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Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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November 19, 2013

Mr. Roger D. Horton
Citizens for Coal
P.O. Box 642
Holden, WV 25652

Dear Mr. Horton:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, October 29, 2013, to testify at the hearing entitled "EPA's Regulatory Threat to Affordable, Reliable Energy: The Perspective of Coal Communities."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Tuesday, December 3, 2013. Your responses should be mailed to Brittany Havens, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to brittany.havens@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

cc: Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

Attachment—Additional Questions for the Record

The Honorable Tim Murphy

1. As you have had time to reflect on your hearing testimony, do you have anything you wish to clarify or to elaborate relating to your testimony or in response to issues discussed at the hearing?

2. Have you or anyone you know been able to attend one of EPA's public listening sessions this Fall, during which EPA is attempting to solicit ideas and input from the public and stakeholders about 'the best Clean Air Act approaches to reducing carbon pollution from existing power plants?' If yes, please specify the date and location of that session. If you will not be able to attend one of EPA's ongoing public listening sessions, do you have any questions or feedback on this topic that you would like to take a moment now to share with EPA?

The Honorable Rene Ellmers

1. While the ash from coal combustion is a waste by-product, I know that it provides great benefit with concrete mix designs – supporting the development of higher strengths and better performance. My understanding is that despite the efforts of EPA to attempt to continue to permit such beneficial use of fly ash in their new ruling, the concrete industry remains concerned about liability risks associated with the handling and use of what will now be declared a hazardous material. Could you address these liability concerns and your personal perspective on the impact of this ruling on beneficial use of fly ash, if any?

2. Many believe the impact of EPA regulation of CO2 through the CAA will have a more significant negative impact on rural communities. Rural consumers use more coal fired generation (in many cases natural gas pipelines are not nearby) and coal reserves are close, readily available, thus more economical to use. Rural utilities including electric cooperatives built those plants for the right reasons. Rural communities produce coal so jobs will be impacted, a previously cheaper source of fuel will be more difficult to use and more expensive. It's a double whammy. Can you explain the residual effect this will have on agriculture, small business and the tax base (schools, local government services) of these local rural communities?