



2007

**ENVIRONMENTAL COUNCIL
OF THE STATES**

**ANNUAL REPORT
AND YEARBOOK**

2007-2008

Washington, District of Columbia

The Environmental Council of the States

**ECOS is the national, non-profit, non-partisan association
of state and territorial environmental agency leaders.**

David K. Paylor

Director, Virginia Department of Environmental Quality

President

Stephen A. Owens

Director, Arizona Department of Environmental Quality

Vice President

Michael J. Linder

Director, Nebraska Department of Environmental Quality

Secretary–Treasurer

Robert W. King, Jr.

Deputy Commissioner, South Carolina Department of Health and Environmental Control

Past President

The membership of the ECOS Executive Committee is listed within the publication.

The Environmental Research Institute of the States

ERIS is the educational and research arm of the Environmental Council of the States.

Robert W. King, Jr.

Deputy Commissioner, South Carolina Department of Health and Environmental Control

President of the Board

R. Lewis Shaw

of Shaw Consulting, LLC

of South Carolina

Vice President

Christophe Tulou

of Christophe Tulou Associates

of Washington, DC

Steven A. Thompson

of Oklahoma

Secretary–Treasurer

Mike Linder

of Nebraska

Douglas Scott

of Illinois

Christopher Jones

*of Calfee, Halter &
Griswold, LLP of Ohio*

Ron Hammerschmidt and Christina Parker also served on the ERIS Board during the year.

R. Steven Brown

Executive Director, ECOS and ERIS

The Environmental Council of the States (ECOS)

The Environmental Council of the States (ECOS) is the national, non-profit, non-partisan association of state and territorial agency leaders.

Mission Statement

The purpose of ECOS is to improve the capability of state environmental agencies and their leaders to protect and improve human health and the environment of the United States of America.

Our belief is that state government agencies are the keys to delivering environmental protection afforded by both federal and state law. Further, we believe that ECOS plays a critical role in facilitating a quality relationship between federal and state agencies in the fulfillment of that mission. That role is defined as:

- ❖ Articulate, advocate, preserve and champion the role of the states in environmental management; and
- ❖ Provide for the exchange of ideas, views and experiences among states and with others; and
- ❖ Foster cooperation and coordination in environmental management; and
- ❖ Articulate state positions to Congress, federal agencies, and the public on environmental issues.

History

ECOS was established in December 1993 at a meeting of approximately 20 states in Phoenix, Arizona. Initially operated out of the state office of the first association president, ECOS then retained a Washington firm to represent its interests. Near the end of 1994, a decision was made to switch to a more traditional organization style with a permanent staff. The first full-time executive director began work on March 1, 1995, and the first Washington, DC, office was opened on May 1, 1995. ECOS is a 501(c)(6) non-profit organization.

The Environmental Research Institute of the States (ERIS)

The Environmental Research Institute of the States is the education and research arm of the Environmental Council of States.

The purposes of ERIS are:

- ❖ To improve the environment of the United States; and
- ❖ To further the understanding of the roles and activities of the states in the federal system with respect to environmental protection; and

- ❖ To conduct environmental policy research including the dissemination of results through publications, meetings, electronic media, and similar venues; and
- ❖ To act as a forum where state environmental policy makers interact with other environmental stakeholders regarding environmental policy in the United States; and
- ❖ To provide education programs to assist in the development of environmental policy in the United States; and
- ❖ To support and operate on behalf of the Environmental Council of the States.

ERIS is a 501(c)(3) educational and research non-profit association. Unlike ECOS, whose members are the environmental officers of the 50 states and territories, ERIS is not a membership organization. ERIS has several ongoing projects, all of which are educational in nature or involve research into one of the areas outlined in the purposes listed above.

The Interstate Technology and Regulatory Council

ERIS is the host for ITRC, which conducts training and reviews technology applications, providing state officials with a level of comfort as to the efficacy of new technology. ERIS and ITRC do not have separate staff, but use ECOS staff on a reimbursable basis.

The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working together with industry and stakeholders to achieve regulatory acceptance of environmental technologies. ITRC consists of 50 states, the District of Columbia, multiple federal partners, industry participants, and other stakeholders, cooperating to break down barriers and reduce compliance costs, making it easier to use new technologies, and helping states maximize resources. ITRC brings together a diverse mix of environmental experts and stakeholders from both the public and private sectors to broaden and deepen technical knowledge and streamline the regulation of new environmental technologies.

ITRC accomplishes its mission in two ways: it develops guidance documents and training courses to meet the needs of both regulators and environmental consultants, and it works with state representatives to ensure that ITRC products and services have maximum impact among state environmental agencies and technology users. ITRC originated in 1995 from a previous initiative by the Western Governors' Association (WGA). In January 1999, it affiliated with the Environmental Research Institute of the States (ERIS). ITRC receives financial support from the U.S. Department of Energy, the U.S. Department of Defense, the U.S. Environmental Protection Agency, and industry leaders.

ECOS Personnel

Officers

President David K. Paylor, Director, Virginia Department of Environmental Quality

Vice President Stephen A. Owens, Director, Arizona Department of Environmental Quality

Secretary Treasurer Michael J. Linder, Director, Nebraska Department of Environmental Quality

Past President Robert W. King, Jr., Deputy Commissioner, South Carolina Department of Health and Environmental Control

Staff as of July 2008

R. Steven Brown is the Executive Director. He joined ECOS in September 1996, after having assisted in ECOS' creation in 1993. He has worked on environmental protection since graduating from the University of Kentucky with an MS in Zoology and an MA in English in 1976. From 1985 to 1996 he was the director of The Council of State Governments' environmental policy center, where he conducted numerous environmental and technical policy studies on state-federal issues. He worked for Kentucky's Division of Air and the Division of Permits; later he spent four years with private engineering firms. A native Kentuckian, he is the author of numerous articles, monographs, and books on environment and technology.

Carolyn Hanson is the Deputy Executive Director at ECOS, assisting as the Chief Operating Officer of ECOS. Before holding this position, she was a Senior Project Manager at ECOS working with the Waste Committee, the ECOS-DOD Sustainability Work Group, the Federal Facilities Forum, the Quicksilver Caucus, and the Interstate Technology and Regulatory Council (ITRC). She joined ECOS in September 2002 after working with the National Science Resources Center at the Smithsonian Institution to help develop an inquiry-based science curriculum. Prior to that, she was a high school chemistry teacher in Asheville, North Carolina and Upper Marlboro, Maryland. Carolyn holds a B.S. in chemistry from Davidson College and a M.P.A. with a concentration in nonprofit management from George Mason University. She is originally from Florida.

Lee Garrigan is a Senior Project Manager for ECOS. Lee has extensive water policy and association experience. Before joining ECOS, she was the Director of Legislative Affairs for the National Association of Clean Water Agencies (NACWA) from 1999 until 2007. While there she was the founding Administrator for the Water Infrastructure Network (WIN). In addition to her experience at NACWA, Lee has worked as Director of Environmental Programs for the Associated General Contractors of America (AGC), Director of Federal Programs for the American Council of Engineering Companies (ACEC), and Environmental Affairs Representative for Edison Electric Institute (EEI). From 1981 until 1987, Lee served as Special Assistant to the Assistant Secretary of Labor at the Occupational Safety and Health Administration (OSHA). She holds a Bachelor of Arts from the University of North Carolina at Chapel Hill. Lee is staffing the Water Committee and its projects as well as the Data Management Work Group and the Lean Government Project.

Beth Graves began work at ECOS in August 2007 to support the Planning Committee. Beth joined ECOS after having worked with the North Carolina Department of Environment and Natural

Resources (NC DENR) for 14 years. While at NC DENR, Beth worked for the Division of Pollution Prevention and Environmental Assistance, most recently supporting the department's performance-based leadership program – the Environmental Stewardship Initiative - and leading work with industry, local governments, and hog producers on environmental management systems (EMS) related projects. Prior to these efforts, Beth worked with local governments on organics diversion, source reduction, and recycling initiatives and policy as well as grant and reporting efforts with local governments. Before beginning work in state government, Beth worked for a non-profit on a mixed paper/biosolids composting project with the City of Durham. Beth graduated from Duke University with a BA in Economics.

Farhaana Holsey is the first point of contact for ECOS. She supports all of the project managers and staff, handles the registration process for our meetings, and administers and maintains the ECOS contacts database.

Matthew C. Jones is a Senior Project Manager with ECOS. Matt supports the work of the Cross-Media Committee and the Quicksilver Caucus. He also supports the work of the Federal Facilities Forum and the ECOS-DOD Sustainability Work Group, among other assignments. Prior to joining ECOS in February 2008, Matt worked as a City Planner with the Tri-County Regional Planning Commission in Harrisburg, Pennsylvania. Prior to this, Matt served as an Intern for ECOS during the summer in 2001 and 2002. Matt holds a Master's degree in Urban and Environmental Policy and Planning from Tufts University and a Bachelor's degree in Philosophy/ Environmental Studies from Muhlenberg College. He is the author of the graduate thesis, "Mercury Emission Reductions from Medical Waste Incinerators: Federal/ State Regulations and their Implementation in the New England States between 1996 and 2002." Matt grew up in Scranton, Pennsylvania, and currently lives in Frederick, Maryland.

Joanne Key is the Office and Grants Manager at ECOS. A retired federal civil service employee, Joanne is one of the longest serving ECOS staff members, having started in October 1996. She is responsible for all grants' fiscal and administrative accountability and reporting, management of the ECOS office including building liaison, and a number of other administrative and logistics support areas. Joanne is a native Virginian.

Lisa Matthews has served as Counselor to the ECOS Executive Director since late June 2007. She is on an Intergovernmental Personnel Act assignment from the U.S. EPA Office of Research and Development in Washington, DC. Lisa has held a variety of positions at the agency including Special Assistant to the Administrator and Deputy Administrator and Executive Assistant to the EPA Science Advisor. She served as the EPA point-of-contact for the National Science and Technology Council and as Executive Secretary for the interagency Committee on Environment and Natural Resources and its Subcommittee on Toxics and Risk. A native North Carolinian, she holds a M.S. in Analytical Chemistry from the University of North Carolina at Chapel Hill and a B.S. in Chemistry from Wake Forest University.

Lia Parisien is a Senior Project Manager for ECOS. She joined ECOS in 1999 from Inside Washington Publishers (Publisher of Inside EPA), where she served as Group Manager and Chief Editor of a series of environmental newsletters and newsmagazines. Lia reported on the restructuring of the electric power industry and provided extensive coverage of state environmental activities. Previously, she worked as a Production Assistant for CBS News 60 Minutes and in media relations. She is a summa cum laude graduate of The American University in Washington, D.C., where she majored in foreign language and communication media and minored in international studies.

Kurt Rakouskas is a Senior Project Manager for the Network Operations Board (NOB). The NOB is charged with implementing the National Environmental Information Exchange Network. Prior to joining ECOS, Kurt was the Operations Manager at Partners for the Common Good, a non-profit community development loan fund. He has also worked for the U.S. Department of the Treasury and served as a project manager for the development of the 2000 U.S. Census data capture system. Kurt

holds an undergraduate degree in International Affairs from the George Washington University and an MPA with a concentration in environmental policy from the University of Massachusetts. Kurt is a Massachusetts native.

Carolyn Sistare is a Program Assistant at ECOS, which she joined in March 1999. Carolyn is a native of Trinidad and Tobago and holds a Diploma in Spanish, English Literature and Economics from St. George's College. She is responsible for administrative and logistics support for various ECOS projects, including ITRC.

Anna Willett is the ITRC Director. As ITRC Director, Anna plans to maintain ITRC's high level of work output, its excellent reputation, and its influence in the environmental industry with a focus on the ITRC budget, technical teams, state POCs, board members, and support contractors. She is committed to providing the leadership, organizational structure, and resources necessary for ITRC people to work together as a team in support of ITRC's mission. Before joining ECOS, Anna was a Senior Vice President of Comprehensive Environmental Utility Services, LLC. Her expertise includes chemical and biological treatment processes for groundwater and soil, as well as environmental chemistry and microbiology. She holds an undergraduate degree in Biological Engineering from Cornell University and a MS in Chemical Engineering from Northwestern University.

The Executive Committee

The governing body of ECOS, other than the general membership, is the Executive Committee, composed of the officers, the chairs/vice-chairs of the standing committees, one primary and one alternate State representative from each EPA region, one State representative from the non-contiguous States and territories, and two liaison officials with the National Governors' Association.

These are the members of the current committee (as of July, 2008):

Officers	Title	Name
	President	David Paylor, Virginia
	Vice-President	Stephen Owens, Arizona
	Secretary-Treasurer	Michael Linder, Nebraska
	Past President	Robert King, South Carolina
Committees	Chair	Vice-Chair
Air	Doug Scott of Illinois	Toni Hardesty of Idaho
Water	Amev Marrella of Connecticut	Tom Easterly of Indiana
Waste	John Corra of Wyoming	Jay Ringenberg of Nebraska
Compliance	Mike Linder of Nebraska	Lisa Jackson of New Jersey
Planning	Wayne Gieselmann of Iowa	Thomas Burack of New Hampshire
Cross-Media	David Littell of Maine	Shari Wilson of Maryland
Region	Primary	Alternate
I	Thomas Burack of New Hampshire	Amev Marrella of Connecticut
II	Lisa Jackson of New Jersey	Alexander "Pete" Grannis of New York
III	Bob Zimmerman of Delaware	Barbara Sexton of Pennsylvania
IV	Paul Sloan of Tennessee	Trudy Fisher of Mississippi
V	Steve Chester of Michigan	Tom Easterly of Indiana
VI	Steve Thompson of Oklahoma	Teresa Marks of Arkansas
VII	Doyle Childers of Missouri	John Mitchell of Kansas
VIII	Richard Opper of Montana	John Corra of Wyoming
IX	Leo Drozdoff of Nevada	Steve Owens of Arizona
X	Toni Hardesty of Idaho	Jay Manning of Washington
Islands	Vacant	Laurence Lau of Hawaii
NGA Liaison	Randy Huffman of West Virginia	Larry Hartig of Alaska

Committee Structure

ECOS is a membership-driven organization, and the members work through our committees. The staff in Washington, DC, performs secretariat functions and provides administrative, research, and logistics support to the committees. Within ECOS, a “committee” is a permanent association of ECOS members. A “workgroup” is an association that may include only ECOS members or may include outside participation, but is organized for a specific time-limited function. The “forums” are associations including both ECOS and non-ECOS members that are permanent or, at least, long-term. Forums are co-chaired by an ECOS member and a representative of the other participant.

Committees

Air Committee: Chair Doug Scott of Illinois; Vice-Chair Toni Hardesty of Idaho; Staffed by Lisa Matthews

Compliance Committee: Chair Mike Linder of Nebraska; Vice-Chair Lisa Jackson of New Jersey; Staffed by Sue Gilbertson

Cross-Media Committee: Chair David Littell of Maine; Vice-Chair Shari Wilson of Maryland; Staffed by Matt Jones

Planning Committee: Chair Wayne Gieselman of Iowa; Vice-Chair Tom Burack of New Hampshire; Staffed by Beth Graves

Water Committee: Chair Amey Marrella of Connecticut; Vice-Chair Thomas Easterly of Indiana; Staffed by Lee Garrigan

Waste Committee: Chair John Corra of Wyoming; Vice-Chair Jay Ringenberg of Nebraska; Staffed by Lia Parisien

Forums

Forums were designed to provide a channel of communication between states and federal agencies, but are occasionally used to advance a single issue that crosses levels of government.

ECOS Environmental Health Forum: Chaired by Bob Zimmerman of Delaware; Staffed by Lisa Matthews

ECOS Federal Facilities Forum: Co-Chaired by Bill Ross of North Carolina and Alex Beehler of the Department of Defense; Staffed by Matthew C. Jones

ECOS-IOGCC Forum: Co-Chaired by John Corra of Wyoming, Steve Thompson of Oklahoma and IOGCC Co-Chair Bill Sydow of Nebraska OGCC; Staffed by Carolyn Hanson

Environmental Results Consortium Forum: Chaired by Steve DeGabriele of Massachusetts and Al Innes of Minnesota

Quicksilver Caucus: Chaired by Mark McDermid of Wisconsin; Staffed by Matthew C. Jones

Workgroups

Workgroups are time-limited bodies designed to deal with a specific issue. They report to one of the standing ECOS Committees. As of July 2008 ECOS has the following workgroups:

Data Management Workgroup: Chaired by Karen Bassett of Arkansas; Staffed by Lee Garrigan

ECOS-DOD Sustainability Workgroup: Co-Chaired by Bill Ross of North Carolina and Alex Beehler of the U.S. Department of Defense; Staffed by Matthew C. Jones

Environmental Currency Workgroup: Co-Chaired by Lisa Lund of EPA

International Environmental Affairs Workgroup: Chaired by Stephen Owens of Arizona; Staffed by Beth Graves

Local Government Workgroup: Chaired by Mike Linder of Nebraska; Staffed by Lia Parisien

Partnership and Performance Workgroup: ECOS Co-Chairs Doug Fine of Massachusetts, Tom Lamberson of Nebraska; U.S. EPA Co-Chairs Kathy O'Brien, Randy Kelly, Howard Corcoran; Staffed by Beth Graves

Subcommittees

Subcommittees report directly to their respective committees.

Climate & Energy Subcommittee: Chaired by Toni Hardesty of Idaho; Staffed by Lisa Matthews of ECOS

Retired Workgroups & Subcommittees

- ❖ Energy Efficiency Subcommittee
- ❖ Funding Gap Workgroup
- ❖ Long-Term Stewardship Workgroup
- ❖ Transportation Workgroup

General Membership Meetings

Our general membership meetings are the Annual Meetings and the Spring Meetings. They are held to exchange views and information among members, particularly through the meetings of our standing committees, forums, and workgroups. The 2007 Spring and Annual meetings were held in Sun Valley, Idaho, and Washington, DC.

ECOS Policy Positions

ECOS considers its formal policies at its Spring Meetings and Annual Meetings. In 2007, ECOS passed the following resolutions:

- 1) On Sustainability and the Department of Defense
- 2) Honoring Tom Kennedy
- 3) National Children's Study Research Plan
- 4) U.S. EPA Approval of California Greenhouse Gas Vehicle Emissions Standards

- 5) On the Need to Lower the National Ambient Air Quality Standards for Ozone
- 6) Supporting State Participation in Interstate Technology and Regulatory Council
- 7) Encouraging Federal Support for Interstate Technology and Regulatory Council
- 8) Concerning Children's Environmental Health
- 9) Reducing Environmental Factors that Affect Asthma in Children
- 10) Supporting Green Infrastructure
- 11) Supporting Innovation and Voluntary Programs
- 12) U.S. EPA Enforcement in Delegated States
- 13) Endorsement of National Mercury Switch Removal Program Memorandum of Agreement that Reduces Mercury in the Environment and Provides Flexibility to the States
- 14) Environmental Management Systems
- 15) ECOS Resolution to Sustain Organizational Improvement Techniques in State and U.S. EPA Programs and Administrative Processes for the Protection of Human Health and the Environment
- 16) Environmental Data Management
- 17) ECOS Opposition to Set-Asides of Water Quality Program Funding
- 18) ECOS Resolution on DSMOA and Federal-State Collaboration
- 19) Clean Water Act National Pollutant Discharge Elimination System (NPDES) Management Framework
- 20) ECOS Resolution on State Access to Confidential Business Information under the Toxic Substances Control Act
- 21) ECOS Resolution on Promotion of Pollution Prevention (P4) in Partnerships
- 22) ECOS Resolution on Reducing Greenhouse Gases
- 23) ECOS Resolution on Creating a Partnership for a National Vision for Mercury
- 24) ECOS Resolution on Multi-Pollutant Strategies for the Control of Air Pollution

Details on these resolutions can be found at <http://www.ecos.org/section/policy/resolution>

Research Highlights

ECOS has steadily increased the base level of practical research regarding state environmental agencies. This year was no exception. Here are some examples:

Restoring Budgets for "Core Programs"

ECOS is working hard to convince Congress (and U.S. EPA) to restore the cuts to the State and Tribal Assistance Grants that have occurred since 2005. Nearly all the cuts to U.S. EPA's budget have been passed on to the States, which implement 96% of the delegated programs such as clean air, clean water, waste and drinking water protection. ECOS members believe these cuts threaten our ability to protect the environment.

Committee Work

ECOS has established six standing committees that are responsible for identifying, discussing and articulating policy in their areas. The three "media" committees, Air, Water and Waste, always have active and lively discussions during the ECOS semi-annual meetings. Through a structure of work groups and Committees, ECOS is able to raise issues for policy discussion and debate. Often these discussions will evolve into a formal policy resolution or will support testimony for future legislation. For copies of resolutions and testimony, go to those titles on the ECOS web page. Leadership of the various committees is found at the "Members and Committees" title on this web page.

Mercury

ECOS is particularly interested in reducing the presence of mercury in the environment as continued mercury pollution poses a threat to human health and the environment. In 2001, ECOS and other partners founded the Quicksilver Caucus (QSC) to pool resources, and to explore and pursue methods for reducing mercury in the environment. In 2008, the QSC published the Electric Arc Furnace Area Source Rule Mercury Requirements Factsheet for State and Local Agencies and the Dental Mercury Amalgam Waste Management White Paper, which explores successes and lessons learned from early dental amalgam mercury management programs. Currently, the QSC is exploring ways to preclude use of mercury in thermostats and thermometers, and is exploring ways to recover and better manage mercury already contained in such products. The QSC is working to support state work on mercury total maximum daily loads (TMDLs) for waterbodies, taking into account the contributions of air and waste programs. The QSC is also considering pursuing more work related to compact fluorescent lights (CFLs).

Environmental Information Management

States need timely access to high quality information to effectively manage environmental programs and keep the public and U.S. EPA informed about the quality of the environment. Since 2002, states have been working cooperatively with U.S. EPA to create the National Environmental Information Exchange Network (Exchange Network). The Exchange Network is designed to overcome challenges associated with sharing data among incompatible and often outmoded information systems. Using standard Internet technology, the Exchange Network empowers states to make information available where and when it is needed in a common format that can be integrated into analytical tools for environmental decision makers. As of 2007, all 50 state environmental agencies had Exchange Network technology in place and they continue to modernize their information systems and connect them to the Exchange Network. While much work remains to provide a full and rich set of data on the Network, the foundation is in place for a much more efficient and effective approach to protecting the environment.

Enforcement

Enforcement of environmental law continues to be a matter of great interest to ECOS. In 2001, ECOS documented that States conduct about 90% of all the enforcement taken by States and EPA, as well as many other enforcement facts not previously reported. ECOS finished a second state enforcement report in June 2006. Of keen interest to ECOS is the current work we are conducting with U.S. EPA on the State Review Framework. The framework is a process to assure fair review of state enforcement efforts and to make sure that U.S. EPA regions offer the same accountability and flexibility from every state.

Lean Processes

ECOS members are eager to benefit from the 'lean government' techniques promised by such methodologies as Six Sigma, Kaizen, and Value Stream Mapping. ECOS recently began work on a project focusing on achieving administrative efficiencies in state environmental agencies via the use of a variety of business process improvement techniques including Kaizen, Six Sigma and Value Stream Mapping.

Federal Facilities

Many state environmental agencies have staff dedicated to overseeing pollution cleanup activities undertaken at various federal facilities. In order to provide a forum for dialogue and information sharing between state and federal officials, the ECOS Federal Facilities Forum (FFF) was established in April 2004. In 2008, FFF members have continued to participate in the Intergovernmental Working Group, a forum between the U.S. Department of Energy Office of Environmental Management and various intergovernmental associations established to encourage year-round communication between these groups regarding the status of cleanup efforts at nuclear weapons complex sites. The ECOS-DoD Sustainability workgroup also pursues activities under the Federal Facilities Forum.

Green Reports

Beginning in Fall 2007, ECOS began publishing this online monthly publication to bring readers extensive coverage and a variety of perspectives on current environmental topics. Each report examines one topic in-depth, and many of the articles will emanate from the ECOS standing committees themselves. As of June 2008, ECOS has published six Green Reports on various subjects.

Copies of these documents can be found at <http://www.ecos.org/section/publications>.

ECOS Green Report on Potential Models for State Enforcement and Compliance Program Accreditation

The U.S. Environmental Protection Agency (U.S. EPA) and the Environmental Council of the States Compliance Committee have worked together to develop a tool to assess state compliance and enforcement programs. This tool, the State Review Framework (SRF), evaluates state programs against 12 elements, which take into account data in national data systems of record and longstanding U.S. EPA policies and guidance. Based upon discussions with states, and an examination of a subset of state files, U.S. EPA provides feedback to each state in the form of ongoing discussions and a final SRF report, which outlines appropriate recommendations for improvements. This Green Report includes a brief overview of four accreditation and certification models used in other fields that may offer insights for state and federal environmental practitioners in advancing efficient assessment and implementation of state compliance and enforcement programs.

ECOS Green Report on State Actions for Managing Mercury in the Environment

Due to the environmental health, human health, and economic impacts, states are pursuing action to reduce releases of mercury to the environment. These efforts are being made by states both individually and jointly through groups like the Quicksilver Caucus. Between 2005 and 2007, mercury management activity by states increased in general, with a marked increase in product stewardship of mercury-containing products. State actions range from mercury collection programs and mercury-related research to fish consumption advisories and bans on the sale of mercury-containing thermostats. A few recent mercury-related activities of note are the development of statewide and regional total maximum daily loads (TMDLs) for mercury, research related to compact fluorescent bulbs, and international outreach to address mercury.

ECOS Green Report on State Environmental Spending & Appendix

State environmental agencies' funding has risen during the period 2005-2008 by relying on non-traditional fund sources. General funds have increased slightly, while federal funds have declined. "Other" funds- such as permit fees, bonds, and state trust funds- have doubled during this period. The federal government is decoupling issuance of environmental rules from the cost of their implementation, by gradually transferring the cost of federal environmental rules to the states.

ECOS Green Report on New England Collaboration to Improve Joint Planning and Priority Setting

ECOS and U.S. EPA have been working together to improve state and U.S. EPA environmental protection efforts by: (1) enhancing and aligning state and U.S. EPA planning processes; (2) fostering state strategic thinking and priorities into national planning and decisions on resource allocations; and (3) reducing transactions costs associated with negotiating commitments, Performance Partnership Agreements (PPAs), and/or Performance Partnership Grants (PPGs). Funded by U.S. EPA's Office of the Chief Financial Officer (OCFO) as a pilot to test and support new approaches to state and federal planning, the New England states have been working together and with U.S. EPA Region 1 New England to:

- ❖ Influence U.S. EPA decision-making through engagement in U.S. EPA planning processes
- ❖ Improve their individual PPA/PPGs
- ❖ Implement and integrate environmental priorities shared by Connecticut, Massachusetts, Maine, Rhode Island, New Hampshire, and Vermont

ECOS Green Report on the Northwest Environmental Health Forum

This ECOS Green Report is devoted to activities related to children's and environmental health. At ECOS' 2007 Annual Meeting, ECOS passed resolutions on children's environmental health, reducing environmental factors that affect asthma in children, and support for the National Children's Study research plan. State environment and health agencies often work on environmental health issues that cross jurisdictional boundaries, yet surprisingly, there is limited communication between them. The states in US EPA's Region 10- Alaska, Idaho, Oregon and Washington- have attempted to bridge this gap by inviting leaders of the state environment and state health agencies to the Northwest Environmental Health Forums in 2006 and 2007.

ECOS Green Report on DSMOA

New DOD interpretations of DSMOA (Defense-State Memorandum of Agreement) policy are limiting state enforcement, are restricting the type of work that is eligible for DSMOA payment, are inconsistent from state to state, and are undermining development of joint state-DOD policy on subjects directly related to DOD cleanup activities.

- ❖ DOD's new policy withholds all DSMOA reimbursements when states use enforcement authority at a site in its DSMOA.
- ❖ DOD now has determined that DSMOA can only fund state employees for site-specific oversight work- national policy and guidance development work specific to DOD is no longer DSMOA eligible. Additionally, work related to property transfer recently has been deemed ineligible.
- ❖ DOD's new interpretation has determined that Defense Environmental Restoration Account (DERA) funds cannot be used to fund state associations, such as the Association of State and Territorial State Management Officials (ASTSWMO), working on national policy activities specific to DOD such as the Munitions Response Committee (MRC) or DSMOA Steering Committee.

Environmental Council of States, Inc. and Affiliate

Consolidated Statement of Financial Position

September 20, 2007 and 2006

	<u>2007</u>	<u>2006</u>
Liabilities and net assets		
Assets		
Cash and cash equivalents	\$484,930	\$88,597
Investments	344,394	302,047
Pledges and grants receivable	975,852	1,578,949
Other pledges and grants receivable	488,103	131,998
Other receivables, net	15,468	28,465
<u>Net fixed assets</u>	<u>11,311</u>	<u>16,862</u>
Total assets	\$1,831,955	\$ 2,014,920
Liabilities and Net Assets		
Accounts payable	\$481,628	\$583,303
Accrued expenses	109,483	111,534
<u>Deferred grants and contracts</u>	<u>140,287</u>	<u>290,079</u>
Total liabilities	731,398	984,916
Net Assets		
Unrestricted	1,100,557	1,030,004
Total Net Assets	\$1,100,557	\$1,030,004
Total Liabilities and Net Assets	\$1,831,955	\$2,014,920

Environmental Council of States, Inc. and Affiliate

Consolidated Statements of Activities

September 20, 2007 and 2006

	<u>2007</u>	<u>2006</u>
Revenue and support		
Grants and Contributions		
Federal grants and contracts	\$4,254,188	\$4,806,372
State assessments	400,800	394,600
Non-federal grants and contracts	196,107	99,820
Sponsors	49,493	151,803
Program Revenues		
ITRC-IAP-Membership	248,500	N/A
Meeting Registrations	150,822	130,192
Exhibit Fees	5,050	N/A
Publications	960	1,950
Rental Income	12,660	N/A
In-Kind Contribution	25,934	14,228
Investment Income	42,347	N/A
Interest Income	9,478	18,370
Miscellaneous Income	4,214	5,704
<hr/>		
Total revenue and support	5,400,553	5,623,039

Expenses

Program services*		
ITRC	2,468,297	2,604,046
NSB	669,232	782,923
EN Program	240,379	N/A
Omnibus	362,856	430,444
State Assessment	484,806	324,663
ME Mentor	N/A	273,727
FOSTTA	63,875	263,601
FOSTTA II	3,507	N/A
Information Management	194,982	164,393
Government Relations	82,468	124,606
OCFO III	1,460	117,747
ICIS-NPDES	77,405	71,938
Enforcement	31,323	59,151
Mercury-Partnership	N/A	50,730
TRI	96,106	49,859
BAH-SWG	20,882	32,836
Federal Facilities Forum	56,226	17,681
Sustainability	N/A	16,732
TCEQ NETDMR	151,734	14,882
In-Kind Contribution-Meeting Expenses	25,934	14,228
Energy	2,578	9,422
Local Government Projects	N/A	6,326
OECA SRF	1,770	3,483
Meetings	N/A	2,382
India	N/A	2,258

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**See abbreviation explanation at end of financial statements*

E-Health	4,187	1,431
Reason Foundation	1,019	1,176
NOS	N/A	545
Total program services	5,041,008	5,441,210

Supporting services

Administrative	288,992	150,789
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Total Expenses	5,330,000	5,591,999
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Change in net assets	70,533	31,040
Net assets, beginning of year	1,030,004	998,964

Net assets, end of year	\$1,100,557	\$1,030,004
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Explanation of Abbreviations:

NSB	Network Steering Board
EN	Exchange Network
FOSTTA	Forum on State and Tribal Toxics Action
OCFO	Office of the Chief Financial Officer
ICIS-NPDES	Integrated Compliance Information System- National Pollution Discharge Elimination System
TRI	Toxics Release Inventory
BAH-SWG	Booz Allen Hamilton- Sustainability Work Group
TCEQ-NETDMR	Texas Council of Environmental Quality- Network Discharge Monitoring Report
OECA SRF	Office of Enforcement and Compliance Assistance State Review Framework
NOS	Network Operations Support

Environmental Council of States, Inc. and Affiliate

Consolidated Statements of Cash Flows

For the Years Ended September 30, 2007 and 2006

2006 Increase (Decrease) in Cash and Cash Equivalents

	<u>2007</u>	<u>2006</u>
Cash flows from operating activities		
Change in net assets	\$70,553	\$31,040
Adjustments to reconcile change in net assets to net cash provided by operating activities:		
Depreciation and amortization	5,551	9,530
Realized loss on sale of investments	409	N/A
Unrealized gain on investments	(28,968)	(2,047)
Changes in assets and liabilities:		
Accounts receivable	12,997	(23,446)
Grants receivable	603,097	(500,092)
Accounts payable	(101,675)	154,786
Accrued expenses	(2,051)	8,113
Deferred grants and contracts	(149,792)	84,288
<hr/>		
Net cash provided by (used in) operating activities	410,121	(273,828)
Cash flows from Investing Activities		
Sale of investments	17,383	N/A
Purchase of investments	(31,171)	(300,000)
<hr/>		
Net cash used in investing activities	(13,788)	(300,000)
Net cash inc. (dec.) in cash/cash equivalents	396,333	(537,828)
Cash and cash equivalents, beginning of year	88,597	626,425
<hr/>		
Cash and cash equivalents, end of year	\$484,930	\$88,597

Research Projects

at ECOS and ERIS in 2007-2008

ECOS partners with the U.S. Environmental Protection Agency and other organizations to conduct environmental policy research projects that further each organization's mission. Since the founding of ECOS in 1993 and ERIS in 1997, the organizations have acquired about \$35 million in external support. The following report presents information about current projects, projects that are winding down, pending projects, past projects, and projects under development for both ECOS and ERIS.

Grants that ECOS receives help support the work of our committees and the staff who support them.

Project Summary as of April 2008

Title	Subject Matter	Total Amount (may be over more than one year)	Status, Committee and Staff
<i>Air Committee</i>			
Energy Efficiency/Renewable Energy	Developing information and environmental strategies for alternative energy sources	\$25,000 Source: DOE	Awarded December 2005. Ends December 2008 - LM
Gasification Technologies Council	Support for state travel to Gasification Technologies Council meetings	\$11,240 Source: GTC	Awarded February 2008 - LM
<i>Compliance Committee</i>			
ICIS-NPDES	Enables States to advise US EPA in the effort to modernize the PCS data system and to be trained in the new system	\$323,374 Source: EPA/OECA	Awarded December 2005 for three years. – MB
State Review Framework	Provides funding for assistance to State Environmental Agencies to implement the state review framework	\$30,000 Source: EPA/OECA	Awarded May 2006 for completion in March 2009. – SG
<i>Cross-Media Committee</i>			
Mercury	ECOS-EPA Mercury Partnership	\$383,000 Source: EPA/OPPTS	Received December 2004 as part of the Omnibus Agreement. Project extended through January 2009. \$64K in funding for 2008 is pending –

Title	Subject Matter	Total Amount (may be over more than one year)	Status, Committee and Staff
			MJ
TRI (Toxics Release Inventory)	TRI National Meeting	\$452,700 of the initial 5-year agreement has been funded. Source: EPA/OEI	\$10K awarded November 2003. Supplemental awards: \$89,940 in February 2004; \$37,997 in September 2004; \$50,000 in April 2005; \$62,000 in August 2005; \$84,700 in June 2006; \$118,000 in September 2007 – LP
TRI (Toxics Release Inventory)	TRI Capacity Building, Outreach and Education, and Clearinghouse	Proposed \$1,000,000 Source: EPA/OEI	Applied for competitive new grant for 2008-2013 in March 2008.
Executive Committee and Management			
State Business Process Efficiency Network	Permit streamlining	\$200,000 Source: EPA/OCFO	Awarded July 2007 - KD
Federal Facilities Forum			
DOE – Federal Facilities Forum	To support the Federal Facilities Forum and interactions between the States and DOE	\$300,000 Source: DOE	Awarded May 2006; additional \$150K awarded July 2007. - MJ
Information Management			
Data Management	Exchange Network Program Support, 2006	\$985,000 Source: EPA/OEI	Awarded July 2007 through 2009 - KR
	Exchange Network Program Support, 2007-2011	\$1,000,000 Source: EPA/OEI	Applied for 5 year grant with \$1 million per year. 2007 funds awarded January 2008.
	IMWG/ENLC Support	\$214,553 Source: EPA/OEI	Awarded June 2007 for end date of May 2008. - KD
	IMWG/ENLC Support (FY2007-FY2011)	\$302,147 Source: EPA/OEI	Awarded January 2008 for start date of June 2008 - KD
Texas CEQ NETDMR	To develop an electronic system for reporting NPDES Discharge Monitoring Reports	\$700,270 Source: Texas CEQ	Awarded May 2006. Scheduled to end August 2008: new task from CT and IL for \$350K is pending. – CH/MB
Planning Committee			
To Build State Capacity to Improve Results-Based Environmental Management Phase III	<i>Phase three</i> Build upon the pilots results and continue to assist state environ. agencies with strategic planning processes and priority setting activities.	\$400,000 Source: EPA OCFO Office of Planning, Analysis, and Accountability	Received February 2006. - BG

Title	Subject Matter	Total Amount (may be over more than one year)	Status, Committee and Staff
State Involvement in EPA Planning, Performance, and Next Generation Environmental Issue Initiatives	National Planning and Budgeting with EPA (Year 5) continuation	\$220,000 Source: EPA/OCFO	\$110,000 received June 2006 as part of the Omnibus Agreement. Additional \$110,000 received in February 2008- BG
<i>Waste Committee</i>			
Land Revitalization Measures	To examine economic and cross-program measures relating to land revitalization	\$100,000 Source: EPA/OSWER	Applied for in January 2007. EPA working on grant paperwork. Anticipated award in summer 2008. - LP
<i>Water Committee</i>			
Water Funding	State Involvement in Phase II of the Resource Analysis Model	\$100,000 Source: EPA/OW	Awarded. – KD Negotiating new scope of work with EPA/OW
Water Funding	To work with OW on water-related data standards that will update ESAR to include Toxicity + Population /Community Biological Assessments.	\$49,992 Source: EPA/OW	Received. – KD
<i>ERIS</i>			
Waste clean-up on federal sites, etc.	ITRC (Interstate Technology and Regulatory Council)	Anticipate \$2.8M budget in 2008: DOE funding \$1.0M for 2008; DoD funding \$600K in 2008; EPA funding \$300K in 2008; Industry contributing \$350K; and \$585K other in 2008	New DOE five-year grant awarded in April 2006. New five-year EPA agreement awarded in October 2006. New five-year DoD grant awarded February 2007; Industry Affiliates Program established for CY 2006 - TT

Closed/Inactive Projects

Air	Air grant to support Committee and ECOS/AASHTO Dialogue	\$112,000 Source: EPA	Awarded- July 2003- - In process of being closed – CL
Collaborating with New Jersey and Arizona to help India with a water quality/infrastructure project	Improving Water Quality in Delhi Through Improved Surveillance, Testing, and Public Awareness State Environmental Initiative Environmental Partnership Grant	\$150,000- Council of State Governments grant through US AID. ECOS is a partner.	Awarded March 2004, received subcontract paperwork from NJDEP. Amount of award is \$40,571 Completed November 2005- KD
Data Management	Exchange Network Program Support, 2003	\$1 million EPA OEI	Awarded September 29, 2004 – Closed 2005. MO
DOE/Energy	Support for ECOS E2 subcommittee	\$25,000 Source: DOE	Received final approval from DOE in March 2004. Awarded supplemental \$10,000 in Jan '06. - CL
DOE – Federal Facilities Forum	To foster environment/energy partnership efforts between the states and the DOE through ECOS Federal Facilities Forum (F3).	\$150,000 Source: DOE	Awarded October 2004. CLOSED: December 2005 – CH
Information Management	Network Services and Operations Support for the Network Steering board (NSB)	\$1M over 2 years Source: EPA OEI	Awarded September 2003- Data Management Workgroup. MO CLOSED: August 1, 2005
State of Environment Report	State Input to EPA State of the Environment Rpt.	\$126,000 Source: EPA, OEI/ORD	Awarded 4-5-02 Project closed 9/05 - CE
States Working in Partnership on the Mgmt. Of Environmental Information	\$480,584- Source: EPA Office of Environmental Information (OEI)	Awarded August 2004 (in 6 month increments) – KD Second six months was not approved. Grant will end on or about Dec 31, 2005.	Completed – December 2005 KD
Sustainability	Innovation and Sustainability Case Studies from the States. Fostering sustainability efforts in the states through collecting case studies and participating in EPA's Science Forum	\$39,000- Source: EPA Office of Research and Development	Work on compendium is in progress. A no additional cost extension is being considered. Cross Media Committee. Ended February 2006 - MS
Compliance/ Enforcement	Administrative grants to states for implementing EPA's	\$50,000 Source: EPA/OECA	Received December 2004 as part of the Omnibus Agreement. Extension granted

	new policy on Small Local Governments Compliance Assistance		through December 2006. - MB
Compliance/ Enforcement	Cosponsor OECA mtg. and provide State Travel Support	\$45,000 Source: EPA OECA	Awarded July 2004. Amended June 2005. Extension granted through September 2006. - MB
Cross Media	FOSTTA	\$1, 045,000 of the initial 5-year agreement has been funded. Source: EPA OPPT	Awarded September 2002. Funding granted in 12-month intervals. \$225,000 supplemental funds awarded April 2005. Project Completed January 2007 - MS
Children's Health	Follow-up on the state pilots and the Asthma Action agenda	\$75,000 Source: EPA OCHP	Awarded August 03 Closed 2006.-CL
ECOS-DOD Sustainability	To support work of work group on its issues	\$45,000 Source: Department of Defense through Booz-Allen Hamilton, Inc.	\$25,000 awarded in August 2005. Additional \$20,000 awarded in June 2006. Complete- CH
Data Management	Exchange Network Associated Program Support, 2004	\$1,000,000 Source: EPA/OEI	Awarded September 2004; two year grant ends September 2006. - MO
To Build State Capacity to Improve Results-based Environmental Management	<i>Phase two of project</i> One-year project to continue to assist state environ. agencies with strategic planning processes and priority setting activities.	\$400,000 Source: EPA OCFO Office of Planning, Analysis, and Accountability/More than \$150,000 to be awarded to expand current and new state pilot activities.	Received December 2004 as part of the Omnibus Agreement. Complete March 2007 - CE
Strategic Planning & Budgeting	National Planning and Budgeting with EPA (Year 4)	\$110,000 Source: EPA OCFO	Received May 2004. Complete February 2006 - CE
Water Funding	To work with OW on efforts related to the implementation of the STORET strategy and Water Quality Exchange	\$70,000 Source: EPA Office of Water (OW)	Awarded November 2003. Extension through September 2006. Closed - KD
TARP	Pollution Prevention Reciprocity Agreements	~\$100,000 Source: DOD	Awarded August 2002. Project ended in Summer 2006. - TT
Data Management	Information Management Work Group (IMWG) Support	\$258,000 Source: EPA/OEI	Awarded November 2006. Extended to end in April 2007. - KD
Data Management	Exchange Network Program Support, 2005	\$942,000 Source: EPA/OEI	Awarded November 2005. Ended November 2007. - KR
Enforcement	ECOS Enforcement Report, 2 nd Edition and Enforcement Compliance Measures	\$174,000 Source: EPA/OECA	Awarded October 2003. No cost extension granted through September 2007. Closed September 2007- MB

	Research		
Environmental Health Tracking	Environmental Public Health Tracking	\$31,800 Source: CDC (through ASTHO)	Awarded April 2004 Extended through 2007. - LM
<p><i>SB=Steve Brown; KD=Kristen Dunne; TT=Tim Titus; CH= Carolyn Hanson; KR=Kurt Rakouskas; LM = Lisa Matthews; BG=Beth Graves; MJ=Matt Jones; SG=Sue Gilbertson; MB=Mary Blakeslee; CE=Christine Eppstein; MS = Mia Sealey</i></p> <p><i>OEI = Office of Env. Information; ORD=Off. Of Res.&Dev.; OECA=Off. of Enfor.&Compliance Assurance; OPPTS=Off. of Pesticides, Pollution and Tox. Sub.; GETF=Global Env. & Tech. Foundation; OPEI = Off. of Policy Economics and Innovations; OCIR= Off. of Congr. & Interg. Affairs; OCFO = Office of the Chief Financial Officer; OCHP = Office of Children’s Health Protection; AASHTO = American Association of State Highway and Transportation Officials; ASTHO = Association of State and Territorial Health Officials; CDC = Centers for Disease Control</i></p>			

Completed Projects

Projects undertaken by ECOS that are completed and no longer active. ECOS may still be working in a particular area identified in this list, but the particular project outlined has been completed.

- ❖ Asthma Initiative (Year 1)
- ❖ Children's Health
- ❖ Children's Environmental Health State Profiles
- ❖ Community-based Environmental Projects/TEA-21
- ❖ Core Performance Measures for Pollution Prevention
- ❖ Developing Core Waste Measures
- ❖ Enforcement and Innovations for Texas Comptroller's Office
- ❖ Environmental Health Executive Briefing
- ❖ Environmental Justice
- ❖ Forum on State and Tribal Toxics Action (FOSTTA)
- ❖ Innovation and Sustainability in the States
- ❖ Local Government Environmental Assistance Network (LGEAN)
- ❖ Local Government Rule Development Project
- ❖ Long Term Stewardship
- ❖ National Environmental Goals Project
- ❖ One Stop/Facility Identification Initiative (continued under a new project)
- ❖ Ozone Transport Assessment Group
- ❖ Partnership 2000 Project, Cooperative Agreement (previously known as Autogrants Project)
- ❖ Resource Analysis: Phase II
- ❖ State Contributions to Enforcement and Compliance
- ❖ State Issues on Clean Water Action Plan
- ❖ Strategic Planning (Government Performance and Reporting Act)
- ❖ Support for Regulatory Innovations Conference
- ❖ Umbrella Cooperative Agreement, Climate Change Task
- ❖ Umbrella Cooperative Agreement, Communications Task
- ❖ Umbrella Cooperative Agreement, Reporting Reduction
- ❖ Umbrella Cooperative Agreement, Small Towns Task

How ECOS Identifies and Prepares Grants

ECOS and ERIS accept research ideas from many sources. Most often, these come from committee work, in which committee members bring issues to staff attention, or direct staff to seek support for work that needs to be done. Sometimes, ideas come from staff, or from others outside ECOS (including EPA) who bring a research idea to our attention.

Once an idea is identified, staff determines whether the project is managed best by ECOS or by ERIS. In general, policy matters are handled by ECOS, while ERIS conducts research on matters not having immediate policy concern. ERIS may also be preferred when the funding source requires a 501(c)(3) organization.

If the project is an ECOS one (most are), staff write a one-page summary of the idea and send it to the ECOS Funding Committee, which reviews it and approves or disapproves the project. If it is an ERIS project, the ERIS Board reviews and decides on the proposal.

If the project is approved (most are, but not all), then staff begins to write a proposal to a potential funder. Sometimes we have to locate a potential funder as well. Most projects are written into a proposal, which is then sent to a funder, but some never get to that stage and "die on the vine." About three-quarters of the proposals submitted actually are funded.

For example, in a typical year there will be about 10-12 project ideas. Of these, about 8 will be "renewals" of existing projects. For the rest, staff will ask the Funding Committee or the ERIS Board for approval. Usually, these will be turned into a proposal and submitted to a funder. Typically, about 3 of 4 new proposals will be funded. The typical ECOS proposal is for one year (may be extended), and is funded for between \$50,000 and \$200,000 dollars. A few are for less; a few (like ITRC, Information Management, and Planning) are for a lot more.

The current ECOS members sitting on the Funding Committee for the 2008 fiscal year include:

- ❑ President - David Paylor (VA)
- ❑ Vice-President - Stephen Owens (AZ)
- ❑ Secretary-Treasurer – Mike Linder (NE)
- ❑ Immediate Past President - Robert King (SC)
- ❑ Bob Zimmerman (DE)

ERIS Research Projects in Depth

ERIS is the 501(c)(3) subsidiary of ECOS, devoted to the conduct of research and educational projects concerning the role of States in environmental protection.

Active Projects

Name: ITRC (Interstate Technology and Regulatory Council)

Issuing Entity: U.S. Dept. of Energy; U.S. Department of Defense; U.S. EPA; Industry

Award: For CY 2008 expected DOE award is \$1,000,000; DoD award is \$600,000; U.S. EPA award is \$300,000; Anticipated Industry contribution is \$350,000; and other contributions are anticipated at \$585,000. DOE awarded new five-year grant in April 2006. U.S. EPA awarded new five-year grant in October 2006; DOD awarded new five-year grant in February 2007.

Dates: Ongoing in one-year periods

Summary of Purpose and Status: This project is a multi-state effort to share clean-up technologies, largely for the purpose of expediting clean-up at federal and other sites. Funds go to State grants, subcontractors, travel expenses for members, and ECOS staff support of the program.

Pending Projects

None

Completed Projects

- ❖ Transition of ITRC from Western Governors' Assn. to ERIS/ECOS
- ❖ CLIME – Creative Leadership and Innovation in Managing the Environment
- ❖ National Decentralized Water Resources Capacity Development Project
- ❖ Wastewater Management Report
- ❖ TARP – Pollution Prevention Reciprocity Agreements

ECOS Yearbook

As of June 2008

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