



March 10, 2011

The Honorable Nancy Sutley
Council on Environmental Quality
Executive Office of the President
Washington, DC 20503

Dear Chairwoman Sutley:

We are writing on behalf of the Electronics TakeBack Coalition (ETBC), a national coalition of environmental and consumer groups, which promotes green design and responsible recycling of electronics in the United States.

ETBC's members were pleased to see the November 15th Presidential Proclamation on electronic waste asking federal agencies to work together to determine their potential for helping to solve the e-waste problem. We have submitted extensive comments on the various questions raised in the Environmental Protection Agency's request for comments published in 76 FR 11243; these are attached to this letter for your information.

Beyond that, we are writing to draw your attention to one specific topic that is of special concern to us – whether the U.S. Federal Government will allow its e-waste to be exported to developing countries.

We understand that there may be an announcement in May from the White House on e-waste policy. It is our hope that such an announcement will clearly state that federal agencies will no longer permit their used electronic products – purchased with taxpayer funds - to be exported to developing nations, given that the toxics inside can and have caused great harm. In particular, we are concerned that this forthcoming announcement might not draw such a bright line. Your November 8, 2010 letter to Administrators Lisa Jackson and Martha Johnson suggested that the CEQ's goal is to “*reduce* exports of used electronics to developing countries that lack capacity to properly manage them” and to build that capacity within these countries.

While some recyclers hold that it is acceptable to send our toxic e-waste to developing nations as long as they go to supposedly “environmentally sound” facilities in these countries, that is a position with which we profoundly disagree for many reasons, all of which are explained in detail in our comments. The following briefly summarizes why ETBC believes this to be an untenable position:

1. **These exports are illegal**, violating the laws of many of the importing countries.
2. **“Environmentally sound management” of toxic waste in developing nations is simply not realistic.** Developing countries lack the entire infrastructure – from the needed physical infrastructure, including long term storage facilities for the hazardous processing residuals, to the necessary social infrastructure in terms of a strong and empowered workforce to prevent harm resulting from managing hazardous waste.

3. Exporting hazardous waste from the U.S. to a weaker economy **violates the principle of environmental justice**, because these exports disproportionately externalize the real costs of processing toxic waste onto the developing nations.
4. **Exporting e-waste means exporting our jobs.** These are recycling jobs that could be done in the U.S. ETBC's view is that federal policy in this area should encourage the emergence of new jobs, especially in such a "green" sector as recycling. A U.S. Government policy that emphasizes capacity building abroad in this area necessarily truncates job creation here at home.

It is of fundamental importance that any announcement from the White House on e-waste policy state without any qualification or reservation a position that federal agencies will no longer allow their old products to be exported to developing nations. To publish a position less than this will signal to the international community that the U.S. may be willing to deliberately violate the laws of importing countries. As well, it will convey the message that the U.S. – whatever its stated good intention -- is willing in practice and policy to ignore the reality that these exports violate the principle of environmental justice, harm citizens of other countries, and result in the export of U.S. jobs overseas.

Especially at a time of economic distress, it is incumbent upon the Federal Government to support those U.S. businesses that can safely disassemble products here in the U.S. and then convert the materials into feedstocks that can be used by U.S. and other developed countries, without exporting toxic materials to developing countries. Products that can be reused should be repaired here in the U.S. Then they should be exported only to countries whose competent authorities clearly agree to receive used electronics (given that some don't) for legitimate reuse.

Thank you for your consideration of our comments in the Task Force's deliberations. We request the opportunity to meet with the Task Force on this topic in the very near future.

Sincerely,



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Electronics TakeBack Coalition



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