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ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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April 29, 2013

Ms. Susan Parker Bodine
Barnes & Thornburg
1717 Pennsylvania Avenue, N.W.
Suite 500
Washington, D.C. 20006

Dear Ms. Bodine:

Thank you for appearing before the Subcommittee on Environment and the Economy on Thursday, April 11, 2013, to testify at the hearing on a discussion draft entitled "The Coal Ash Recycling and Oversight Act of 2013."

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 and requests by the close of business on Monday, May 13, 2013. Your responses should be e-mailed to the Legislative Clerk in Word format at Nick.Abraham@mail.house.gov and mailed to Nick Abraham, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

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

Sincerely,



John Shimkus
Chairman

Subcommittee on Environment and the Economy

cc: The Honorable Paul Tonko, Ranking Member,
Subcommittee on Environment and the Economy

Attachment

The Honorable John Shimkus

1. As a former regulatory official, how do you define backstop authority? Does the Discussion Draft have a federal backstop?
2. Please explain the steps EPA would have to take to legally issue a new regulatory determination for coal ash.
3. Please explain the steps EPA would have to take to issue a legally defensible rule under Subtitle C.