action, closure and post closure, technical standards, and inspection, monitoring, recordkeeping, and reporting requirements.

## Creation of State CCR Permit Programs

Congress recognized the essential role states play in managing coal ash when they passed the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act. The WIIN Act, among other changes, gave states the authority to operate coal ash management permit programs in lieu of the federal requirements, provided that EPA determines the state's requirements are as protective as the federal standards. EPA is currently working with several states to establish their own permit programs. EPA approved Oklahoma's coal ash program last year and approved Georgia's program this year.

## What is EPA Proposing?

As required by the WIIN Act, EPA is proposing a streamlined, efficient, federal permitting program for the disposal of CCR in surface impoundments and landfills, which will also include electronic permitting. EPA has used the lessons learned from

many years of implementing hazardous waste and other permitting programs to design an efficient, federal CCR permitting process.

## What does this proposal include?

This proposal includes requirements for federal CCR permit applications, content and modification, as well as procedural requirements. EPA would implement this permit program directly in Indian Country, as it does other Resource Conservation and Recovery Act (RCRA) programs, and at CCR units located in states that have not submitted their own CCR permit program for approval. Issuance of a permit will provide increased clarity to owners and operators of units about their obligations because the rule requirements can be tailored to specific conditions at the unit. The permit process will also provide opportunity for public participation.

## Where Can I Find More Information on This Proposal?

For information about the proposed rule, contact Stacey Yonce at 703-308-8476 or [yonce.stacey@epa.gov](mailto:yonce.stacey@epa.gov).

EPA will be accepting public comment on this proposal for 60 days once the rule is published in the *Federal Register* at [Regulations.gov](http://Regulations.gov).

EPA will conduct a virtual public hearing about the proposed rule. Additional information is available on [epa.gov/coalash](http://epa.gov/coalash).