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ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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WASHINGTON, DC 20515-6143

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May 4, 2010

The Honorable Lisa P. Jackson  
Administrator  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Ms. Jackson:

As new technological advancements flood the market, Americans are disposing of growing numbers of electronic devices, typically referred to as e-waste. Many consumers think that they are acting responsibly by sending their e-waste to be recycled. However, as recent reports show, much of this waste simply ends up lining landfills and contaminating the environment in developing countries. I am concerned that Environmental Protection Agency (EPA) regulations involving e-waste need to be enforced more stringently, to ensure that e-waste is not being improperly exported.

Earlier this year, the United Nations held a conference highlighting the dangers posed by the growing amount of e-waste in developing countries.<sup>1</sup> Unfortunately, the U.S. may simply be contributing to this problem through the improper exportation of e-waste. A 2008 investigation by the Government Accountability Office (GAO) found that numerous private companies either circumvent existing EPA regulations or exploit loopholes, exporting e-waste to developing countries where it is ultimately disposed or recycled unsafely.<sup>2</sup>

To remedy these problems, GAO recommended that EPA implement an enforcement plan to address their regulations relating to cathode ray tubes (CRTs), a common component of e-waste. Additionally, GAO recommended that EPA consider broadening its regulations related to other electronic components, in order to close existing loopholes. However, according to

<sup>1</sup> "Urgent Need to Prepare Developing Countries for Surge in E-Wastes," United Nations Environment Programme (February 22, 2010).

<sup>2</sup> "Electronic Waste: EPA Needs to Better Control Harmful US Exports through Stronger Enforcement and More Comprehensive Regulation," Government Accountability Office (August 2008).

GAO, EPA declined to adopt these recommendations, stating that existing enforcement mechanisms were sufficient, various considerations weighed against broadening regulations, and voluntary certification processes could have a large impact on improper exportation.<sup>3</sup>

Despite these assurances from EPA, I remain concerned that the improper exportation of e-waste to developing countries continues to pose a threat to global health and the environment. To aid our investigation of this matter, please provide the Committee with the following information:

1. Please explain in detail the basis for EPA's decision to reject GAO's recommendation to implement an enforcement plan relating to disposal and recycling of CRTs. Has EPA reconsidered that decision?
2. Please explain in detail the basis for EPA's decision to reject GAO's recommendation that it broaden its regulations related to disposal and recycling of other electronic components, in order to close loopholes. Has EPA reconsidered that decision?
3. What steps is EPA taking to enforce its existing regulations relating to e-waste? Please include a list of all enforcement actions taken, by calendar year from 2003 to the present, including a breakdown of the number of civil and criminal investigations that have resulted from tips, complaints, GAO referrals, and EPA investigative activities.
4. Please provide a list of all audits and inspections performed annually by EPA on e-waste recyclers, along with the names of those inspected and a summary of the audit and inspection findings, for each calendar year from 2003 to the present.

Additionally, please arrange a briefing for Committee staff to discuss the issues raised above, as well as EPA's role in developing voluntary, non-regulatory approaches to limiting the exportation of e-waste, and the extent to which these approaches have impacted e-waste exportation.

The Committee on Oversight and Government Reform is the principal oversight committee in the U.S. House of Representatives, with jurisdiction over "any matter." Please deliver the requested information to the Committee on Oversight and Government Reform, room 2157 Rayburn House Office Building no later than 4:00 p.m. on Tuesday, May 18, 2010.

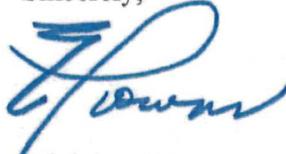
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<sup>3</sup> Id.

Honorable Lisa P. Jackson  
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Should you have any questions about this request, please contact Neema Singh Guliani of the Committee staff at (202) 225-5051.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edolphus Towns". The signature is stylized with a large, sweeping initial "E" and "T".

Edolphus Towns  
Chairman

cc: The Honorable Darrell Issa  
Ranking Member  
Committee on Oversight and Government Reform