

Emil A. Romagnoli, Chair  
American Copper Policy Council  
1050 Seventeenth Street, NW, Suite 440  
Washington, D.C. 20036

Dear Mr. Romagnoli:

Thank you for your letter of April 27, 2001 to Administrator Whitman regarding the copper industry's position on the persistence, bioaccumulation, and toxicity (PBT) of metals. In your letter you also urged the Agency to issue a revised draft RCRA PBT List reflecting the Agency's public statements about the removal of copper from the PBT List.

We share your desire for a final list of PBT chemical priorities. Publishing this list is an essential component of this office's commitment to reduce PBT's in hazardous waste by 50% between 1991 and 2005. We are currently developing a charge to the Science Advisory Board to assist us in our decision-making in classifying metals as PBT chemicals. Due to the nature of that process, we will be in a better position to respond as to our timetable for issuing a final list in September.

As you know from our previous discussions with your members, we are currently planning on making some changes to our proposed list. In response to public comments on the draft RCRA PBT List, the draft EPA PBT Strategy, and other Agency PBT chemical activities, the Agency has decided to create a single PBT Priority Chemical List for the Agency, rather than one that applies only to the RCRA program. However, issuing such a list is a much more complex challenge because it requires more detailed coordination and review within the Agency. We are investing in that effort, and appreciate your patience while we do that work.

In the interim, I would like to assure you of the accuracy of what my staff has told you regarding the status of copper in this process. Our current view is that chemicals on this list should score at least an eight on a scale of nine in our PBT methodology. Copper would score

below eight in the most recent draft of the methodology and, as a result, would not appear on the

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final list. I have asked my staff to inform you immediately if there is any change in the methodology that would return copper to the list.

I appreciate your interest in this matter.

Sincerely,

Michael H. Shapiro  
Acting Assistant Administrator

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