

The Honorable Judd Gregg
United States Senate
Washington, DC 20510-2904

Dear Senator Gregg:

Thank you for your letter of March 16, 2000 regarding your constituent Casey Maynard's request for legislation requiring that all hazardous material be identified when included in a product.

I am encouraged that Mr. Maynard has such a strong interest in the proper management of household products containing hazardous materials. These wastes, when disposed of by household residents, are considered household hazardous waste (HHW) and are not subject to Federal waste management regulations.

As background, the Environmental Protection Agency (EPA) does not have authority under the Resource Conservation and Recovery Act (RCRA) to regulate HHW or any other form of household waste or the labeling of these products. This authority rests with State and local regulatory authorities. EPA's authority for household and other municipal solid waste is limited to issuing criteria for the design of municipal solid waste landfills. On October 9, 1991, EPA promulgated the Municipal Solid Waste Landfill Criteria, requiring minimum national standards for any landfill accepting household waste. Congress required EPA to establish these regulations because household waste may include HHW. The purpose of these regulations is to prevent contamination of groundwater and surface water from landfill leachate.

EPA's direct involvement in the management of household waste is limited to non-regulatory efforts. We encourage source reduction and recycling of municipal solid waste, including HHW. I have enclosed two documents that we have written

about HHW in case Mr. Maynard would like to read more about our efforts. He can also get more information about HHW on our website at <http://www.epa.gov/msw/hhw.htm>

As mentioned previously, the collection, transport, and disposal of HHW and other municipal solid wastes are state and local community issues. Many states and communities have chosen to collect and/or regulate HHW. They do this because of concerns about the potential liability if their landfills or other waste management facilities were to release hazardous contaminants to the environment. If Mr. Maynard would like information on New Hampshire=s HHW programs, I suggest he contact Ray Gordon at the New Hampshire Department of Environmental Services (DES). Mr. Gordon can be reached at (603) 271-2047.

I appreciate you sharing your constituent=s concerns with us. I hope the enclosed information will be helpful to Mr. Maynard. If you would like any additional information concerning this subject, please feel free to have your staff contact Susan Nogas of my office at (703) 308-7251. Thank you for your interest in this matter.

Sincerely,

Elizabeth A. Cotsworth, Director
Office of Solid Waste

Enclosures