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Coal Combustion Residuals/U.S. Environmental Protection Agency Phase One Amendments: Environmental Organizations File D.C. Circuit Court of Appeals Petition

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Several environmental organizations filed a Petition for Review (“Petition”) in the United States Court of Appeals for the District of Columbia Circuit challenging United States Environmental Protection Agency (“EPA”) amendments promulgated on July 30th to the Coal Combustion Residual Rules.

These amendments, denominated by EPA as “Phase One, Part One” are entitled “Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Amendments to the National Minimum Criteria (Phase One, Part One).” See 83 Fed. Reg. 36435 (appended as Exhibit A to the Petition).

The organizations submitted the Petition include:

- Earthjustice
- Environmental Integrity Project
- Waterkeeper Alliance, Inc.
- Clean Water Action
- Prairie Rivers Network
- Hoosier Environmental Council
- HEAL Utah
- Sierra Club

Coal combustion residuals (also referred to as coal ash, fly ash, or bottom ash) are typically created when coal is combusted by power plants to produce electricity.

A copy of the Petition can be found [here](#).