

Congress of the United States

Washington, DC 20515

March 25, 2002

The Honorable Christine Todd Whitman
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Madam Administrator:

It has come to our attention that the Office of Solid Waste and Emergency Response (OSWER) plans to issue a proposed federal regulation governing the handling and use of shop towels and other reusable textiles. OSWER has indicated that the proposal would include language to exclude properly managed shop towels from solid waste regulations. However, we understand that there is reluctance within EPA for OSWER to draft the regulation with language doing so. We believe that efforts to exclude reusable shop towels from a solid waste classification would promote recycling while protecting the environment. We ask that you review the matter and ensure that these policy objectives are met.

The textile supply and service industry provides reusable textile products, such as uniforms, shop towels, mats, mops, and other reusable textiles to thousands of companies and institutions. The industry delivers clean textiles to customers and picks up the soiled textiles for cleaning and reuse, making it one of the nation's largest recyclers, while saving energy and preventing further depletion of scarce natural resources.

OSWER has been working on the development of a potential shop towel rule for many years. Its decision to create a solid waste exclusion for properly managed shop towels is consistent with established regulatory precedent. EPA has created 19 similar solid waste exclusions for properly managed materials that are effectively recycled, rather than disposed, finding that such an exclusion promoted recycling efforts.

Despite the ample precedent for an exclusion, the Office of General Counsel seems to prefer reclassifying all reusable shop towels as solid waste, even when properly managed. Such a reclassification of reusable products as waste would subject a product stream to burdensome federal regulation with no increased benefit to the environment. It also appears to conflict with the EPA's own policy statements regarding the future of environmental protection and resource conservation in which the Agency states that reducing waste and promoting recycling are key goals to ensure future environmental progress (*Beyond RCRA – Prospects for Waste and Material Management in the Year 2020*).

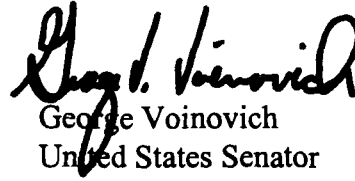
It is important that any shop towel rule is fair, reasonable, environmentally beneficial, and does not discourage recycling efforts. Therefore, in accordance with all applicable laws and regulations, we request that you examine this situation as soon as possible before any decision is reached on the classification issue.

Thank you for your personal attention to this matter, and we look forward to hearing from you soon.

Sincerely,



Rob Portman
United States Representative



George Voinovich
United States Senator