

May 15, 2018

Submitted Electronically to Docket No: **EPA-HQ-OLEM-2017-0463**

Comments of the National Rural Electric Cooperative Association (NRECA)

RE: Proposed Rule: Increased Recycling; Adding Aerosol Cans to the Universal Waste Program

The National Rural Electric Cooperative Association (NRECA) submits these comments in response to the U.S. Environmental Protection Agency (EPA) proposal to add hazardous waste aerosol cans to the universal waste program under the federal Resource Conservation and Recovery Act (RCRA). NRECA is a member of the Utility Solid Waste Activities Group (USWAG), and these comments hereby incorporate by reference the comments submitted by that organization.

NRECA is the national service organization for America's more than 900 rural electric cooperatives which are responsible for keeping the lights on for more than 42 million people across 47 states. The nation's member-owned, not-for-profit electric co-ops constitute a unique sector of the electric utility industry – and face a unique set of challenges. Most are small businesses (as defined by the Small Business Administration) and depend on their member-owners (e.g., farmers, ranchers, small businesses, and other residents of the nation's rural communities) to fund their operations including compliance with environmental regulations.

NRECA supports EPA's proposal to add aerosol cans to the current Universal Waste program. America's electric cooperatives use a variety of aerosol products such as pesticides, paints, cleaning supplies, and disinfectants. Electric cooperatives also use these products at a variety of locations including administrative offices, generation facilities, and substations. If the cooperatives were able to accumulate aerosol cans at a centralized collection point, associated disposal costs would be decreased while increasing the recovery and recycling of the cans themselves. The success of EPA's current Universal Waste program as well as state programs is a testament to benefits and protectiveness that can be expected by managing aerosol cans as universal waste.

May 21, 2018

NRECA has comments on the proposed universal waste management standards for aerosol cans. First, we agree with EPA that the universal waste management standards should not adopt a limitation on the weight of cans authorized to be managed as universal waste. A requirement to weigh individual cans would likely negate any burden reduction that would be gained by managing the cans as universal waste. Second, we urge EPA not to establish management standards requiring the use of commercial device for puncturing and/or drain waste aerosol cans and associated written procedures regarding its use, but instead to allow generators that have been safely puncturing and draining aerosol cans under the full hazardous waste regulations to continue doing so under the Universal Waste program. Finally, we ask EPA to clarify that, while aerosol cans that show evidence of leakage, spillage, or damage must still be managed under the full hazardous waste regulations, such cans may still be safely punctured and drained to reduce the risks associated with future management of such cans.

Rural cooperative members – like all Americans – value and deserve a clean, healthy environment, but we and our members cannot afford to spend scarce resources in manners that do not provide a significant environmental bang for the regulatory compliance buck. NRECA greatly appreciates EPA’s recognition that regulating aerosol cans as universal waste is a good idea that will reduce waste management costs for America’s electric cooperatives and increase the recycling and recovery of metals in these cans without increasing the risk to the environment. We look forward to a final rule implementing this proposal.

If you have any questions regarding these comments, please contact me at Dorothy.kellogg@nreca.coop.

Respectfully submitted,

A handwritten signature in blue ink that reads "Dorothy Kellogg". The signature is written in a cursive style and is contained within a thin black rectangular border.

Dorothy Allen Kellogg

Regulatory Director, Environmental Policy