

The Honorable Carl Levin
United States Senate
Washington, DC 20510-2202

Dear Senator Levin:

Thank you for your letter of June 18, 2003, to Administrator Whitman regarding the movement of municipal solid waste from Canada into Michigan. I assure you that the Agency shares your interest in having environmentally safe international trade.

Regarding the Administration's implementation of the Agreement Between the Government of the United States of America and the Government of Canada Concerning the Transboundary Movement of Hazardous Waste, I am pleased to inform you that the Agency is moving forward on developing a legislative proposal for consideration by Congress. Currently, the U.S. lacks statutory authority to provide notice and consent for municipal solid waste imports and exports under the Resource Conservation and Recovery Act (RCRA). This legislation will make the necessary legislative changes for the U.S. to comply with the agreement.

The Agency also shares your security concerns regarding transboundary shipments, and the large task of checking all border shipments. As a start, on January 15, 2003 Administrator Whitman signed a Memorandum of Understanding with Customs Commissioner Robert Bonner, at Port Elizabeth, NJ, to strengthen the cooperation between the two agencies for a more secure border. This customs initiative is focused on improving compliance monitoring and surveillance of imports and exports of dangerous chemicals and wastes, and materials regulated under statutes administered by EPA. It also is intended to ensure that EPA and Customs will efficiently share the information that Customs collects.

Again, thank you for your letter. EPA remains committed to addressing the full range of environmental issues associated with waste import and export, and will continue to work with Environment Canada, the Michigan Department of Environmental Quality, and the Department of Homeland Security to address border environmental security. Please contact me if I can be of further assistance, or your staff may contact Betsy Henry in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-7222.

Sincerely yours,

Robert Springer, Director
Office of Solid Waste

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