

The Honorable John Breaux
503 Hart Senate Office Building
Washington, D.C. 20510-1803

Dear Senator Breaux:

Thank you for your letter of March 26, 2002, to Edward Krenik, Associate Administrator of the Office of Congressional and Intergovernmental Relations, regarding the concerns of your constituent, Mr. James Moran. Mr. Krenik asked if I would respond to your letter.

At this time, EPA has not determined what, if any, regulatory action may be appropriate for solvent-contaminated shop towels. In response to stakeholder input, we are, as Mr. Moran states, looking carefully at the possibility of providing an exclusion from the definition of solid waste for these materials. I can assure you that EPA's offices are working together cooperatively to develop a proposal that ensures that solvents that contaminate shop towels are managed in an environmentally sound manner at the lowest possible cost to the regulated community.

In response to Mr. Moran's concerns about the proposal being developed, I believe some background may be helpful. 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 have requested that EPA revise its regulations. Although the states have developed policies on contaminated wipes, they differ from state to state and generators have asked for a federal rulemaking to encourage consistency in requirements.

In order to address the various viewpoints on the relevant issues, we have met with key stakeholders throughout regulatory development to listen to their concerns and incorporate their comments wherever appropriate. Our efforts have included outreach to industries using these shop towels in their operations, manufacturers of shop towels and launderers, and other handlers of used towels. EPA has also performed analyses of the economic impact of any future rule. It has been our policy to assess the rule's likely impact, to engage the potentially regulated entities in a dialogue regarding the rule, and to minimize costs consistent with the goals of the Resource Conservation and Recovery Act.

Thank you again for your letter. We look forward to continuing to work with you and your constituents on this issue. If you have any further questions, please contact Michele McKeever in EPA's Office of Congressional and Intergovernmental Relations at 202-564-3688.

Sincerely yours,

Marianne Lamont Horinko
Assistant Administrator

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