

Northeast Waste Management Officials' Association (NEWMOA) 2013-2017 Strategic Plan

*As Approved by the NEWMOA Board of Directors
September 13, 2012*



Northeast Waste Management Officials' Association

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NEWMOA
2013-2017 Strategic Plan
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NEWMOA's 2013-2017 Strategic Plan Summary

The Northeast Waste Management Officials' Association (NEWMOA) is a non-profit, non-partisan interstate association whose membership is composed of the state environmental agency directors of the hazardous waste, solid waste, waste site cleanup, emergency response, pollution prevention, and underground storage tank programs in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

NEWMOA's mission is to develop, lead, and sustain an effective partnership of states that helps achieve a clean, healthy, and sustainable environment by exploring, developing, promoting, and implementing environmentally sound solutions for:

- Reducing materials use and preventing pollution and waste;
- Properly reusing and recycling discarded materials that have value;
- Safely managing solid and hazardous wastes; and
- Remediating contaminated sites.

NEWMOA is committed to ensuring that the generation of waste is minimized, that discarded materials are managed to reduce their environmental impacts, and that oil and hazardous materials that have been released to the environment are appropriately managed. Its overall organizational goals are to:

- Improve the management of waste in the region, including advancing greater waste reduction, reuse, and recycling;
- Support state efforts to implement waste management, pollution prevention, toxics reduction, and waste site clean-up programs and regulations;
- Promote interstate coordination on understanding and addressing priority issues;
- Facilitate development and implementation of regional approaches to solving critical environmental problems;
- Articulate state program views on federal rulemakings and policy developments; and
- Facilitate communication and cooperation among member states, between the states and the U.S. EPA, and between the states and other stakeholders.

NEWMOA has organized its activities into the following program areas:

- Hazardous waste;
- Sustainable materials management and solid waste;
- Waste site cleanup;
- Assistance, pollution prevention, and sustainability;
- Priority chemicals; and
- Cross program initiatives.

The group achieves its goals by:

- Managing and sharing information and data;
- Facilitating state and federal agency interaction;
- Providing training and assistance;
- Supporting regulatory development and program implementation; and
- Conducting research.

NEWMOA 2013-2017 Strategic Plan

What is NEWMOA?

The Northeast Waste Management Officials' Association (NEWMOA) is a non-profit, non-partisan interstate association that was established by the governors of the New England states as an official interstate regional organization, in accordance with Section 1005 of the federal Resource Conservation and Recovery Act (RCRA), to coordinate interstate hazardous and solid waste activities. The organization was formally recognized by the U.S. EPA in 1986. NEWMOA's membership is composed of the state environmental agency directors of the hazardous waste, solid waste, waste site cleanup, emergency response, pollution prevention, and underground storage tank programs in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

NEWMOA's members recognize that many pollutants and wastes do not respect jurisdictional boundaries and solving the problems associated with them requires cooperation among neighboring states. Furthermore, solutions to environmental issues often rely on the participation of business, environmental organizations, and other stakeholders that operate on a regional basis. Markets for recycled materials and for recycling and other waste management services are regional, and states depend on each other for them. For example, NEWMOA has analyzed the amounts and interstate flow of various waste streams that are destined for disposal to better understand where and how these materials are managed. These studies have found a high degree of interdependence, making the region a "waste-shed." This information has fortified the Association's commitment to coordinating state waste management and pollution prevention efforts so that states can address their mutual interests and capacity needs and gain greater efficiency and effectiveness in addressing environmental challenges.

Mission

NEWMOA's mission is to develop, lead, and sustain an effective partnership of states that helps achieve a clean, healthy, and sustainable environment by exploring, developing, promoting, and implementing environmentally sound solutions for:

- Reducing materials use and preventing pollution and waste;
- Properly reusing and recycling discarded materials that have value;
- Safely managing solid and hazardous wastes; and
- Remediating contaminated sites.

NEWMOA is committed to ensuring that the generation of waste is minimized, that discarded materials are managed to reduce their environmental impacts, and that oil and hazardous materials that have been released to the environment are appropriately managed. The overall organizational goals are to:

- Improve the management of waste in the region, including advancing greater waste reduction, reuse, and recycling;
- Improve the capacity of state staff to implement waste management, pollution prevention, toxics reduction, and waste site clean-up programs and regulations;
- Promote interstate coordination on understanding and addressing priority issues;
- Facilitate development and implementation of regional approaches to solving critical environmental problems;

- Articulate state program views on federal rulemakings and other policy developments; and
- Facilitate communication and cooperation among member states, between the states and the U.S. EPA, and between the states and other stakeholders.

NEWMOA develops and supports forums that enable its members to share resources and lessons learned so they can benefit from each other's successes and experiences, thereby enhancing their programs. It also provides a venue for sharing different approaches and solutions to new challenges facing states. NEWMOA coordinates examination of common emerging environmental challenges; recommends unified regional positions to federal and state policy makers; and develops and helps implement coordinated regional approaches and programs. The organization identifies and defines emerging issues, particularly those that are appropriate for regional cooperation and problem solving.

In many cases, state agencies are more effective at solving their environmental problems by cooperating regionally than by working individually. When NEWMOA's members determine that a waste management, pollution prevention (P2), site remediation, toxics reduction, and environmental assistance program would benefit from such regional cooperation, the Association can decide that it should undertake an initiative and seek funding to support the activity.

Structure

The NEWMOA Board of Directors consists of the Directors of the member state solid waste, hazardous waste, waste site cleanup, emergency response, pollution prevention, and underground storage tank programs (www.newmoa.org/about/board.cfm). This group establishes the budget, policies, and programs of the Association.

NEWMOA has organized its activities into the following program areas:

- Hazardous waste;
- Sustainable materials management & solid waste;
- Waste site cleanup;
- Assistance, pollution prevention, & sustainability;
- Priority chemicals; and
- Cross program initiatives.

NEWMOA has established Program Area Steering Committees that are chaired by a Board member and perform the following tasks:

- Help shape NEWMOA's multi-year strategic plans;
- Develop annual workplans;
- Oversee program area projects and activities;
- Share information on state and U.S. EPA efforts;
- Develop ideas and strategies to address emerging issues;
- Form working groups; and
- Prepare comments on federal policies.

Each Program Area Chair reports to the Board. In each program area, NEWMOA supports Workgroups that implement projects and activities. An organizational diagram is available at www.newmoa.org/about/newmoaorganizationaldiagram_files/png_1.htm.

NEWMOA's Board of Directors developed this Strategic Plan to inform its annual planning, fundraising, and budget process over the next five years. NEWMOA's Committees and Workgroups implement this Plan through their annual work plans, which are reviewed and approved by the NEWMOA Board. For high priority projects, NEWMOA's Workgroups develop detailed grant proposals and project plans that describe the problem the project is designed to address, project goals and objectives, tasks, a timeline, deliverables, and outputs.

Current Challenges

Each program area identifies critical issues that can be addressed through regional coordination. However, there are also a number of challenges facing NEWMOA's members across all of their programs, including:

- Reductions in federal and state budgets;
- Rapid changes in waste streams, and increasing public concern about toxic and hazardous chemicals in products that can affect waste streams;
- An aging workforce in state environmental agencies and associated loss of institutional capacity as long-time staff retire;
- Increasing complexity of regulations and programs; and
- Emerging environmental issues that affect multiple environmental media and which may not be effectively addressed by traditional approaches to environmental regulation.

State environmental programs have experienced significant budget reductions over the last decade. These cuts have substantially affected their ability to implement programs. With deeper cuts expected in the future, state agencies will rely even more on NEWMOA to help to maintain their proficiency and effectiveness.

Much of the environmental agencies' workforce is rapidly approaching retirement. Hiring freezes and budget cuts have resulted in few new staff being hired and trained. Waste programs address complex technical issues and implement complicated regulations, which require that the staff that manage and implement these programs have specialized competencies. All of the Northeast states face a significant challenge in the next ten years to ensure that program staff has the necessary skills and training.

The hazardous and solid waste and waste site cleanup programs were started in the 1970s and 1980s and have largely matured. Their wealth of regulatory interpretation and histories are critical to successful program implementation, but can also make it difficult to adapt to new circumstances and environmental challenges. In some cases, the current rules and program structures were not designed to address the kinds of problems facing environmental agencies today. For example, federal and state hazardous waste regulations, which were developed to control wastes from larger manufacturing operations, present obstacles to establishing local programs for collecting unneeded pharmaceuticals from residences, even though the public safety benefits of removing these medications from homes are undisputed. Similarly, small businesses, commercial and institutional facilities, households, and the service sector all face new and more diffuse environmental challenges that were not anticipated when the major programs were developed. These types of pollution sources require a more robust and flexible

array of approaches that use a combination of regulatory tools and education, incentives, and assistance to encourage environmental stewardship.

Now more than ever, NEWMOA's members need the services outlined below to address these challenges.

Services & Programs

NEWMOA provides a number of core services that support all of its program areas. The core services include information and data development and sharing, training, coordination, assistance, and research. In addition, to these core services, NEWMOA's Board has developed a strategy for each program area to address their unique environmental challenges. These core services and program area activities are described below.

Core Services

Over the past 25 years, NEWMOA's members have relied on the Association to support their efforts to develop and implement regulatory and non-regulatory programs. NEWMOA has focused its efforts on identifying and creating the support services that state programs need to successfully implement their regulatory mandates and achieve their goals. By providing the following functions, the Association helps its members be more efficient and effective:

Managing & Sharing Information

NEWMOA collects, analyzes, and shares information and data and helps states develop approaches and tools for program implementation, measurement, analysis, and evaluation. These services:

- promote greater efficiency and avoid duplication of effort by individual states;
- help state programs identify opportunities for regional cooperation;
- promote consistency in data definitions and collection;
- assist with program evaluations;
- provide information and analysis for individual state program decision-making and planning; and
- help demonstrate progress toward strategic goals of the Association and its members.

Facilitating State & Federal Agency Interaction

From its inception, the Association has facilitated its members' interactions with key federal agencies. NEWMOA's members recognize that their ability to effectively advise U.S. EPA and other federal agencies is enhanced when they can find areas of consensus on key regulatory and policy issues and present those views as a unified position. They rely on the Association to share their comments, viewpoints, and recommendations on national environmental issues and to help them learn from each other. When there is a uniquely regional perspective or concern regarding an environmental problem, the Association facilitates an effort to articulate that view and share it with appropriate national groups and agencies. NEWMOA develops these consensus positions in collaboration with ASTSWMO and other organizations as appropriate, and communicates those positions to U.S. EPA and other federal agencies.

Providing Training & Assisting Staff

Maintaining the expertise and knowledge of professional staff and management is important to the delivery of effective environmental services and programs. NEWMOA provides a variety of training opportunities for member states to help them maintain their standards for Agency performance. Because many of the state waste management, waste site cleanup, and pollution prevention programs face similar technical and programmatic issues, developing and delivering training to address these challenges can promote efficiency and avoid duplication of effort. NEWMOA also provides a forum for its members to learn from each other and improve their management, technical, and other professional skills.

Conducting Research

Conducting research on common issues and “best practice” options is essential to helping state programs maximize their efficiency and effectiveness. NEWMOA prepares reports, fact sheets, data analysis presentations, and other research-based materials for its members and others. Researching priority topics is often more efficient when conducted regionally than when undertaken by individual state programs.

Procuring Resources

Procuring the necessary resources to carry out the priorities outlined in this strategy is a critical function for the Association. NEWMOA seeks funding through grants from federal agencies, contracts with member states, grants from private foundations, and other private sector sources. Individual member states have also used NEWMOA’s resources to assist with particular projects. In most cases, the results of the Association’s projects for individual states are shared with and benefit the other members.

All of these core services are designed to help states implement their waste management, P2, priority chemicals, and waste site clean-up programs. Such support helps programs develop and maintain staff competency, ensures that they are aware of the regulatory requirements and management approaches of neighboring states for similar activities, and reduces duplication of effort on research and other activities.

The following sections identify the problems that NEWMOA’s program areas and cross program activities are designed to address and the Association’s organizational strategies.

Program Areas

There are many environmental challenges associated with waste management, toxic chemicals in products and waste, and contaminated sites in the Northeast. NEWMOA’s Board decides which ones the Association should address. NEWMOA has identified the following as priorities for strategic action in each of its program areas over the next five years.

Hazardous Waste

NEWMOA provides a variety of training and support services to help state hazardous waste programs develop and maintain high quality programs and professional staff so that they can achieve their public health and environmental objectives.

Problem statement:

The universe of hazardous waste generators and manufacturing processes, waste management facilities, and wastes is diverse and constantly changing. Keeping up with the associated issues is a significant challenge for state environmental officials. Federal and state hazardous waste regulations and policies are also complex and constantly evolving. The state staff and management involved with their implementation find it challenging to learn about and keep up with them. Without adequate training and information sharing for program staff and management, the programs cannot provide the necessary environmental and health protections they are designed to ensure.

There are an increasingly complex set of regulatory and policy issues that state hazardous waste programs are called upon to address. The NEWMOA states have a need for a forum for developing and articulating their views on proposed and developing federal RCRA policy so that their expertise and experience help inform the ultimate outcome.

Many of the staff people in the state hazardous waste programs have reached or are nearing the age of retirement. This can represent a significant loss in knowledge that is necessary to the functioning of an effective hazardous waste compliance and enforcement program. State agencies are struggling with how to ensure proper succession and program capability. Both training and information sharing are needed to address this challenge.

Hazardous Waste Program Area strategies:

- Provide a forum for discussion of emerging hazardous waste issues and federal rulemakings and policy developments;
- Develop and hold information-sharing and training events to address state RCRA programs' policy and technical needs;
- Assist U.S. EPA in understanding state perspectives, needs, and issues with hazardous waste management;
- Offer inspector and other training for staff that are new to the hazardous waste programs; and
- Provide support for state program implementation.

Sustainable Materials Management & Solid Waste

NEWMOA helps states develop and promote sustainable materials management strategies, including reduction, reuse, recycling, and proper waste management for a wide variety of solid wastes through training, information sharing, program coordination, and analyzing data.

Problem Statement:

Solid waste covers a large universe of materials, including residential waste; construction and demolition waste, non-hazardous industrial by-products, and institutional and commercial waste. Until the 2008 recession, the per capita generation of this solid waste rose steadily so that an ever increasing amount required management. As economic conditions improve after the recession, the per capita solid waste generation rate is likely to grow again. Waste disposal capacity in the region is constrained, as existing landfills reach their design capacity, space that is suitable for construction of new facilities is limited, and public concern grows about facilities' potential releases, emissions, impacts on property values, and nuisances. While municipal solid waste

recycling grew from 1980-2000, the recycling rate has remained fairly constant at around 30 percent over the last 10 years. There is a growing need for more effective waste reduction, reuse, and recycling strategies to address these challenges. Currently, NEWMOA is focusing on several specific issues, in addition to offering forums for interstate program staff discussions and training:

- State solid waste policy and industry activities are transitioning from a view of discarded material as a “waste” to understanding that the remaining value in these materials can in many cases be captured and conserved. State programs want to encourage and incentivize this change, but must overcome a number of policy and regulatory challenges. Many states are now implementing relatively new approaches, such as extended producer responsibility, zero waste, pay-as-you-throw, and single stream recycling, and need to learn from each other about their challenges and opportunities and what arrangements will make these approaches likely to succeed.
- One waste stream that presents unique challenges for state officials in the Northeast is the material that is generated by building construction and demolition projects. This is a very large and diverse waste stream that can contain toxic contaminants, such as lead and asbestos, and that requires special management. Helping states to increase the capacity for the proper processing, reuse, and recycling of C&D materials has been and continues to be a priority for NEWMOA.
- State waste programs receive many plans to turn previously discarded non-hazardous commercial and industrial by-products into commodities, with requests for state determinations that the proposed uses are acceptable. NEWMOA’s members support this kind of reuse as a way of reducing the amount of material sent to disposal facilities, but they must also safeguard against the potential for environmental harm. To address this challenge, many states have established Beneficial Use Determination (BUD) programs, which are benefiting greatly from sharing information through NEWMOA about approved BUDs and how to make their programs more effective.
- Most of the states in the Northeast have included strategies to promote waste reduction and increase reuse, and recycling in their state-wide solid waste plans, at least in part to address greenhouse gas (GHG) emissions. These efforts have profited from regional information sharing, networking, and development of new metrics and analysis that support implementation.

Sustainable Materials Management & Solid Waste strategies:

Provide an information sharing forum to address state solid waste programmatic and technical needs, including studies of materials and waste characterization;

Assist U.S. EPA in understanding state perspectives, needs, and issues in solid waste management;

Identify models that state and local programs can use to provide financial incentives for increased recycling;

Support state programs in their efforts to advance “zero waste” and “beyond waste” by training state and local officials about these approaches and sharing experiences of successful programs within and outside of the region;

Identify opportunities and means for state agencies to advance organics recycling, through the use of methods such as food waste composting and anaerobic digestion;

Support state implementation of extended producer responsibility (EPR) programs to address priority solid wastes (NEWMOA’s efforts began with the development of model legislation for managing products containing mercury, and is starting to address paint and other wastes);

Conduct analysis of available data to help programs understand the interstate flow and disposal of solid waste within and outside of the region for use in state policy development and programs;

Help programs improve reporting, data transparency, usefulness, and accuracy on C & D materials facility performance and stimulate improved processing and reuse/recycling;

Develop and maintain a database of state-approved beneficial uses of industrial and commercial non-hazardous waste to help stimulate proper reuse and recycling of these materials;

Develop an understanding of the common needs of commercial waste generators in the region and their potential to increase recycling; and

Create a social media-based clearinghouse and network of officials interested in sustainable materials management and zero waste.

Waste Site Cleanup

NEWMOA provides training and program support services to help its members’ waste site cleanup programs successfully advance the cleanup and maintenance of contaminated property, and thereby improve economic development, public health, and the environment.

Problem Statement:

Throughout the Northeast there are thousands of sites that are contaminated by past practices and/or spills and require cleanup in order to be protective of human health and the environment. Proper cleanup and redevelopment of these sites is essential to revitalizing blighted areas, creating employment opportunities in affected communities, and achieving successful economic development in the region. There are an array of federal and state programs that address these sites, including the federal Superfund and Brownfields programs, and state waste site cleanup programs.

The contamination issues at the waste sites in the region are complex. Understanding the contaminants and how they behave in the environment presents a significant challenge for state officials responsible for overseeing cleanup. These staff and managers also need to keep up with the ever changing technologies and approaches to assessing and remediating sites. Without adequate training for state program staff, consultants, and others that do site-specific work, the programs will not be able to provide the necessary environmental and health protections they are designed to ensure.

Federal waste site cleanup policy has evolved and changed over the past 30 years. The NEWMOA states have a need for a forum for developing and articulating their views on proposed and developing federal waste site cleanup policy.

Activities at contaminated sites to remove and treat oil and hazardous materials, transport waste materials to offsite disposal facilities, and monitor environmental conditions use a considerable amount of energy and emit GHGs. Recently, cleanup programs have begun to develop and implement “green remediation” approaches that maintain the ultimate cleanup goal and encourage selection of remediation techniques with low GHG emissions impacts.

Many of the hundreds of closed solid waste landfills, brownfields, and other contaminated properties across the Northeast that have limited reuse potential may provide opportunities for siting renewable energy projects, such as solar, wind, and methane gas recovery and use. However, ensuring that the intended use at these sites is compatible with their closure and cleanup is critical.

Waste Site Cleanup strategies:

- Develop training events designed to improve the capacity of state officials, consultants, and others to effectively implement and oversee the characterization and remediation of contaminated sites, including green remediation principles and methods;
- Help states learn about emerging cleanup issues and identify strategies to address them;
- Help coordinate the state and federal brownfields programs and share information on program challenges and successes;
- Help state programs develop strategies to improve the effectiveness of voluntary site cleanup and Brownfields programs; and
- Help states maintain support for their waste site cleanup programs.

Assistance, Pollution Prevention, & Sustainability

NEWMOA helps advance pollution prevention, assistance, and sustainability through information sharing, training, data sharing and analysis, and a wide variety of targeted sector and topical projects to promote economic prosperity and public health and environmental improvement.

Problem Statement:

All of the state environmental agencies in the Northeast have developed assistance and pollution prevention programs to help companies, communities, and institutions reduce their environmental footprint, advance sustainability, and save money. There are numerous technical and programmatic challenges facing these programs, including diminishing state and federal resources. The state staff and management involved with implementing them in the field find it challenging to learn about and keep up with constantly changing technologies and innovative approaches. Without adequate information sharing and training for program staff and management, the programs cannot provide the necessary environmental and health protections they are designed to ensure. State programs are also increasingly challenged to capture and communicate the environmental benefits of their activities and initiatives and demonstrate that limited resources are being used on the most effective strategies.

The economy of the Northeast has been transitioning from a manufacturing base to include other types of businesses over the past 20 years. The newer economic engines in the region include high technology, hospitality and tourism, biotechnology and health care, small businesses, institutional and commercial facilities, and other service industries. These sectors face numerous environmental challenges, including solid and hazardous waste generation, the high cost and impacts of energy and air pollution control, water use and pollution, worker health protection, and toxics in products that they purchase and use. State assistance and pollution prevention programs are developing and coordinating regionally on several approaches to help businesses, institutions, and communities implement more environmentally sustainable practices, comply with environmental regulations, and recognize leaders. The decrease in state and federal resources for these programs necessitates more integration of these approaches to leverage resources across compliance assistance, pollution prevention, and regulatory programs as well as across states. (See also, "Alternative Compliance Strategies" section below.)

Assistance, P2, & Sustainability strategies:

- Identify priority industrial, business, and institutional sectors and create forums for information sharing on work with these sectors;
- Develop coordinated strategies for working on priority issues, including the development of tools to promote and inform the implementation of P2 and sustainable practices and technologies;
- Facilitate communication among state assistance and P2 programs and the U.S. EPA to help improve the understanding of each other's perspectives;
- Foster the exchange of information and the adoption of more sustainable practices in targeted areas;
- Improve the ability of state P2 programs to measure their effectiveness and the environmental benefits achieved through their efforts and those of their clients;
- Support state programs efforts to collect and share a consistent set of data on the results of their P2, energy efficiency, and greenhouse gas reduction activities;
- Exchange information with other programs nationally through P2Rx and the National Pollution Prevention Roundtable, and explore opportunities for leveraging resources and solving problems collaboratively; and
- Support state assistance and P2 programs with promoting materials tracking, energy efficiency, and GHG reductions through use of software tools.

Priority Chemicals

NEWMOA addresses the need for increased access to comprehensive hazard, exposure, and use data on individual and categories of toxic chemicals, including mercury, and provides program coordination, training, and project support to help reduce toxics in the environment.

Problem Statement:

There is increasing concern by consumers, businesses, and policy makers about the safety of chemicals in consumer products. The ability of state, local, and tribal agencies to assess the hazards and risks posed by the use of toxic chemicals in products and to develop policies to protect the environment and public health from these risks is obstructed by a lack of accessible and transparent information on the chemical content of consumer products and their hazard and toxicity characteristics.

In order to reduce exposure to highly toxic substances, the Northeast states are examining how chemicals are incorporated into product design, manufacturing, and use. Green chemistry and engineering provides economic opportunities for safer chemistry through development and assessment of alternatives. This emerging area of research and development can spur a transformation by fostering a greener economy, new and safer jobs, and a greater confidence in consumer products.

A particular chemical of high concern in the Northeast is mercury because it is a persistent and toxic pollutant that bioaccumulates in the environment. According to various studies, mercury deposition is a significant problem in the Northeast. Consumption of mercury-contaminated freshwater fish poses a public health threat, and all of the Northeast states have issued freshwater fish advisories, warning certain individuals, particularly pregnant women, against consuming fish from affected water bodies. Combustion of municipal and other solid waste is a significant source of mercury in the region. Removal of mercury-containing products from the waste stream prior to combustion is an effective way to reduce mercury releases from these and other waste facilities. The Northeast states have set a long-term goal of the virtual elimination of anthropogenic mercury in the environment.

Priority Chemicals goals:

- Avoid duplication and enhance efficiency and effectiveness of agency initiatives on chemicals through collaboration and coordination;
- Build governmental capacity to identify and promote safer chemicals and products;
- Ensure that agencies, businesses, and the public have ready access to high quality and authoritative chemicals data, information, and assessment methods; and
- Assist state environmental agencies in and outside of the NEWMOA membership with developing and implementing legislation and programs for notification, labeling, collection, and eventual phase-out of products that contain mercury.

Priorities Chemicals strategies:

- Facilitate the sharing of data and information on chemical use, hazard, exposure, and alternatives;
- Facilitate the sharing of strategies and outcomes on chemicals prioritization initiatives
- Support the development of alternatives assessment methods and identification of safer alternatives by state agencies;
- Support state chemical policy program development and implementation;
- Help build state capacity by sharing materials, strategies, and trainings;
- Assist state programs in meeting the relevant information needs of businesses, consumers, and the public;
- Help state programs implement mercury product notification, labeling, phase-out, and ban programs;
- Help states continue to manage effective mercury reduction programs by sharing information on program activities, successes, and challenges; and
- Help states increase collection and recycling of mercury-containing lamps and other products.

Cross Program Initiatives

NEWMOA helps pilot and deploy a variety of innovative strategies that improve the efficiency and effectiveness of state programs and that address environmental problems that cross traditional program boundaries.

Mildly Contaminated Soils

Problem Statement:

Construction, utility, brownfields, and waste site cleanup projects can generate quantities of excess soil that cannot be reused at the project site and can contain contaminants at levels that are detectable but below those that would qualify them as hazardous waste. The management of these mildly contaminated soils can significantly impact the cost of a construction project and, therefore, economic development. There are a number of issues with the current regulatory oversight of these soils. For example, mildly contaminated soils on properties under state waste site cleanup oversight are often subjected to specific testing and management requirements, while similar soils on sites outside of these programs may not be subjected to any controls. As a result, the cost structure for excess soil management differs significantly between the two types of sites. This can disadvantage brownfields projects when they compete for redevelopment funds. Often, soils from these sites are sent for direct disposal or use as alternative daily cover (ADC) at a landfill, thereby consuming limited landfill capacity. State beneficial use determination (BUD) programs sometimes allow reuse outside of landfills, but program requirements can be complex, costly, unclear to generators, and a deterrent to all but the largest projects. The cost to transport, dispose, or use excess soil as ADC is significant, particularly for public sector construction projects, such as schools. The cost to state programs to oversee the management of these soils through the waste site cleanup and/or BUD programs are significant.

Mildly Contaminated Soils strategies:

- Characterize current practices allowed by state programs for managing various categories of mildly contaminated soil, including urban fill, catch basins, street sweepings, and remediation sites;
- Identify approaches and policies, such as non-degradation and beneficial use determinations (BUD) that state programs have used or could use for managing the various categories of mildly contaminated soils;
- Prepare fact sheets that describe state programs that address mildly contaminated soils to clarify and assist the regulated community; and
- Develop and share a summary of available resources, including rules, guidance documents, and fact sheets regarding approaches for managing mildly contaminated soils, including information on BUDs for specific categories of soil, certification, notification, documentation of site history, and sampling protocols.

Alternative Compliance Strategies (ACS)

Problem Statement:

The traditional facility-by-facility approach to environmental protection (i.e., establishing standards, issuing permits, conducting inspections, and undertaking follow-up enforcement actions) is effective at improving and maintaining environmental quality. Historically, the agencies have focused on deploying this strategy to address concerns at relatively large facilities.

However, in an era of declining government resources, expanding pollution concerns, and greater interest in addressing environmental issues at smaller facilities, government agencies have developed innovative strategies that help them advance compliance, document results, reach a larger number of facilities, and gain efficiencies. There are a growing number of these alternative compliance strategies that states and U.S. EPA are utilizing, including one called the Environmental Results Program (ERP).

NEWMOA supports state efforts to develop and implement innovative compliance strategies. A good example is NEWMOA's effort from 2011 to 2013 to support the implementation of ERP for auto body refinishing shops. Auto body shops can be a significant source of volatile organic compounds and other air pollutants in neighborhoods and areas where they operate. State programs have focused on the auto body sector because there is a relatively new U.S. EPA area source rule that applies to certain shops and requires them to reduce their emissions.

ACS strategies:

- Facilitate information sharing on innovative compliance strategies;
- Provide technical support to develop the tools for implementing ACS;
- Assist state programs with conducting data collection and analysis on environmental performance measures; and
- Assist state programs in communicating to U.S. EPA and others the value and importance of alternative compliance strategies.

Continuous Improvement Practices to Promote Efficiency & Effectiveness of State Programs

Problem Statement:

Public sector agencies are experiencing increasing pressure to identify opportunities for improving their efficiency, in part in response to reductions in their budgets. They are using continuous improvement practices to help them examine opportunities for making such changes.

Continuous process improvement methods, such as lean, help organizations identify and eliminate unnecessary and non-value added process steps and activities. Lean is a business model and collection of methods that help eliminate waste while delivering quality products on time and at least cost. These process improvement approaches were developed originally for use in the private sector to target manufacturing processes, but there has been steady progress towards adapting them for use on service and administrative processes.

A number of the NEWMOA-member programs are implementing lean and significantly improving permitting, administrative reviews, enforcement, and other processes. By enabling these routine activities to function more smoothly and consistently, staff time can be freed up to focus on higher value activities.

The state staff and management involved with implementing lean find it difficult to learn about and keep up with the innovations in the methods and how it can be applied. Without adequate information sharing and training for program staff and management, the states' lean efforts will not maximize their effectiveness.

Continuous Improvement Practices strategies:

- Provide a forum for sharing information on and discussions of continuous improvement initiatives and applications by NEWMOA's members;
- Develop and hold training events on lean and other methods; and
- Provide general support for state continuous improvement activities.

Summary

In 2011, NEWMOA celebrated its 25th anniversary. Over the next five years, the Association will build on its record of achievement in managing and sharing information, providing training, coordinating interstate activities, conducting research and data analysis, procuring resources, and solving problems to address regional environmental priorities associated with waste management, pollution prevention, and waste site cleanup. By coordinating its efforts through NEWMOA, the members gain greater efficiency and effectiveness in implementing their programs. The Association will continue to promote innovation; waste reduction, reuse, and recycling; P2; and toxics reduction as keys to the future of a healthier and cleaner region.