Environmental Technology Council

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June 14, 2021

Mrs. Allison Herren Lee
Acting Chair
U.S. Securities & Exchange Commission
100 F Street, NE
Washington, DC 20549

Re: SEC Questions on Climate Change Disclosures

Dear Acting Chair Lee:

The ETC is the national trade association for the commercial hazardous waste management industry. ETC member companies provide technologies and services to customers for the safe and effective recycling, treatment, and secure disposal of hazardous wastes through high-temperature incineration and other advanced technologies. As part of their business practices ETC member companies are continuously engaging with the communities in which they do business to ensure that their facilities are operating in a responsible, safe and secure manner to protect against harm to human health and the environment.

Some of the ETC member companies are publicly traded and thus we are writing in response to the list of questions set forth by the Security and Exchange Commission (SEC) regarding the reporting of climate change impacts on a company's bottom line and if this information should be included in a company's SEC filings. For the following reasons, ETC and its member companies oppose any efforts that would require publically traded companies to disclose climate risk on their SEC reports.

Sustainability Reports

ETC member companies that are publicly traded provide valuable environmental, social and governance (ESG) information to their investors in their annual sustainability reports. The information contained in these reports gives the investor community a detailed understanding of how ESG issues, including climate change, are and could potentially impact their business operations. Additionally, these comprehensive reports also describe what specific steps the companies are taking to address ESG issues.

For example, in one member company's annual sustainability report it is noted that their Sustainability Development Goals (SDGs) are being met through water, waste and energy solutions aimed at reducing the company's and their clients' ecological footprint. The report further describes how the company is working to meet its SDGs by placing emphasis in all areas of their business operations, including clean water and sanitation, affordable and clean energy, industry innovation and infrastructure, sustainable cities and communities, responsible consumption and production, climate action, and life below water and on land. This is just a snapshot of valuable ESG information included in ETC member company sustainability reports.

Considering that this and other environmental and climate change information contained in these reports is used by investors to assess their level of investment risk and to evaluate the companies they wish to invest in, ETC does not support requiring companies to duplicate this information in their SEC filings. If the SEC feels compelled to have this information included in SEC filings, we would recommend just having the companies attach a copy of their sustainability reports to their individual SEC filings.

Once Size Does Not Fit All

Because every publicly traded company is different in terms of its business operations and company profit strategies, it would not be feasible for the SEC to require an inflexible one-size-fits-all policy to require companies to report the impacts of climate change on their SEC reports. Even companies that are in the same industry tend to have some nuances that distinguish them from their competitors. It is these differences that make companies appealing, or not, to the investor community. Allowing companies to address ESG and climate change impacts in their respective annual sustainability reports would be a better approach since this would give each company an opportunity to address these topics as they specifically relate to their business operations and models. Flexibility and not a rigid one-size-fits-all set of regulations is what we need. Additionally, the use of annual sustainability reports to discuss how ESG and climate change may impact a company's bottom line will allow for more detailed information as these reports tend to be lengthy and very comprehensive in nature.

It is worth pointing out that according to the Forum for Sustainable and Responsible Investment, as of 2020 one-third, or $17 trillion, of all U.S. assets under management were invested following sustainable principles. This illustrates that the system is already working. Investors are already relying on information included in company's sustainability reports when determining whether or not to invest in a particular company. These reports are specifically tailored towards the company's business operations, structure and forecast. Implementing a rigid, inflexible approach could eliminate a system that is clearly working well.

In closing, I would like to thank you for the opportunity to submit comments on this very important issue. Should you have any questions, please feel free to contact me at: [redacted] or at [redacted].

Sincerely,

James A. Williams

James A. Williams, II
VP Government Affairs