

United States Senate

WASHINGTON, DC 20510

September 15, 2025

Administrator Lee Zeldin
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Administrator Zeldin:

We urge the U.S. Environmental Protection Agency (EPA) to preserve its 2024 regulations covering the disposal of coal combustion residuals (CCR) or “coal ash” and to not pursue its proposal to extend the deadline for CCR management unit (CCRMU) groundwater monitoring. Considering that EPA’s stated mission is to “protect human health and the environment”—which we support—we oppose any actions that would undermine this mission and lead to exposing humans to toxins, contaminating the environment, and contributing to higher electricity and water bills.

Coal waste, including CCR, contains dangerous pollutants that can remain in the environment for years and are linked to cancer, heart damage, lung disease, kidney disease, and birth defects, and may even lead to premature death. Nationwide, more than two gigatons of coal ash are stored in hundreds of impoundments that could fail, and risk dumping coal ash and its contaminants into water sources, including surface water and groundwater. In 2024, EPA updated the CCR rule at the direction of a 2018 order by the U.S. Court of Appeals for the District of Columbia Circuit (*Utility Solid Waste Activities Group, et al v. EPA*), which required EPA to regulate inactive surface impoundments at inactive electric utilities, known as “legacy CCR surface impoundments.” EPA’s 2024 rule also regulates dump sites at CCR facilities in which CCR was disposed of or managed on land outside of regulated units, known as CCRMUs.

Active and legacy CCR surface impoundments and CCRMUs must be responsibly regulated and managed to mitigate threats to communities, waterways, and drinking water. Unfortunately, EPA is proposing to lower these standards, including a proposed extension for compliance with CCRMU groundwater monitoring until August 2029. This increases the risk that drinking water sources will be polluted by hazardous contaminants like mercury and arsenic. We also are concerned that without robust regulations, communities will lack access to information to protect themselves from toxins.

In 2024, EPA determined that the costs associated with cleaning up legacy CCR surface impoundments and CCRMUs would impact regional electricity prices by less than one percent. The economic benefits of the 2024 rule, including reduced cancer risk and avoided losses due to intellectual disability from consuming these toxins, were estimated to reach up to \$80 million per year. EPA also found that its 2024 rule would reduce cardiovascular mortality and adverse neurological effects, as well as reduce costs associated with treating public drinking water contaminated by CCR and environmental restoration following CCR spills. When appropriately managed, land contaminated with CCR can be remediated and redeveloped, which contributes to increased property values.

Rolling back environmental protections, particularly when known threats to human health are present, do nothing to support EPA's mission of protecting human health and the environment or this administration's goal to "Make America Healthy Again." The proper management of coal ash is necessary to protect our air, land, and water. We strongly urge you to uphold the stronger protective standards outlined in EPA's 2024 rule. Thank you for your attention to this important matter.

Sincerely,



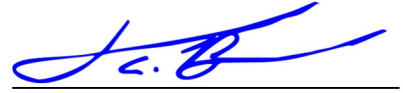
Richard J. Durbin
United States Senator



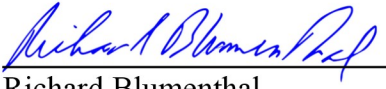
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Tammy Duckworth
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