

## MEMPHIS LIGHT, GAS AND WATER DIVISION

JERRY R. COLLINS, JR., P.E.  
President and CEO

November 18, 2010

The Honorable Lisa Jackson  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building, Mail Code 1101A  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

Dear Administrator Jackson:

As President and CEO of Memphis Light, Gas and Water, I am writing to echo the comments of the National Conference of Mayors and express my strong opposition to the Environmental Protection Agency's (EPA) proposed rule to regulate Coal Combustion Residuals (CCR) as a hazardous waste under Subtitle C of the Resource Conservation and Recovery Act (RCRA).


If EPA labels CCR as hazardous waste, costs for the management, disposal and transportation of these products from power generators would increase significantly, causing the electric rates for consumers in Memphis and Shelby County to increase dramatically. Such a label would severely impact or cripple the market for beneficial use of these by-products in concrete and drywall, among other uses, which would further increase electricity costs.

Treating CCR as hazardous waste would also create a financial burden and potential liability problems for cities and towns that operate landfills or use landfills to dispose of waste that might include coal ash. The City of Memphis has a Tennessee Valley Authority coal-fired electric generation plant within the city limits.

I believe that the other option available to EPA – regulating CCR as a non-hazardous waste under Subtitle D of RCRA – will provide adequate protection to public safety and the environment.

Thank you for considering these comments.

Sincerely,



Jerry Collins