

# Coal Combustion Residuals: U.S. Environmental Protection Agency Approves Georgia Program

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The United States Environmental Protection Agency (“EPA”) approved the Georgia Environmental Protection Division’s partial Coal Combustion Residuals (“CCR”) state permit program on January 10th.

EPA approved the Georgia program pursuant to the federal Resource Conservation and Recovery Act (“RCRA”).

The Georgia program will now operate in lieu of the federal CCR program, except for those specific provisions for which the state did not seek approval.

As EPA describes in its approval, CCR are generated from the combustion of coal for the purpose of generating steam to power a generator to produce electricity. CCR is also known as “coal ash”. It can be disposed of by electric-generating units onsite, or sent offsite for disposal or beneficial use. If handled onsite, proper methods of disposal include in landfills or surface impoundments.

EPA originally issued a CCR rule on April 17, 2015. The EPA rule established a comprehensive set of minimum requirements for the disposal of CCR in surface impoundments or landfills. The rule regulated the following components:

- Location
- Design
- Operating criteria
- Recordkeeping
- Notification requirements
- Groundwater monitoring
- Closure and post-closure care

In *Utility Solid Waste Activities Group (USWAG) et al. v. EPA* (Aug. 21, 2018), the D.C. Circuit of Appeals overturned certain provisions of EPA’s 2015 rule and remanded others back to the agency for reconsideration. In light of the appeal and other factors, EPA proposed new rules regarding CCR on November 4, 2019. The changes reflect the mandates from the D.C. Circuit.

EPA previously approved Oklahoma’s coal ash program on June 8, 2018. According to an EPA Office of Land & Emergency Management Fact Sheet published in November, 2019, the agency is currently working with several states to establish their own CCR permit programs.

For a copy of the EPA Fact sheet, click [here](#).

For previous articles on CCR issues, click the links below:

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