



North American Metals Council
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January 17, 2017

Via Docket Submission

Office of Pollution Prevention and Toxics (OPPT)
Document Control Office
Mail Code 7407M
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Notice of Intent to Establish Negotiated Rulemaking Committee
and Negotiate a Proposed Rule; Chemical Data Reporting
Requirements for Inorganic Byproducts
Docket Number EPA-HQ-OPPT-2016-0597

Dear Sir or Madam:

The North American Metals Council (NAMC)¹ submits this letter in response to the U.S. Environmental Protection Agency's (EPA) December 15, 2016, notice of intent to establish a Negotiated Rulemaking Committee under the Federal Advisory Committee Act and the Negotiated Rulemaking Act (NRA). The goal of the initiative is to negotiate a proposed rule that would limit chemical data reporting requirements 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. In the December 15, 2016, notice, EPA preliminarily identified NAMC as a potential member of the Negotiated Rulemaking Committee or a member of a coalition that would nominate a candidate to the Committee, an identification NAMC appreciates, and for the reasons below, believes is appropriate.

¹ NAMC is an unincorporated, not-for-profit organization serving as a collective voice for the North American metals producers and users. NAMC is a leader for the metals industry on science- and policy-based issues affecting metals.



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This letter serves as NAMC's formal request that EPA include NAMC as a member of the Negotiated Rulemaking Committee. NAMC is uniquely qualified to be a member of the Committee. NAMC has for over a decade represented the interests of more than a dozen metal-related industries. Over these last ten years, NAMC has been actively engaged in the industry dialogue on inorganic recycling and associated reporting under the Chemical Data Reporting (CDR) rule and its predecessor, the Inventory Update Rule (IUR). In fact, NAMC led efforts to engage with EPA on byproduct reporting, which resulted in the development and posting of detailed EPA guidance. Metals and metal components of interest to NAMC members are the primary drivers in recycled inorganic byproducts, which further supports the need for NAMC to be actively involved in the Negotiated Rulemaking Committee.

Thank you for the opportunity to submit this request. NAMC looks forward to serving as a member of the Committee to engage with EPA and other stakeholders on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen M. Roberts". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kathleen M. Roberts
Executive Director