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February 6, 2022

Hon. Robin Hutcheson  
Administrator  
Federal Motor Carrier Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE  
Washington, DC 20590

RE: FMCSA-2022-26506 Clarification to the Applicability of Emergency Exemptions

Dear Administrator Hutcheson:

The National Waste & Recycling Association (NWRA) appreciates the opportunity to comment on the Federal Motor Carrier Safety Administration's (FMCSA) Clarification to the Applicability of Emergency Exemption (FMCSA-2022-26506). NWRA's members and Safety Committee are concerned that by reducing the length of an emergency exemption from 30 days to 5 days, FMCSA will be adversely affecting the clean-up and recovery process. NWRA asks that FMCSA not change the automatic response time. If a reduction in the automatic response is found to be warranted, NWRA asks FMCSA to reduce the time to no fewer than 15 days.

NWRA recognizes the need to deliver supplies and direct assistance when an emergency occurs and that the initial response determines an area's ability to quickly recover. After the initial response, NWRA members typically are the ones tasked with removing waste and debris to facilitate the long term cleanup of an area. When an emergency is declared, NWRA members are not usually in the first wave of response, but are responding two to three days following the initial incident and after the area has been secured during the initial response. NWRA asks that FMCSA not only consider the initial response, but the ongoing cleanup and response that is needed for recovery.

NWRA is the trade association that represents private-sector waste and recycling companies in the United States as well as manufacturers and service providers who do business with those companies. NWRA's members operate in all 50 states and

Clarification to the Applicability of Emergency Exemptions

February 7, 2023

Page 2 of 2

the District of Columbia. NWRA provides leadership, education, safety expertise, research, and advocacy to promote North American waste and recycling industries, serve as their voice, and create a climate where members prosper and provide safe, economically sustainable, and environmentally sound services.

NWRA appreciates the opportunity to engage FMSCA and we look forward to continuing to work with your office on this matter. Should you have any questions, please call our Chief of Staff and Vice President for Safety & Standards Kirk Sander at [ksander@wasterecycling.org](mailto:ksander@wasterecycling.org) or 202-364-3750.

Very truly yours,

A handwritten signature in black ink that reads "Darrell K. Smith". The signature is written in a cursive style and is positioned above the typed name and title.

Darrell K. Smith, PhD  
President & CEO