

EPA Coal Ash Rule, Before and After OIRA Review

	Original EPA Proposal	Final Proposal After OIRA Review			
		OIRA Revision of Original EPA Proposal	Subtitle D	Subtitle D Prime	Subtitle D with Annual Federal Inspections
Corrective Action/Clean-Up for Existing Disposal Sites	Strict regulatory program under RCRA Subtitle C enforced by EPA	Strict regulatory program under RCRA Subtitle C enforced by EPA	Weak regulatory program enforced by the states	No corrective action	Inspections; use of other environmental laws to correct problems identified during inspections
Regulation of Future Disposal Sites	Prohibit disposal of coal ash in surface impoundments and strictly regulate landfill disposal of coal ash under RCRA Subtitle C with strong EPA and state enforcement under federal law	Prohibit disposal of coal ash in surface impoundments and strictly regulate landfill disposal of coal ash under RCRA Subtitle C with strong EPA and state enforcement under federal law	Weak regulatory program for disposal of coal ash in surface impoundments or landfills with enforcement under weaker state laws	Weak regulatory program for disposal of coal ash in surface impoundments or landfills with enforcement under weaker state laws	Weak regulatory program for disposal of coal ash in surface impoundments or landfills with enforcement under weaker state laws
Listing Status of Coal Ash Under RCRA	Hazardous waste	“Special waste”	Non-hazardous waste	Non-hazardous waste	Non-hazardous waste
Regulatory Net Benefits	Large net benefits	Large net benefits	Comparatively smaller net benefits	Comparatively smaller net benefits	Not calculated