

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. \_\_\_\_\_  
OFFERED BY MS. BALDWIN OF WISCONSIN**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Recycling Coal Com-  
3 bustion Residuals Accessibility Act of 2011” or the  
4 “RCCRA Act of 2011”.

**5 SEC. 2. NO REGULATION OF FOSSIL FUEL COMBUSTION  
6                   WASTE UNDER SUBTITLE C OF THE SOLID  
7                   WASTE DISPOSAL ACT.**

8       Section 3001(b)(3) of the Solid Waste Disposal Act  
9 (42 U.S.C. 6921(b)(3)) is amended by adding at the end  
10 thereof the following:

11       “(D) Notwithstanding the provisions of paragraph  
12 (1) or any other provision of this paragraph, the Adminis-  
13 trator may not regulate under this subtitle a waste listed  
14 in clause (i) of subparagraph (A) of this paragraph.”.

Amend the title so as to read: “A bill to prohibit the  
Environmental Protection Agency from regulating fossil

fuel combustion waste under subtitle C of the Solid Waste Disposal Act.”.

