

HR 1734

Improving Coal Combustion Residuals Regulation Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: Apr 13, 2015

Current Status: Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Read twice and referred to the Committee on Environment and Public Works. (Jul 14, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/1734>

Sponsor

Name: Rep. McKinley, David B. [R-WV-1]

Party: Republican • **State:** WV • **Chamber:** House

Cosponsors (44 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barletta, Lou [R-PA-11]	R · PA		Apr 13, 2015
Rep. Barr, Andy [R-KY-6]	R · KY		Apr 13, 2015
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Apr 13, 2015
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Apr 13, 2015
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Apr 13, 2015
Rep. Davis, Rodney [R-IL-13]	R · IL		Apr 13, 2015
Rep. Franks, Trent [R-AZ-8]	R · AZ		Apr 13, 2015
Rep. Guthrie, Brett [R-KY-2]	R · KY		Apr 13, 2015
Rep. Harper, Gregg [R-MS-3]	R · MS		Apr 13, 2015
Rep. Huizenga, Bill [R-MI-2]	R · MI		Apr 13, 2015
Rep. Jenkins, Evan H. [R-WV-3]	R · WV		Apr 13, 2015
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Apr 13, 2015
Rep. Kelly, Mike [R-PA-3]	R · PA		Apr 13, 2015
Rep. Long, Billy [R-MO-7]	R · MO		Apr 13, 2015
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Apr 13, 2015
Rep. Mooney, Alexander X. [R-WV-2]	R · WV		Apr 13, 2015
Rep. Murphy, Tim [R-PA-18]	R · PA		Apr 13, 2015
Rep. Olson, Pete [R-TX-22]	R · TX		Apr 13, 2015
Rep. Renacci, James B. [R-OH-16]	R · OH		Apr 13, 2015
Rep. Shimkus, John [R-IL-15]	R · IL		Apr 13, 2015
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Apr 13, 2015
Rep. Whitfield, Ed [R-KY-1]	R · KY		Apr 13, 2015
Rep. Bucshon, Larry [R-IN-8]	R · IN		Apr 14, 2015
Rep. Latta, Robert E. [R-OH-5]	R · OH		Apr 14, 2015
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Apr 14, 2015
Rep. Kind, Ron [D-WI-3]	D · WI		Apr 15, 2015
Rep. King, Peter T. [R-NY-2]	R · NY		Apr 15, 2015
Rep. Kline, John [R-MN-2]	R · MN		Apr 15, 2015
Rep. Bilirakis, Gus M. [R-FL-12]	R · FL		Apr 23, 2015
Rep. Miller, Candice S. [R-MI-10]	R · MI		Apr 23, 2015
Rep. Womack, Steve [R-AR-3]	R · AR		Apr 23, 2015
Rep. Johnson, Bill [R-OH-6]	R · OH		Apr 28, 2015
Rep. Stivers, Steve [R-OH-15]	R · OH		Apr 28, 2015
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Apr 30, 2015
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		May 1, 2015
Rep. Rogers, Harold [R-KY-5]	R · KY		May 1, 2015
Rep. Bost, Mike [R-IL-12]	R · IL		May 12, 2015
Rep. Gibbs, Bob [R-OH-7]	R · OH		May 12, 2015
Rep. Byrne, Bradley [R-AL-1]	R · AL		May 14, 2015
Rep. Rogers, Mike D. [R-AL-3]	R · AL		May 14, 2015
Rep. Nugent, Richard B. [R-FL-11]	R · FL		May 20, 2015

Cosponsor	Party / State	Role	Date Joined
Rep. Graves, Tom [R-GA-14]	R · GA		May 21, 2015
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Jun 2, 2015
Rep. Sessions, Pete [R-TX-32]	R · TX		Jun 3, 2015

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Apr 17, 2015
Environment and Public Works Committee	Senate	Referred To	Jul 14, 2016

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
114 HR 5788	Related bill	Jul 14, 2016: Referred to the House Committee on Energy and Commerce.
114 S 2446	Related bill	Mar 2, 2016: Committee on Environment and Public Works. Hearings held. Hearings printed: S.Hrg. 114-349.
114 HRES 369	Procedurally related	Jul 22, 2015: Motion to reconsider laid on the table Agreed to without objection.
114 S 1803	Related bill	Jul 16, 2015: Read twice and referred to the Committee on Environment and Public Works.

Improving Coal Combustion Residuals Regulation Act of 2015

(Sec. 2) This bill amends subtitle D (Resource Conservation and Recovery Act of 1976) of the Solid Waste Disposal Act to establish a permit program for coal combustion residuals (coal ash) that states may elect to administer. The program outlines the criteria that a state must use if it chooses to adopt and enforce a permit program regulating the management and disposal of coal ash generated by electric utilities and independent power producers. The program applies to the disposal of coal ash into landfills or surface impoundments, sand or gravel pits, quarries, or lateral expansions of the structures. The structural criteria concern: (1) design, location, and integrity; (2) financial assurance; (3) groundwater and surface water protections; (4) closure procedures; and (5) air quality with respect to fugitive dust.

In order to adopt or implement a permit program, the lead state implementing agency must maintain a program for control of hazardous waste disposal in open dumps or an authorized state hazardous waste program under the Solid Waste Disposal Act. The implementing agency must ensure that certain information concerning the program is publicly available.

A state that chooses to adopt a coal ash program is given sole enforcement authority. The Environmental Protection Agency (EPA) must implement a program for a state if: (1) a state's program fails to meet those criteria, or (2) a state does not implement a program. A coal ash permit program implemented by the EPA shall not apply to the utilization, placement, and storage of coal ash at surface or underground coal mining and reclamation operations.

Certain uses of coal ash are not considered as receipt of such material for purposes of this bill. These include uses for engineered structural fill, storage in a manner consistent with the management of raw materials, and such beneficial uses as substitution for virgin material (in which case the use must be shown to not result in environmental releases greater than those from a material or product that would be used instead of the coal ash or exceed relevant benchmarks for human and ecological receptors).

The bill revises implementation of the EPA rule governing the disposal of coal ash, entitled "Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities." The rule may be implemented only through the permit program established by the bill.

Actions Timeline

- **Jul 14, 2016:** Read twice and referred to the Committee on Environment and Public Works.
- **Jul 23, 2015:** Received in the Senate.
- **Jul 22, 2015:** Rule H. Res. 369 passed House.
- **Jul 22, 2015:** Considered under the provisions of rule H. Res. 369. (consideration: H5358-5380; text as reported CR H5365-5370)
- **Jul 22, 2015:** Resolution provides for consideration of H.R. 1599 and H.R. 1734.
- **Jul 22, 2015:** The Speaker designated the Honorable Randy Hultgren to act as Chairman of the Committee.
- **Jul 22, 2015:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 369 and Rule XVIII.
- **Jul 22, 2015:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1734.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Shimkus amendment No. 1.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Pallone amendment No. 2.
- **Jul 22, 2015:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Pallone amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Pallone demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Castor (FL) amendment No. 3.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Connolly amendment No. 4.
- **Jul 22, 2015:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Connolly amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Connolly demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Adams amendment No. 5.
- **Jul 22, 2015:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Adams amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Adams demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 22, 2015:** DEBATE - Pursuant to the provisions of H.Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Butterfield amendment No. 6.
- **Jul 22, 2015:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Butterfield amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Butterfield demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 22, 2015:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1734.
- **Jul 22, 2015:** The previous question was ordered pursuant to the rule. (consideration: CR H5378)
- **Jul 22, 2015:** Mr. Foster moved to recommit with instructions to the Committee on Energy and Commerce. (consideration: H5378-5380; text: CR H5378)
- **Jul 22, 2015:** DEBATE - The House proceeded with 10 minutes of debate on the Foster motion to recommit with instructions pending a reservation of a point of order. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to require an agency implementing any coal ash permit ensure that all disposal sites meet criteria for design, construction, operation, and maintenance sufficient to prevent contamination of groundwater and sources of drinking water, including the Great Lakes. Subsequently, the reservation was removed.
- **Jul 22, 2015:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H5379)
- **Jul 22, 2015:** On motion to recommit with instructions Failed by recorded vote: 184 - 240 (Roll no. 457). (consideration: CR H5379-5380)
- **Jul 22, 2015:** Passed/agreed to in House: On passage Passed by recorded vote: 258 - 166 (Roll no. 458).

Jul 22, 2015: On passage Passed by recorded vote: 258 - 166 (Roll no. 458).

- **Jul 22, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 21, 2015:** Rules Committee Resolution H. Res. 369 Reported to House. Resolution provides for consideration of H.R. 1599 and H.R. 1734.
- **Jun 9, 2015:** Reported by the Committee on Energy and Commerce. H. Rept. 114-143.
- **Jun 9, 2015:** Placed on the Union Calendar, Calendar No. 103.
- **Apr 17, 2015:** Referred to the Subcommittee on Environment and the Economy.
- **Apr 15, 2015:** Committee Consideration and Mark-up Session Held.
- **Apr 15, 2015:** Ordered to be Reported by the Yeas and Nays: 32 - 19.
- **Apr 14, 2015:** Committee Consideration and Mark-up Session Held.
- **Apr 13, 2015:** Introduced in House
- **Apr 13, 2015:** Referred to the House Committee on Energy and Commerce.