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July 15, 2025

U.S. Environmental Protection Agency
EPA Docket Center
Office of Land and Emergency Management (OLEM) Docket
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington D.C. 20460

via regulations.gov

RE: Docket ID No. EPA–HQ–OLEM–2021-0051

Dear Sir or Madam:

The Materials Management Subcommittee (Subcommittee) of the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) appreciates the opportunity to provide comments regarding the United States Environmental Protection Agency's (EPA) proposed "North Dakota: Approval of State Coal Combustion Residuals Permit Program," published in the Federal Register on May 16, 2025, at 90 FR 20985 (hereafter referred to as the "Proposed Decision"). These comments have not been reviewed or adopted by the ASTSWMO Board of Directors. In addition, individual State or Territorial (State) waste programs may also provide comments based on their own perspectives and experiences.

ASTSWMO is an association representing the waste management and remediation programs of the 50 States, five Territories, and the District of Columbia (States). Our membership includes State program experts who manage State-run solid waste permitting programs as well as coal combustion residuals (CCR) programs. The mission of the Subcommittee is to enhance and promote the development of effective State and Territorial materials management programs.

The Subcommittee appreciates EPA acting on North Dakota's permit program application and supports EPA's proposed decision to approve North Dakota's CCR permit program.

The EPA process for approving State CCR permit programs is an issue of long-standing importance to ASTSWMO. The Association has issued formal statements on CCR permit program implementation. The Subcommittee has had ongoing conversations with EPA about the need to provide clear, consistent direction to States as to what is necessary for a complete submittal of a State CCR permit program application. In addition, the Subcommittee has commented on EPA's CCR rulemaking, guidance, and proposed CCR permit program decisions. The Subcommittee and EPA have been actively working together to assist States in seeking EPA permit program approval through dedicated State-EPA sessions at ASTSWMO's Annual and Mid-Year Meetings and ASTSWMO hosted webinars.

The ASTSWMO Materials Management Subcommittee looks forward to continued collaboration with EPA on CCR. If you have any questions about these comments, please contact me at james.m.jennings@illinois.gov.

Sincerely,

James Jennings (IL), Chair
ASTSWMO Materials Management Subcommittee