

April 26, 2004

Honorable Marianne Horinko, Assistant Administrator
Office of Solid Waste and Emergency Response (5101)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Assistant Administrator Horinko:

I am writing to convey the concern of the state waste program directors in the NEWMOA states (CT, ME, MA, NH, NJ, NY, RI and VT) regarding EPA's decision to withdraw from active participation in the National Electronic Product Stewardship Initiative (NEPSI) and to support the position expressed by the Association of State and Territorial Solid Waste Management Officials in the letter from their President, Jay Ringberg, to you dated January 15, 2004. Like ASTSWMO, NEWMOA does not question the legal decision concerning participation in the NEPSI process but hopes that EPA will find a way to remain actively engaged as a strong advocate for product stewardship and an active facilitator for those seeking a solution concerning electronics. An agreement on electronics would truly represent a breakthrough for all of our efforts toward sustainability!

NEWMOA has been engaged in the NEPSI process to represent the views of the environmental agencies in the states of CT, ME, NH, NY, RI and VT; and has observed, first hand, the positive influence that EPA's active participation brought to the process. As you are no doubt aware, the planned agenda of NEPSI meetings has ended but the electronics industry participants are continuing work to develop an agreement on a financing mechanism that is acceptable to their industry as well as to the other stakeholders. While all participants recognize that reaching such an agreement may not be easy, none of us doubt the sincerity and ability of the participating industry representatives. Consensus has been reached in several other difficult areas with their creative and energetic participation. Moreover, the participating companies serve a substantial share of the consumer market and truly seek a national approach, rather than the patchwork of state requirements that is likely to develop otherwise.

Thank you for your consideration of our views. We recognize that your position is a difficult one. However, we believe that success, in the form of an agreement on electronics, is within reach at this time and would constitute a win-win for all the

stakeholders and the environment. We believe that EPA could be very influential in achieving this positive outcome. Please do not hesitate to call on NEWMOA if we can be of assistance.

Sincerely,

William F. Cass
Executive Director

Cc: Jay Ringberg, President ASTSWMO
Scott Cassel, Executive Director PSI
NEWMOA Directors