



United States Department of State

Washington, D.C. 20520

The Honorable
Kevin Cramer
House of Representatives
Washington, DC 20515

OCT 11 2017

Dear Mr. Cramer:

Thank you for your letter of August 30 to Secretary Tillerson and Administrator Pruitt regarding concerns that the U.S. economy and the environment are damaged because many overseas producers are not permitted to ship petrochemical byproducts to the United States for recycling.

As you noted in your letter, the United States has not ratified the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention), despite obtaining Senate advice and consent to do so in 1992, because we lack the legislative authority to fully implement it. If the United States were to ratify the Basel Convention, imports of hazardous waste, such as the material described in your letter, would be permitted through a relatively straightforward notice and consent process.

Changes to domestic “waste” definitions and regulations alone would be unlikely to comprehensively address the issue you have raised. Parties to the Basel Convention may not export waste to non-Parties, including the United States, if either the exporting Party or the importing non-Party deems the waste hazardous. Absent U.S. ratification of the Basel Convention, it is therefore both the U.S. definition of hazardous waste and the definitions of other countries that determine whether shipments of wastes containing precious metals can be sent to the United States.

We also note that this issue is relevant for a range of wastes that contain valuable, recoverable materials, including the spent catalysts mentioned in your letter. According to the Institute of Scrap Recycling Industries, in 2017, the U.S. scrap recycling industry is worth an estimated \$117 billion and employs about 155,000 Americans.

We hope this information is helpful. Please don’t hesitate to contact us again if we can be of additional assistance on this or any other matter.

Sincerely,

Charles S. Faulkner
Bureau of Legislative Affairs