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The Honorable Mary L. Schapiro, Chairman
Securities and Exchange Commission,
100 F Street, NE
Washington, DC 20549

Original sent via Fed Ex Tracking #872663819881
Transmitted via e-mail: rule-comments@sec.gov

Re: Dodd-Frank Act, Section 1502, Conflict Minerals

Dear Chairman Schapiro:

Metal Solutions Corporation (“Metal Solutions”) is pleased to provide these comments regarding the implementation of Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Metal Solutions is a Tin by-product recycler Incorporated in Arizona. Metal Solutions recycles Tin by-products from many industries including solar glass manufacturers, low e commercial and residential glass manufacturers, automobile glass manufacturers, printed circuit board manufacturers, pharmaceutical companies, Tin plate manufacturers and glass bottle manufacturers. Most of our suppliers of our feedstock, Tin by-products, are multi billion dollar companies who collectively employ over 10,000 people in the USA.

Metal Solutions provides recycling services for Tin by-products to manufacturers throughout the USA, North America, Asia, Europe and Australasia. Metal Solutions also consults in Tin metallurgy to companies throughout the world ensuring that their manufacturing sites make recyclable Tin by-products, rather than wastes destined for landfill.

- Recycling Exemption

Tin, like all metals, is recyclable and should be encouraged to be recycled to preserve the worlds natural resources. Tin only has an overall recycling rate of around 37%, so all by-products from Tin are valuable resources that should be encouraged to be recycled and not destined to go to the landfill. An exemption for recycled Tin is therefore required and would make no difference to the future contribution of metal production to the conflict in the Democratic Republic of Congo (“DRC”).

While allowing an exemption for recycling, SEC should not allow crudely refined concentrates from uncertain sources enter the market as “recycled” material.

Metal Solutions concur with ITRI on the definition of the recycling exemption, specifically:

“Recycled Tin, Tantalum, Tungsten and/or Gold is that which can reasonably be considered to have been reclaimed from material arising from:

1. The manufacture of downstream products which incorporate those metals or their compounds, or
2. Processes utilizing those metals or their compounds, or
3. End-user or post-consumer products.

Minerals partially processed, material arising therefrom, and materials from intermediate stages of the smelting and refining process are not considered recycled”

- Transitional Period

The world’s stock of Tin metal has decreased significantly over the last 12 months and has caused a tight marketplace for purchasing Tin. Large amounts of concentrates and metal have been commingled throughout the world so Metal Solutions believes that the SEC’s regulations implementing the Dodd-Frank Act must be prospective in nature. If it were not prospective a significant amount of Tin stocks would become “dormant” and could not be sold. This would reduce the already low stocks significantly and would probably cause significant disruption in the marketplace, possibly to the point where manufacturing operations had to stop due to a lack of physical Tin available in the marketplace.

Metal Solutions would urge the SEC to provide significant time between the passage of the Act and the full implementation of the new rules. The new rules should also exempt current stocks of metal in warehouses and concentrates at smelting locations. This will help minimize the disruption to the marketplace.

- International Standardization

Many of Metal Solutions customers are USA owned and based but have operations overseas. Trying to manage different countries and international regulations which are dealing with the same issue can be confusing, burdensome and potentially conflicting. Significant work has already been done by internationally recognized bodies such as ITRI, Organization for Economic Cooperation and Development, and the DRC is working closely with the United Nations and others.

Therefore, Metal Solutions would encourage the SEC to consider the work done by other major international organizations when drafting the new rules. This approach would have the best chance of developing an international standard that could be followed with ease by all.

We greatly appreciate this opportunity to comment in advance of SEC’s formal rulemaking. Please do not hesitate to contact me if I can assist in any manner.

Sincerely,

Ian Linton
President
Metal Solutions Corporation

