

Here we can see the people who live literally within a stone's throw—if you have a reasonably good arm—within a stone's throw you can reach this pile. That is also Nanty Glo in Cambria County. There are people who live within a couple of hundred feet.

What is the problem with these mountains? The problem with these mountains of coal is it rains on them, and when it rains the runoff is horrendous. It looks like this. It looks like this in every one of these mountains of waste coal everywhere that one exists, every time it rains. In 2003 in an op-ed entitled "The Benefits of Waste Coal," former Democratic Governor of Pennsylvania Ed Rendell's Department of Environmental Protection secretary, whose name is Kathleen McGinty, wrote: "For years these piles sat abandoned, generating iron, manganese and aluminum pollution that discharged as runoff into Pennsylvania's waterways."

That is exactly what happens when these piles just sit here.

In 2011 the Pennsylvania Department of Environmental Protection report states:

Coal refuse piles that are not removed (i.e. burned for fuel) generally create severe acid mine drainage, with pH in the 2.5 range . . .

A pH that high, by the way, is somewhere between the intensity of stomach acid and hydrochloric acid. That kind of acidic chemical running into our waters is enormously damaging.

Slide No. 4 is another depiction of exactly what happens when rainwater runs through these piles and finds its way into the streams, rivers, ponds, and lakes of Pennsylvania. It pollutes hundreds of miles of rivers and streams.

In 2007 former Democratic Governor of Pennsylvania, Ed Rendell said:

These piles are domestic energy sources that have significant value when put into production in CFB cogeneration plants. When left on the ground, waste coal presents a grave environmental threat. Runoff from these piles contributes to the "abandoned mine drainage" that is the second leading water pollution problem in the Commonwealth, literally killing all life in some 2,000 stream miles in Pennsylvania.

But that is not all. Photo No. 5 shows something else that happens with these piles. They catch fire. They spontaneously combust. It could be from lightning, carelessness, and sometimes it is unknown, but they catch fire. This particular photo is from Fell Township in Lackawanna County, PA.

The pile caught fire in December of 2013. It burned for over a year. It is very hard to put these fires out. It burned out of control with, obviously, no ability to do anything about the pollutants that are being released by the combustion because it is completely uncontrolled.

We think the fire went out in January, but authorities are still not certain that it may not be smoldering somewhere below the surface. By the way, this mountain is 600 feet from residential housing. What is the effect of

this kind of combustion on the residents in that area?

How much of this will burn? Maybe some people think this is just a freak incident. Not really, the Pennsylvania Department of Environmental Protection estimates that 6.6 million tons of waste coal burns each year—unintended, uncontrolled, but it is burning—and in the process it emits 9 million tons of carbon dioxide and many tons of other uncontrolled air pollution.

What about cleaning all of this up? The costs would be absolutely staggering. Again, former Pennsylvania Department of Environmental Protection Secretary McGinty estimated that it costs between \$20,000 and \$40,000 to reclaim just one acre of waste coal. We have hundreds of thousands of acres of waste coal.

The Pennsylvania General Assembly has estimated it would cost approximately \$15 billion to remediate Pennsylvania's abandoned mine set. That is the bad news.

The good news is the market has figured out a solution to address this matter. The free market has developed a way to systematically eliminate these mountains of waste coal, and for decades we have had powerplants designed specifically for the purpose of burning this coal and doing so in a controlled and regulated fashion. They have removed 210 million tons of waste coal and used it to produce electricity.

They have remediated over 8,000 acres. They have generated 1.769 gigawatts of electricity, which is enough to power 1.3 million homes, and in the process the generation of electricity from this waste coal has directly resulted in creating 1,200 jobs.

In the past, the EPA has always acknowledged the benefits of systematically eliminating these mountains of waste coal and doing so by generating electricity. In fact, I will quote a report from the EPA in 2011 that says this: "Because of the unique environmental benefits that coal refuse-fired EGUs provide, these units warrant special consideration."

The problem I am here to address is that there are two new rules passed by the EPA that would bring an end to the systemic elimination of these mountains because these rules are prohibitive. It is not possible for the waste coal powerplants to comply with these rules, so they would all be shut down and we would be left with these piles indefinitely, which would mar our landscape and pollute our water and air.

The two specific rules that would do this—the cross-State air pollution rule is very likely to have the effect of imposing absolutely unattainable goals on waste coal powerplants, and the utility MACT rule establishes new and very stringent emission controls and a whole new generation of very stringent regulations that this industry cannot meet.

If these rules go into effect—and they are scheduled to go into effect later

this year—then waste coal and electric generation ends, and these plants close. As a result, we lose the electric power they have been generating, the 1,200 jobs they sustain, and the low-cost energy that is reliable and domestic. We will end up with a more serious air pollution problem when the spontaneous combustion continues, and we will have an ongoing problem with water and air pollution as the nearby streams and water table will be polluted.

That is why Senator CASEY, Senator HATCH, and I have joined together to offer an amendment to this legislation that will exempt the waste coal powerplants from the most onerous and prohibitive aspects of these new rules.

With respect to utility MACT, we would retain all of the regulatory limits on mercury, chromium, nickel, and other heavy metals, but it would exempt the waste coal plants from the cross-State air pollution rules, and it would allow these plants to continue remediating these waste coal sites.

I wish to stress that it is important to point out that all of the existing regulations that have long been in effect will remain in effect. What we are talking about are the two new rules that would be guaranteed to shut down the industry. Those two rules would not go into effect with respect to the waste coal electric generation.

The fact is if our amendment is adopted and becomes law, we will be helping our environment by continuing to systematically eliminate these blights. I want more success stories like the one in this photograph.

This photo was taken in Nesquehoning in Carbon County, PA. The first photo shows what the ground looked like when the waste coal was piled up. The second photo shows what happens after it has been consumed and the land has been restored. This happened precisely because there is a nearby waste coal powerplant that was able to take this coal, generate electricity for us to use, and restore the land to a much safer, much more environmentally friendly, and much more attractive environment.

We need to keep these plants operating. It is about improving our environment, it is about keeping people working, it is about the low-cost, reliable electricity that we have from it, and I urge my colleagues to support this amendment.

With that, I yield the floor.

#### MISSOURI'S EMANCIPATION PROCLAMATION

Mrs. McCASKILL. Mr. President, I ask the Senate to join me today in honoring the 150th anniversary of the State of Missouri's Emancipation Proclamation which ended slavery in the State of Missouri. This proclamation of freedom was imperative for democracy and progress in our State. It is undoubtedly a landmark in Missouri's history.

In 1720, the arrival of 500 slaves to the areas presently known as St. Louis

County and Jefferson County, marked the beginning of slavery in Missouri. Those slaves, who were brought to work in the lead mines in those counties, experienced great discrimination over the course of 1½ centuries. When the Territorial Slave Codes were created in 1804, slaves were banned from using firearms, participating in assemblies, holding church services and selling alcohol. Under the codes, slaves were also punished severely for participating in resistance efforts and the mutilation of slaves for the sexual assault of white women was made legal. White men who sexually assaulted slave women, however, were charged for trespassing upon a slave owner's property.

Retained by the State Constitution in 1820, the Territorial Slave Codes were only a premonition of more to come. In 1821, Missouri entered the Union as a slave State with the passing of the Missouri Compromise and in 1825, the Missouri Legislature passed a law which declared slaves to be incompetent as witnesses in legal cases involving whites. That gloomy trend continued as the education of slaves was banned in an 1847 ordinance. One of the most foreboding events, however, occurred in 1857 with the infamous Supreme Court case *Dred Scott v. Sandford* when the judicial system in the state of Missouri and the wider judicial system in the United States decided that persons of African descent were not U.S. citizens.

At the time of the Civil War, over 100,000 slaves were living in the State of Missouri and when President Abraham Lincoln signed the Emancipation Proclamation in 1863, Missouri's slaves were not freed as Missouri was not officially in rebellion against the United States. Missouri's slaves received their freedom on January 11, 1865, when the Emancipation Ordinance was signed at a State convention in St. Louis. That ordinance was made effective immediately and the strict codes of the past were eliminated.

I ask that the Senate join me in reflecting upon this difficult time in Missouri's history and honoring the historical significance of the Emancipation Ordinance which ended slavery in the State of Missouri, 150 years ago.

#### ADDITIONAL STATEMENTS

##### REMEMBERING WILLIAM "BILL" HARRISON BULLOCK

• Mr. COONS. Mr. President, today I highlight the service of William "Bill" Harrison Bullock to his country, commitment to his family, and contribution to both the city of Wilmington and the State of Delaware.

Bill was born on November 11, 1926, in Wilmington, DE, to William and Amy Bullock. He graduated from P.S. Dupont in 1945 and was immediately drafted to serve as an aircraft mechanic in the Asia-Pacific theater during the Second World War.

Upon his return to the United States, Bill joined and ultimately took over the five generation family business,

Bullock Iron Works, which allowed him to meld his passions of building and construction with artistry. Bill invented a process for the precision bending of cold steel for decorative applications, including railings. The family business gave him an opportunity to work with his brother-in-law James Broad—husband to his sister Amy—and his nephew Jim Broad. Bill very much enjoyed and spoke often of the bond created by working and creating beautiful ornamental steel creations with his family members.

Bill had a long-standing bet with his brother-in-law that he would not get married before he turned 30 years old. Bill married Norma McBride on November 10, 1956—1 day before his 30th birthday. They had two children, William and June. Through his management of Bullock Iron Works, Bill developed a very strong set of business principles and ethics, which he was able to pass along to his children, even though neither went into the family business.

His friends often joked with Bill that Delaware is not flat and that if he left he would not fall off a cliff into a chasm. He retorted that he never left the State because he had no need or reason to do so. Bill loved Delaware and found there everything he needed to raise a family, to grow the family business, and to enjoy his hobbies and passions: fresh and salt water fishing, cultivating beautiful phalaenopsis and cattleya orchids, and enjoying the comradery of his fellow veterans at the Delaware Veterans Club, Post #1.

Bill was preceded in death by his wife of 33 years Norma, his sister Amy, and brother-in-law James Broad. He is survived by his daughter Blake McBride, son William H. Bullock II, and daughter-in-law Marci Hanlon, three grandchildren, his sister and brother-in-law, and several nieces and nephews.

Bill was a true Delawarean and one of the best and brightest of the Greatest Generation. He helped to win the Second World War, raised a strong and loving family, grew and bolstered his business, and was a true friend to his neighbors, war buddies, and the wider Wilmington community. He will be missed.●

#### COMMEMORATING THE 20TH ANNIVERSARY OF VIRGINIA ORGANIZING

• Mr. WARNER. Mr. President, I wish to commemorate the 20th anniversary of Virginia Organizing, a group committed to challenging injustice by empowering people in local communities across the Commonwealth to address the issues affecting the quality of their lives.

Virginia Organizing has been on the forefront of the debate on local, statewide, and national issues such as economic security for families, education, environment, health care, equality, poverty, and other social justice issues.

Virginia Organizing and I share a common goal—one that I have spoken about many times—that all Virginians and all Americans should have a fair

shot at success. We share the belief that all people should be treated fairly and with dignity in all aspects of life, regardless of race, class, gender, religion, sexual orientation, age, ability or country of origin. Both as Governor and now as Senator, I am proud to have served alongside a group who embraces and celebrates diversity.

This year, during their 20th anniversary, I would like to recognize and thank the leaders, members, and staff of Virginia Organizing, who continue to work tirelessly to provide children, low-income residents, immigrants, veterans, retirees, people with disabilities, and other underrepresented groups with the resources that they need to have a fair shot. I appreciate their work for the people of the Commonwealth and wish them all the best as they embark on their next 20 years.●

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the following enrolled bill, previously signed by the Speaker of the House, was signed on January 9, 2015, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH):

H.R. 26. An act to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes.

#### MESSAGE FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3. An act to approve the Keystone XL Pipeline.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 30. An act to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours; to the Committee on Finance.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3. An act to approve the Keystone XL Pipeline.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated: