

Pulp *Special Edition* truth



October 14, 2011

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USW Makes Sure New EPA Waste Definition Rule Does Not Work Against Paperworker Jobs

Because the USW is known for working constructively on energy policy and environmental issues, the U.S. Environmental Protection Agency (EPA) listened to our union when we said any new solid waste rules need to protect both jobs and the environment.

Responding to concerns from the USW and other stakeholders, the EPA decided to re-propose significant parts of its Non-Hazardous Secondary Materials (NHSM) rule that would re-define what materials are considered to be fuel or waste. Materials considered to be waste would be regulated under a more stringent section of the Clean Air Act than those designated as fuel under the NHSM rule as originally proposed by EPA.

As a direct result of our work, EPA is now proposing that alternative biomass fuels, including byproducts of the forest and paper industries, will be considered as fuel to be used in industrial, commercial and institutional boilers. ***“This indicates clearly that the regulatory process can be made to work and that working in good faith with the agencies is the correct approach to ensuring regulations that benefit both workers and the environment,” said International President Leo W. Gerard.***

The pending action will save thousands of jobs and protect the environment by preventing millions of tons of carbon-neutral biomass materials from being diverted to landfills rather than being used as alternatives to fossil fuels.

For two years our union worked with the EPA to ensure that the Boiler MACT (Maximum Achievable Control Technologies) and solid waste rules do not work against our members' jobs and their companies. There were several meetings with the EPA, including one attended by Gerard with the EPA administrator. The USW filed mate-

rial with the agency showing how improvements could be made to both rules so that they do not impact our members' jobs.

“EPA's choice to do this now shows that the agency is willing to listen to the USW and other stakeholders to establish environmental rules that actually work,” Gerard said. “It validates the USW's role as an independent voice instead of supporting legislative efforts that might weaken environmental protection for all of our citizens.”

EPA originally issued the NHSM rule as part of a suite of EPA rules dealing with air emissions from industrial, commercial and institutional boilers and from waste incinerators. Application of the three air rules was suspended in April, under pressure from the USW and other stakeholders, so the agency could ensure that companies and institutions operating boilers subject to the rules would be able to comply without unduly impacting their ability to operate.

While EPA suspended the air rules earlier this year, the agency did not suspend the NHSM rule. “That's why we are pleased with EPA's current decision to re-propose sections of the NHSM rule,” said International Vice President Jon Geenen, who leads the USW's paper sector.

EPA has indicated that it will explicitly state that a wide variety of biofuel materials count as fuel, including cellulosic biofuels and some wood debris. It will propose a petition process for fuels that do not meet current strict fuel legitimacy criteria. Resinated wood products will be explicitly stated in the rule as “non-waste fuel.” Resinated wood products such as board trim and sander dust can be used as boiler fuel.

USW stays on top of changes in regulations and will do what it takes to ensure regulations protect members' jobs and the environment.