



January 17, 2017

Transmitted Electronically
Document Control Office
Office of Pollution Prevention and Toxics (OPPT)
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

THE
ENVIRONMENTAL
COUNCIL OF
THE STATES

Re: Docket EPA-HQ-OPPT-2016-0597

Dear Sir/Madam:

50 F Street, N.W.
Suite 350
Washington, D.C. 20001

Tel: (202) 266-4920
Email: ecos@ecos.org
Web: www.ecos.org

The Environmental Council of the States (ECOS) submits this response to 81 FR 90843 (December 15, 2016) announcing the Environmental Protection Agency's (EPA's) intent to establish a Negotiated Rule Committee (NRC) under section 8(a) of the Toxic Substances Control Act (TSCA), as amended by the Frank. R. Lautenberg Chemical Safety for the 21st Century Act, for manufacturers of any inorganic byproduct chemical substances, when such byproduct chemical substances are subsequently recycled, reused, or reprocessed. States have significant interest in this matter and as such ECOS, the national non-profit, non-partisan association of state and territorial environmental commissioners, requests either being designated as a member of this NRC or being provided other opportunities to provide input to this process.

John Linc Stine
Commissioner, Minnesota
Pollution Control Agency
PRESIDENT

Todd Parfitt
Director, Wyoming Department
of Environmental Quality
VICE PRESIDENT

Becky Keogh
Director, Arkansas Department
of Environmental Quality
SECRETARY-TREASURER

Martha Rudolph
Director of Environmental
Programs, Colorado
Department of Public Health
and Environment
PAST PRESIDENT

ECOS, through its Cross-Media Committee, has actively communicated state experiences and concerns in efforts to reform TSCA and is continuing to remain engaged in this issue through the recent formation of a Toxic Substances Reduction Workgroup. Additionally, the Quicksilver Caucus, coordinated through ECOS, has been extensively involved in a variety of issues relating to mercury. The Quicksilver Caucus (QSC) was formed in May 2001 by a coalition of State environmental association leaders to collaboratively develop approaches for reducing mercury in the environment. In addition to state participants, caucus members include the Environmental Council of the States (ECOS), the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), the State and Territorial Air Pollution Program Administrators (STAPPA), the Association of Local Air Pollution Control Officials (ALAPCO), the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), the Association of State Drinking Water Administrators (ASDWA), and the National Pollution Prevention Roundtable (NPPR). Mercury is a key inorganic compound that can seriously impact children's health and its recycling, reuse and processing is likely to be an important issue that will be addressed by this NRC.

Please feel free to contact me if you require additional information about ECOS's interest in this NRC. I can be reached at 202-266-4929.

Sincerely,

Alexandra Dapolito Dunn
Executive Director &
General Counsel

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Environmental Council of the States