

Ms. Julie Harhart
House of Representatives
Room 430 South Office Building
Harrisburg, PA 17120-2020

Dear Ms. Harhart:

This is in response to your letter of August 30, 1999 to Administrator Browner regarding the Environmental Protection Agency's (EPA's) March 1999 *Report to Congress on Wastes from the Combustion of Fossil Fuels*.

In your letter, you expressed concern about possible regulation of waste coal ash as hazardous waste, when used in mine reclamation efforts and agricultural amendments. In the Report to Congress, EPA did not express a tentative conclusion about the future regulatory status of coal combustion wastes that are placed in mines, because we lacked sufficient information at the time to characterize potential human health risks from these practices. The Agency solicited additional information from reviewers of the report to help us make a fully informed decision about these wastes when they are placed in mines, whether for disposal purposes or for reclamation of the mines.

We are currently evaluating a significant body of public comments on the report, including case study information on coal combustion wastes used for mine reclamation efforts that was submitted by the Pennsylvania Department of Environmental Protection and other case studies on the use of coal combustion wastes as agricultural amendments.

We will place your letter in the docket supporting the regulatory determination. The Agency will consider the information and concerns identified by you and others, formulate a final decision on this matter and issue the regulatory determination by March 10, 2000.

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Thank you for your comments and views on the Report to Congress and your recommendation concerning the use of coal combustion wastes for mine reclamation and agricultural amendments. If you have any questions concerning this letter, please have your staff contact Mr. Dennis Ruddy of my staff at (703) 308-8430.

Sincerely,

Elizabeth A. Cotsworth, Director
Office of Solid Waste

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