



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 21 2015

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. David Lennett  
Natural Resources Defense Council  
1152 15<sup>th</sup> Street N.W., Suite 300  
Washington, D.C. 20005

Ms. Sarah C. Tallman  
Natural Resources Defense Council  
20 North Wacker Drive, Suite 1600  
Chicago, Illinois 60606

Mr. Peter Pettit  
NEWMOA Chairperson  
Director, Bureau of Waste Reduction & Recycling  
Division of Materials Management  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-0001

Dear Mr. Lennett, Ms. Tallman, and Mr. Pettit:

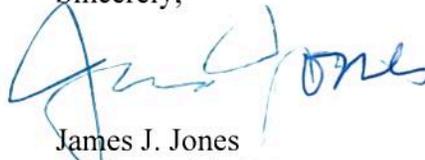
The U.S. Environmental Protection Agency has completed its review of the June 24, 2015 petition requesting the agency “to promulgate a rule pursuant to Section 8(a) of the Toxic Substances Control Act requiring recordkeeping and reporting by manufacturers, processors, and importers into the United States of mercury, mercury compounds, or mercury-added products.”

The EPA agrees with many aspects of the petition. We agree that mercury poses potential risks to human health and the environment and that there is value in gathering additional information to better understand continuing uses of mercury, to further reduce such uses, and to prevent potential risks to human health and the environment from mercury exposure. That being said, the agency believes that continued implementation of its published “EPA Strategy to Address Mercury-Containing Products” is a faster, more efficient pathway towards achieving our shared goals and the EPA is confident that the actions contemplated under the strategy are both sufficient to carry out TSCA and preferable to the requested rulemaking.

Accordingly, the EPA is denying the petition. A pre-publication copy of the Federal Register notice providing the reasons for the EPA’s denial of the petition is attached. You have the right to appeal this denial by commencing a civil action in a U.S. district court to compel initiation of the requested rulemaking proceeding within 60 days of the date of this denial letter.

If you would like to discuss this matter further, please contact Wendy Cleland-Hamnett, Director of the Office of Pollution Prevention and Toxics, at 202-564-3810.

Sincerely,

A handwritten signature in blue ink, appearing to read "James J. Jones". The signature is fluid and cursive, with the first name "James" being the most prominent part.

James J. Jones  
Assistant Administrator