

OMB Meeting  
November 13, 2009

1. Introductions (5 minutes)
2. Summary of our Position Regarding Regulation of Coal Ash Surface Impoundments and Landfills (5 minutes)
  - a. Need for hazardous waste listing
  - b. Need for phase out of wet storage ponds
  - c. Need for national minimum engineering standards for landfill disposal
  - d. Continuation of legitimate reuse of coal combustion waste
3. Justification for Subtitle C Regulation of Coal Ash (Intro- 1 minute)
  - a. Risks from Coal Ash Mismanagement are Substantial (4 minutes)
    - i. EPA leaching data drive risk (coal ash is not dirt or rock)
    - ii. Clarification re Age and Nature of EPA's Damage Cases
  - b. State Regulations Are Largely Inadequate (3 minutes)
  - c. Environmental Justice Concerns (3 minutes)
  - d. Benefits of Regulation Exceed Costs:
    - i. Benefits of regulation must be taken into account (4 minutes)
    - ii. Overestimation of costs by USWAG (3 min)
    - iii. Tailored regulatory approach authorized by RCRA section 3004(x) allows EPA to impose appropriate level of controls and consider variability in geography and topography (3 minutes)
4. Conclusion- 3 minutes
4. Questions