




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 16 2011

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Response to OIG Evaluation Report, *EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information*

FROM: Mathy Stanislaus
Assistant Administrator 

TO: Arthur A. Elkins, Jr.
Inspector General

Thank you for the opportunity to review and respond to the Office of Inspector General (OIG) evaluation report, *EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information*, dated March 23, 2011. The comments below present the response of the Office of Solid Waste and Emergency Response (OSWER) for the two recommendations included in the report:

- **OIG Recommendation 1:** Define and implement risk evaluation practices to determine the safety of the CCR beneficial uses EPA promotes.
- **OIG Recommendation 2:** Determine if further EPA action is warranted to address historical CCR structural fill applications, based on comments on the proposed rule and other information available to EPA.

OSWER Response and Corrective Action:

OSWER concurs with both recommendations, and agrees that protection of human health and the environment is a critical prerequisite to promoting the beneficial use of coal combustion residuals (CCR). As recognized in the OIG's report, EPA suspended active participation in the Coal Combustion Products Partnership (C2P2) program, while we are taking and assessing comment on the beneficial use of CCRs through the CCR proposed rulemaking.

Previous national promotional efforts under the C2P2 program have been replaced with an effort to identify a process to determine if a beneficial use of CCR is safe. Our strategy to develop this process will address a variety of beneficial uses, and will entail multiple actions by EPA that are integrally tied to the development of the pending rule on CCR. Since we are still evaluating the comments received on the CCR proposed rule, and making decisions on how best to proceed, we do not yet have a timeline for developing the evaluation process regarding the beneficial use of CCRs.

If you have additional questions, please contact Suzanne Rudzinski, Director, Office of Resource Conservation and Recovery, at 703-308-8895, or Johnsie Webster, OSWER Audit Liaison, at 202-566-1912.

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