

May 3, 2005

Mr. Isa Karmisa Adiputra
Deputy Minister for Environmental Impact Management from Institutional Sources
Ministry for Environment
Otorita Batam Building A, 5th Floor
JL. DI. Panjaitan Kav 24, Kebon Nanas
Jakarta Timur 13410
Republic of Indonesia

Dear Sir:

This document serves as the United States Environmental Protection Agency's (EPA's) response, as requested, to your letter dated February 28, 2005, to Eva Kreisler, USEPA. Your letter requests clarification of U.S. regulations as they relate to the proposed import of cleaned cathode ray tube (CRT) cullet into your country for use as a raw material in the video display glass manufacturing process.

In the U.S., EPA generally views the shipment of CRT glass cullet as a commodity and not a waste. Thus, the shipment of CRT glass cullet can be handled through normal commercial procedures.

You request our affirmation that CRT cullet will be exported to Indonesia free of contamination of hazardous substances. We are aware that the particular grade of CRT glass cullet proposed to be imported into Indonesia will contain lead, which we understand is desired by the Indonesian manufacturer to be a component of value in the cullet. Thus, the lead in the cullet is a raw material, not a contaminant.

Leaded CRT glass cullet should not contain contaminants if it is intended as a commodity. However, we do understand that a very small amount of steel is routinely present in the cullet (and would not be considered a contaminant) and would be removed at the Indonesian plant. Because this is a commercial transaction, it is up to the companies involved to assure that contaminants are not present at the time of export from the U.S. We understand that the Indonesian company will actually be the exporter from the U.S. Thus, the Indonesian company should assure that contaminants are not present and that their material specifications are met upon their purchase of the material in the U.S.

If for some reason the Indonesian company determines, after their purchase of this material in the U.S., that the material does not meet their specifications, they would have several options in U.S. markets. For example, they could negotiate with the seller of the cullet to take back this material, or establish explicit contractual obligations that anticipate this situation. Alternatively, the company could send the cullet to other U.S. users, such as lead smelters. Because this material would not be considered waste or hazardous waste, the cullet could be shipped to or within the U.S. as any commodity. The U.S. government would have no role in such commercial transactions, and has no authority to require companies to bring back exported glass cullet.

We hope that this letter has provided the information that you need in this matter. Should you need more information, you may contact me or my staffperson, Robert Tonetti, at 001 703 308-8878, tonetti.robert@epa.gov.

Sincerely,

Matt Hale, Director
Office of Solid Waste