

NORTHEAST WASTE MANAGEMENT
OFFICIALS' ASSOCIATION
(NEWMOA)

STRATEGIC PLAN

September, 1996

ASSOCIATION BACKGROUND

The Northeast Waste Management Officials Association (NEWMOA) is a nonprofit, nonpartisan interstate association that has a membership composed of the hazardous waste, solid waste, waste site cleanup and pollution prevention program directors for the environmental agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NEWMOA was established by the Governors of the New England states as an official regional organization to coordinate interstate hazardous and solid waste activities and support state waste programs, and was formally recognized by the U.S. Environmental Protection Agency (EPA) in 1986. New Jersey and New York joined the Association in 1989 and 1990, respectively.

INTRODUCTION

NEWMOA's strategic planning process was designed to stimulate discussion and build consensus concerning strategic directions for the Association and actions needed to implement these directions for the next two to three years. The Plan draws on the recent observations and experience of NEWMOA's state waste and pollution prevention program directors and also on the strategic planning effort conducted by the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) during October 1995. The NEWMOA Directors found the summary of ASTSWMO's effort to anticipate future national environmental policy, its consequences, and the resultant needs of the state waste programs to be particularly helpful to this effort.

The state program directors and staff who have contributed to this plan intend that it should provide a clear direction for NEWMOA's officers and staff concerning the membership's view of current and future state program needs and the Association's role in meeting them. NEWMOA is also committed to use the plan as a benchmark for evaluating program work plans to determine whether or not they address the Association's changing needs. It is anticipated that meeting these needs will help to ensure the financial and other support required to continue the Association's work.

MISSION

“NEWMOA's mission is to help states articulate, promote and implement economically sound regional programs for the enhancement of environmental protection”. Generally, NEWMOA fulfills its mission by providing support services to its member states in New England, New Jersey and New York in the solid waste, hazardous waste, waste site cleanup and pollution prevention (P2) programs. These services are designed to facilitate communication and cooperation among member states and between states and EPA and to enable the sharing of state and federal program resources in order to enhance state capabilities. NEWMOA serves as a vehicle for: sharing information; developing unified policy positions; producing and facilitating the implementation of coordinated regional approaches to waste management, regulation and pollution prevention; and developing research and training in the areas of hazardous waste, solid waste, waste site cleanup and pollution prevention. All of these activities serve to use financial resources effectively by preventing duplication of effort.

CHANGING REALITIES, ROLES AND RESPONSIBILITIES

The United States has entered a period of time in which the rate of change in events and policy direction affecting state and federal environmental programs is accelerating rapidly. The passion for change and for getting "government" off the backs of the people has lost none of its appeal and NEWMOA believes that such a philosophical tone will prevail for the foreseeable future. Notwithstanding the uncertainty that these changes create for federal and state waste programs, there is a growing consensus surrounding the need for significant program reforms. Consequently, member state waste programs face a daunting challenge. They must not only continue to provide the basic services that the public and the regulated community rely on, but also must participate in the re-invention of their mission, roles, responsibilities and management structures and, in most cases, manage the impacts of downsizing as well.

This reality is accompanied by a trend towards downloading federal responsibilities to the states while allowing them more flexibility in allocating available federal grant funds through programs such as EPA's Performance Partnerships. However whether and to what extent increased federal funding will follow this devolution of responsibility to the states remains unclear. The uncertainties and difficulty posed by these changes present both challenge and opportunity for the states and make more obvious the importance of the interstate cooperation and coordination that NEWMOA provides.

KEY MANAGEMENT ISSUES FOR STATES AND NEWMOA

Budget Decreases and Devolution of Federal Responsibilities

NEWMOA assumes that EPA's budget for state waste grants will, at best, remain level and its budget for state program support activities such as guidance, standard setting and program development will most likely decline leaving states to fend increasingly for themselves. Along with intentional devolution of responsibilities, other federally supported activities may simply be neglected or abandoned without full consideration of the consequences. State budgets are unlikely to increase to offset these reductions. While some state budgets have remained level, most are decreasing, at least in real terms. States need a forum to share experiences and develop strategies for effectively managing decreasing resources

Multi-Media Program Management

EPA and most NEWMOA states are in various stages of implementing new/non-traditional approaches to setting priorities, conducting inspections, issuing permits and assisting the regulated community. This usually involves a holistic cross-media approach to the environmental problems affecting a particular place or places (place-based) or caused by a particular industry or activity (segment-based). EPA-NE and some states have reorganized their program management along non-media specific lines while other states are seeking to accomplish the same goals through various cross program coordination efforts within traditional management structures..

Compliance Assistance/Outreach vs Enforcement

During the eighties, environmental program guidance stressed aggressive enforcement for virtually all violations of environmental regulations. The trend today has shifted toward

compliance assistance and outreach to the regulated community with an emphasis on pollution prevention as the most desirable way to achieve environmental compliance. Programs that secure environmental protection and improvement at the least possible cost to the regulated community or, as in the case of some pollution prevention measures, actually save money, are what states and EPA are now striving to promote.

Third Party Oversight

The idea of using third parties to replace direct government oversight has attracted many advocates. Proponents argue that, in appropriate applications, it can reduce the delays occasioned by waiting for government to act, reduce compliance oversight costs through private competition, and allow government to concentrate its efforts on the bad actors operating outside the regulatory system. For example, Massachusetts has adopted an innovative program using "licensed site professionals" from the private sector to supervise and certify the remediation of its less threatening contaminated sites. Other NEWMOA member states are carefully tracking the progress of this program and a few states such as Connecticut are in the process of developing their own versions of this program.

Another example of the third party concept with international participation, the ISO 14000 program, links third party, non-government, audits with commitments and certifications by corporate management. EPA and state environmental agencies are tracking the development of ISO 14000 to assess its potential for improving environmental performance.

Balancing Cost With Risk

States and EPA have been working to identify and eliminate instances of over regulation and to develop procedures that facilitate the balancing of cost with risk reduction and other benefits in the permitting process. NEWMOA's role in these activities has been to support the development of state consensus positions regarding EPA's proposed new exit criteria and procedures for listed hazardous wastes and to provide states and EPA with a forum for sharing information concerning innovative permitting procedures and studies aimed at streamlining and otherwise improving the permitting process.

SUMMARY AND CONCLUSIONS

NEWMOA premises its strategic outlook on its perception of those issues described above, including: trends toward substantial programmatic and funding change; a shift in focus from a single media management to a multi-media approach; the ascendancy of compliance assistance; the focus on addressing the customer service expectations of the regulated community; a renewed commitment to balance cost with risk and eliminate unnecessary requirements; and, a heightened expectation that state waste and pollution prevention programs should be committed to finding better, cheaper and more effective ways to accomplish their mission.

For the next two years, the Association will focus particular attention on promoting information exchange, study, debate and consensus concerning all of the above-mentioned current regulatory and management reform issues. This strategic direction will be pursued within the broader framework of NEWMOA's revised goals and objectives.

GOALS AND OBJECTIVES

Goal I: Develop and share information effectively and efficiently among member states and between states and EPA

NEWMOA devotes a significant amount of its resources to developing information and to information sharing activities through such vehicles such as research and studies, training and technical transfer conferences, monthly conference calls and newsletters. Recently, NEWMOA has focused on improving member state access to computer-based information resources after recognizing that individual state waste program access capabilities vary widely and that NEWMOA's information sharing mission could be greatly enhanced if a consistent base-level of access capability and use existed among its member states. For example, NEWMOA has already developed a computer-based pollution prevention information access and exchange program for its member states. In addition, EPA Headquarters has asked NEWMOA to facilitate communications with states concerning innovative site assessment and cleanup technology information that EPA would like to make available, electronically, to appropriate state staff. Traditional approaches to sharing information such as conferences on Brownfields, conference-calls on solid waste, meetings of the Pollution Prevention Roundtable, and others will, of course, continue. NEWMOA recognizes that the efficient sharing of information is key to regional planning and to the achievement of association goals in general.

Objectives

1. Establish a waste program and site cleanup information work group to identify member state information needs and computer access capabilities that could lead to a coordinated regional approach to waste program information access. Support current state interest in sharing Brownfields program information
2. Identify existing and planned computer-based information opportunities and facilitate member state participation.
3. Facilitate the development of a base-level of member state hardware, software and training consistent with sharing information efficiently among NEWMOA, states and EPA.
4. Facilitate the timely sharing of state training programs and support materials that have been prepared to assist the regulated community.
5. Provide regular opportunities for the exchange and sharing of information.
6. Develop information requiring research or studies as determined necessary.

Goal II: Provide for the development, implementation and coordination of cost-effective, consistent regional waste program policy

NEWMOA recognizes that its states face common problems and opportunities with respect to waste management that transcend state boundaries. This situation leads to the probability that inadvertent or simply unnoticed differences in state policies and statute with respect to waste management and pollution prevention can lead to unintended, likely piecemeal and probably conflicting results. The Association's goal is therefore to avoid such conflict by encouraging and providing for regional advocacy in areas of mutual interest and benefit while acknowledging all member state rights to act independently. An important element of this regional advocacy is defining and promoting the region's interests through developing regional consensus positions and through cooperation with national groups and EPA.

Objectives:

1. Develop and support the implementation of joint interstate strategies to address common regional problems. Ensure that NEWMOA's current interstate program policy/implementation efforts in scrap tires, universal wastes, mercury emissions analysis and reduction and pollution prevention are known to and supported by appropriate state staff, environmental commissioners, cabinet officers and federal officials.
2. Poll the states on a regular basis in order to identify additional regional policy development/implementation opportunities, making sure that appropriate state and federal policy-makers are aware of NEWMOA's positions on issues and willingness to provide assistance in solving problems.
3. Monitor current and developing programs, regulations, issues and policies and provide forums for discussion and study and for the development and advocacy of consensus positions on those matters of common interest and importance to the NEWMOA states. Current examples include: federal hazardous waste rulemaking, universal wastes, streamlining regulatory requirements; and, brownfields program improvements.
4. Facilitate the participation of members with EPA and in such national groups as ASTSWMO, NGA and ECOS through the development of the abovementioned regional consensus positions and advocacy.
5. Coordinate NEWMOA positions and activities with the regional air and water interstates, NESCAUM and NEIWPC, to ensure multi-media program consistency.
6. Conduct research, prepare reports and identify opportunities for the creative sharing of resources.

Goal III: Facilitate the progressive management of NEWMOA state waste and pollution prevention programs

An emphasis on cross-media, cross-program management approaches is a central theme of most regulatory reform planning efforts. Consequently, the continued success of the regional interstates in supporting the state programs will be enhanced by cooperation between the organizations and a mutual recognition of the increasing level of interconnection between programs which, in the single media management past, environmental agencies regarded as separate and distinct.

Moreover, the regional interstates face a range of common challenges in supporting member state program managers including: the role of third party participants in environmental protection; compliance assistance; risk based program justifications; program streamlining; and managing with reduced resources. These examples make obvious the need to approach these issues as a multi media team. They also illustrate the increased importance of the interstates' role in anchoring a single media focus and technical capability while EPA and states reorganize around a holistic approach.

Objectives:

1. Provide an ongoing forum for the examination of alternative approaches for improving environmental performance that are being developed and promoted as alternatives to, or supplements for, traditional (command and control) environmental protection programs.
2. Hold interstates-states and EPA meetings on management issues related to multi-media/cross program management and block grant policy.
3. Identify opportunities where the exchange of ideas, management concerns, programs and futures outlook between the regional air, waste and water interstates would be mutually advantageous.
4. Support NEWMOA states' efforts to develop consistent approaches for the evaluation of risk and, where necessary, the development of standards and program guidance. Facilitate the pooling or sharing of state resources to accomplish these tasks. In addition, advocate a strong federal presence and leadership in advancing risk science and the development of consistent national standards and program guidance where appropriate.
5. Ensure communication and coordination in the development of pollution prevention and compliance assistance programs.

Goal IV: Provide for and enhance regional training and technology transfer opportunities

NEWMOA's experience has demonstrated the value of interactive, personal training of state staffs as one of the most effective ways to share technical and program information. Because of relatively short travel distances and the use of state and EPA training resources, NEWMOA presents training at a relatively low cost. This has proven to be an effective manner by which to avoid costly re-discovery of methods of problem analysis and approaches to common problems. NEWMOA's training experience provides a clear example of the benefits to member states of

pooling resources to meet a common need.

Objectives:

1. Poll the states regularly to identify current training and technical transfer needs and fit them to available resources.
2. Insure coordination between the states, NEWMOA and EPA so as to maximize the effectiveness and timeliness of training.
3. Provide training programs and support materials to address the needs of the states.

Goal V: Seek resources to provide stable funding support of NEWMOA and state waste and pollution prevention programs

NEWMOA's funding has become uncertain because of federal budget problems and the apparent loss for FY 1996 of federal line-item budget support. To conduct the programs identified herein requires additional general/core program funds beyond currently sustainable state dues assessments..

Objectives:

1. Seek support from environmental commissioners for the reinstatement of NEWMOA's federal budget line-item.
2. Evaluate existing program services and develop a budget including a proposal for FY-1997 NEWMOA state dues prior to the September 1996 Annual Meeting
3. Develop and submit proposals for general support, research, technology transfer and training projects to be funded by EPA and others.
4. Support state efforts to develop alternative funding sources.
5. Identify opportunities for creative sharing of state and federal resources.
6. Develop consensus positions concerning the anticipated effects of federal budget reductions or shifts.

