

The Honorable Bob Smith
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Thank you for your January 2, 2001 letter concerning soiled reusable and disposable shop towels that contain hazardous solvents. EPA has not determined what, if any, regulatory action may be appropriate for solvent-contaminated wipes. The Agency has not published any proposals regarding solvent-contaminated wipes in the Federal Register. The following information provides you with a brief background on the issue and an outline of the steps the Agency will take on this matter. I hope this information will be helpful to you.

The Agency's efforts on this issue were initiated as a result of petitions from various industries. In particular, small businesses that use either disposable wipes or reusable shop towels in the workplace (for example, printers) have requested that EPA revise its regulations for several reasons. They have asked for consistency in requirements that currently differ from state to state and assurance that these materials will not be subject to the full waste disposal requirements of RCRA's Subtitle C regulations.

EPA's goal is to ensure that solvent contaminated wipes are managed in an environmentally sound, cost-effective manner that encourages source reduction and recycling of hazardous solvents. During regulatory development, we will be examining any regulatory cost burden imposed on small businesses associated with their use of wipes.

Throughout ongoing regulatory development we have met with key stakeholders, including small businesses, to listen to their concerns and incorporate those concerns wherever appropriate. Our efforts have included outreach to industries using these wipes in their operations, manufacturers of these wipes and shop towels, launderers, and handlers of used wipes. If EPA proposes a rule, stakeholders and the general public will be granted a 90 day

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comment period where they can submit formal, written comments to the Agency and make suggestions on the rule. EPA will respond to all stakeholder and public comments in writing and will incorporate suggested changes where appropriate.

In addition to the ongoing stakeholder outreach effort, EPA has been and will continue to analyze the economic impact of any future rule on small businesses. Even if the Agency certifies under the Regulatory Flexibility Act that a proposed rule, if promulgated, would not impose a significant economic impact on a substantial number of small entities, it has been EPA's policy to assess the rule's likely impact on small entities, to engage the potentially regulated entities in a dialogue regarding the rule, and to minimize its costs to the extent compatible with the goals of the environmental statute, in this case, RCRA. Information related to these considerations appears in the Federal Register at the time a rule is proposed.

We look forward to continuing to work with you and your constituents on this issue. If you have any further questions, please contact me at 202-260-4610, or your staff may want to contact Lora Strine in EPA's Office of Congressional and Intergovernmental Relations at 202-564-5711.

Sincerely,

Michael H. Shapiro
Acting Assistant Administrator

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