



July 25, 2013

United States House of Representatives
Washington, D.C. 20515

Dear Representative:

On behalf of Associated Builders and Contractors (ABC), a national trade association with 72 chapters representing nearly 22,000 members from more than 19,000 construction and industry-related firms, I am writing to express support for two bills being brought to the House floor this week, each designed to reclaim to Congress some of the regulatory authority that has been usurped in recent years by the Environmental Protection Agency (EPA).

ABC is particularly concerned that a proposed EPA regulation could lead to the labeling of coal combustion residuals (CCRs) as hazardous waste, which would virtually eliminate the construction industry's ability to use CCRs in many building materials. Due to the heavy reliance on CCRs in terms of cost and durability, their elimination from the industry's supply chain would cause quality to diminish and prices to skyrocket for end users. Such a move by EPA would also strain domestic cement production and other manufacturing processes, while threatening the construction industry with further job loss.

The construction industry is the primary end user of CCRs. More than 40 percent of all CCR output is converted into high-quality building materials. Many of these materials—including concrete, asphalt, brick and wallboard—are used daily on jobsites throughout the country, and are especially important for large infrastructure projects. If CCRs are no longer available, manufacturers and builders would be forced to turn to more expensive and, incidentally, lower quality components. This would significantly raise project costs, which largely would be passed on to end users. Ultimately, labeling CCRs as hazardous waste would translate into fewer projects, substantial decreases in revenue and, most importantly, massive job loss. Studies have estimated that between 12,000 and 19,000 additional jobs would be lost in the nonresidential construction industry alone as a result of EPA's proposal.

ABC supports the Coal Residuals Reuse and Management Act (H.R. 2218), which would establish a baseline for CCR disposal, while maximizing flexibility for individual states. It allows states with existing programs governing CCR disposal to continue to operate the programs while also maintaining beneficial reuse programs. In addition, the bill incorporates a fail-safe provision that allows EPA to assist states that are unable or unwilling to meet baseline standards.

ABC also supports the Energy Consumers Relief Act of 2013 (H.R. 1582), which would protect construction industry supply chains and preserve thousands of jobs that could otherwise be placed at risk as a result of EPA rules. The bill would require EPA to submit to Congress a report detailing costs and job impacts before finalizing any energy-regulating rule that the agency estimates would cost more than \$1 billion (which would include EPA's CCR rule, outlined above). In addition, the bill would prohibit EPA from finalizing a rule if the U.S. Department of Energy determines that "significant adverse effects to the economy will be caused" by the rule's implementation.

At this time of economic challenges, it is troubling that the Obama administration continues to pursue policies that threaten to impede job growth and burden vital industries. **ABC strongly urges your support of H.R. 2218 and H.R. 1582.**

Sincerely,

A handwritten signature in black ink, appearing to read "G. G. Burr", with a blue horizontal bar obscuring the bottom portion of the signature.

Geoffrey G. Burr
Vice President, Federal Affairs