



March 9, 2010

OSWER Docket
EPA Docket Center (Mail Code 5305T)
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Attn. Docket ID No. EPA-HQ-RCRA-2009-0315

RE: Comments on EPA's Draft Environmental Justice Methodology for the Definition of Solid Waste Final Rule (Docket No. EPA-HQ-RCRA-2009-0315)

IPC – Association Connecting Electronics Industries appreciates the opportunity to comment on EPA's draft environmental justice (EJ) methodology for the Definition of Solid Waste (DSW) final rule. The EPA has already assessed environmental and human health impacts when developing the final DSW rule and found no significant adverse impacts to the environment or human health in disadvantaged communities or otherwise. IPC and our members are concerned that an EJ study will further delay the rule's implementation while failing to provide the agency with additional information. Although we do not expect EPA to find any adverse impacts to disadvantaged communities, we understand that EPA has committed to conducting an EJ study on the DSW rule. A thorough and quick EJ analysis of the DSW rule will ensure that EPA does not have to conduct any further analyses on environmental and human health impacts and the environment and the public can begin to benefit from the DSW rule.

IPC, a global trade association, represents all facets of the electronic interconnection industry, including design, printed board manufacturing and electronics assembly. Printed boards and electronic assemblies are used in a variety of electronic devices that include computers, cell phones, pacemakers, and sophisticated missile defense systems. IPC has over 2,700 member companies, including over 1,700 in the U.S. As a member-driven organization and leading source for industry standards, training, market research and public policy advocacy, IPC supports programs to meet the needs of an estimated \$1.7 trillion global electronics industry.

The DSW rule will provide benefits to the environment and human health, including those residing in disadvantaged communities, by removing the regulatory barriers to recycling hazardous wastes. The DSW rule promotes recycling of wastes that would otherwise be disposed of in a landfill, therefore reducing the amount of virgin materials used and benefiting the environment. The amount of hazardous waste in landfills is expected to decrease with implementation of the DSW rule because it promotes recycling. Landfills are typically located in disadvantaged communities and reducing the amount of waste in a landfill will positively impact those communities. The amount of hazardous waste being shipped to landfills will also be decreased, reducing the likelihood of air emissions and spills during transport of those wastes to



landfills located in disadvantaged communities. The DSW rule promotes recycling and benefits both the environment and human health.

An EJ study should be done as thoroughly and as quickly as possible without compromising the credibility of the study. A thorough EJ study will ensure that EPA has addressed all potential adverse impacts of the DSW rule and therefore will not have to conduct any further analyses. We understand that a thorough EJ study will take time but we hope EPA will conduct an EJ study as expeditiously as possible without impacting the integrity of the study. While the DSW rule remains in a state of uncertainty it is highly unlikely that non-RCRA authorized states will adopt the DSW rule. If states do not adopt the DSW rule then businesses and the environment will not benefit from the rule. We encourage EPA to conduct a thorough EJ study of the DSW rule so that the environment and public can begin to benefit from the DSW rule.

Although we do not expect EPA to find any adverse impacts to disadvantaged communities, an EJ study for the DSW rule should be conducted as quickly and as thoroughly as possible. A quick and thorough EJ analysis will ensure all potential environmental and human health impacts of the DSW rule are addressed and the rule's implementation will not be extended any longer. The longer the DSW rule remains under scrutiny, the more likely it is that states will not adopt the rule. The DSW rule provides an environmental benefit, especially to communities surrounding hazardous waste landfills because it promotes recycling. We understand that EPA has committed to conducting an EJ study for the DSW rule but we encourage EPA to conduct the study as thoroughly and as quickly as possible in order to expedite the rule's implementation.

Sincerely,

Stephanie Castorina
Manager, Environmental Programs