

Notes from the Joint Meeting of the  
Environmental Council of the States (ECOS)  
**Federal Facilities Forum (FFF) and the  
ECOS-U.S. Department of Defense (DOD) Sustainability Work Group (SWG)**  
at the 2008 ECOS Spring Meeting  
Wednesday, April 14, 2008  
Renaissance Arts Hotel, New Orleans, Louisiana  
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This session was held as part of the 2008 ECOS Spring Meeting. The session was open to all Meeting attendees. The following persons attended this session:

- Bill Ross, ECOS-DOD SWG/ FFF Co-Chair (Secretary, NC DENR)
- Alex Beehler, ECOS-DOD SWG/ FFF Co-Chair (Asst. Dep. Und. Sec'y of Defense for Environment, DOD)
- Matthew Jones, ECOS FFF/ ECOS-DOD SWG Staff
- Susan Bodine (Asst. Admin., US EPA OSWER)
- Shannon Cunniff (Director for Emerging Contaminants, DOD Office of Dep. Und. Sec'y of Defense for Env.)
- Chris Russo (Director, NC DENR Office of Organization Excellence and Quality Mngmt.)
- Karen Guevara (Director, US DOE EM Office of Compliance)
- John Reeder (Director, US EPA FFRRO)
- Gary Moran (MA DEP)
- Marybeth Brenner (NJ DEP)
- Lou Buatt (LA DEQ)
- John Corra (WY DEQ)
- Mike Murphy (VA DEQ)
- Dan Schuette (MO DNR)
- Jennifer Roberts (AK DEC)
- Jess Byrne (ID DEQ)
- Bob King (SC DHEC)
- Michael Savage (OH EPA)
- Jim Sygo (MI DEQ)
- Pete Maggiore (ECOS FFF Consultant/ North Wind, Inc.)
- Maureen Sullivan (DOD)
- Bob Boonstoppel (DOD/ Army)
- Mark Anderson (Stateside Assoc.)
- Adriane Miller (Stateside Assoc.)
- Jake Hegeman (Stateside Assoc.)
- Anthony Lacey (Inside EPA)
- Claire Kammer (Underwriters Labs)
- Joyce Frank (US EPA)
- Michuelle Wilson (US EPA)
- Jim Hartman (DOD/ Army)
- Arlene O'Donnell (ERG, Inc.)
- Dania Rodriguez (ASTSWMO)
- Mary Zdanowicz (ASTSWMO)

Co-Chairman Alex Beehler welcomed meeting attendees and announced that he would take the liberty of making changes to the agenda to create the following order of speakers:

Bodine > Reeder > Beehler > Cunniff > Russo > Guevara

Next, Mr. Beehler introduced Susan P. Bodine (Asst. Admin., US EPA Office of Solid Waste and Emergency Response). Ms. Bodine proceeded to speak to the group, making the following points:

- Dialogue between federal and state agencies is good
- Restoration of federal facilities is the common goal
- Leveraging of resources and collaboration will be key to success
- EPA OSWER handles brownfields/ QA/ QC data issues
- OSWER works to make contaminated properties valuable for reuse
- OSWER works to meet site cleanup goals/ double-check that institutional controls set
- Sustainability and remediation and munitions issues are foci in site cleanups
- On Earth Day 2008, OSWER will release a document on cleanup implementation
- EPA has released a request for applications (RFA) regarding sustainable development. Federal facilities will not be eligible, but rehabbed and sold sites will be (contact Ms. Bodine for more information)

Ms. Bodine concluded by thanking ECOS for the invitation to speak, and then she introduced the next guest speaker, John Reeder (Director, US EPA Federal Facilities Restoration and Reuse Office). Mr. Reeder made the following points:

- Mr. Reeder has worked at EPA for 20 years: first in the Office of Water, then the Office of Congressional and Intergovernmental Relations, and now FFRRO
- Partnerships between federal and state agencies are important to do good site cleanups for the American taxpayers
- The FFRRO is an office under OSWER
- FFRRO primary foci are on issues like emerging contaminants, implementation of institutional controls, listing sites on the National Priorities List (NPL) (involved in the list's five-year review process), provide training and support, and works with DOD to support Base Realignment and Closure (BRAC) at BRAC sites
- FFRRO has some involvement with cleaning up defense sites when battles are over, and helps to set targets and milestones for cleanups under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- FFRRO shares the goal of cleaning up munitions that had been aspired to by the Munitions Response Committee (MRC)
- Mr. Reeder mused aloud that it might be a good idea that US EPA provide more funding to ECOS to re-establish and re-convene the MRC (and mentioned that the MRC had fallen apart because of a lack of funding due to seeming changes in DOD's interpretation of what constitutes an appropriate use of (Defense-State Memoranda of Agreements (DSMOA) funds to exclude state participation in the MRC
- Mentioned that US EPA FFRRO may be interested in working with DOD to privatize cleanups/ or get potential end-users/ developers more involved in cleanups (to "only turn the dirt once instead of twice")

At the conclusion of Mr. Reeder's comments, Karen Guevara noted that the Department of Energy Office of Environmental Management (DOE EM) holds discussions with stakeholders to see if conservation of natural resources and animal habitat can be better achieved.

Next, Mr. Beehler introduced Maureen Sullivan. Ms. Sullivan noted that she was the new Acting Director for Environmental Management at the DOD Office of the Dep. Under. Sec'y of Defense for Installations and the Environment—and started this position in March 2008. Ms. Sullivan noted that her background was in pollution prevention, clean air, and historic preservation. Ms. Sullivan made the following points:

- Rebuilding relationships with ECOS and ASTSWMO is a priority for DOD
- Ms. Sullivan is interested in program metrics- ie. How much land is returned to productive use as a result of environmental remediation work
- Advancements in technology have improved range assessments for finding buried munitions
- DOD agrees with EPA that good partnerships with states is important
- DOD is almost ready to release more information on their position on DSMOA to make clear what are the appropriate transparency and accountability processes— DOD is waiting to make sure they have resolved all legal issues; Ms. Sullivan is hopeful that this clarification in their DSMOA position will result in funding of more state cleanup activities
- Ms. Sullivan noted that DOD feels that the MRC is also an important body

This concluded Ms. Sullivan's speech. Next, Shannon Cunniff gave an update on recent work by the ECOS-DOD SWG Emerging Contaminants Task Group (ECTG):

- In March, the ECTG finally completed a preliminary draft of its fourth of four (4) work products, a document known as the "Resource Triggers Paper"
- The ECOS-DOD SWG has drafted an ECOS resolution "Supporting Work on Emerging Contaminants," which they intend to present for adoption consideration of the full ECOS membership during the ECOS Annual Meeting in September 2008

Next, Chris Russo offered an update on the recent activities of the Compatible Use and Sustainability Task Group (CUSTG). The CUSTG has drafted a strategy for sustainability at U.S. defense sites, with a focus of conserving natural resources. The CUSTG is hopeful that they can conclude this work piece soon and perhaps present it at the ECOS Annual Meeting in September 2008.

Next, Karen Guevara began her presentation update on the DOE EM and recent budgetary issues with the prioritization of cleanup of nuclear weapons complex sites. Ms. Guevara's presentation included a thirteen (13)-point slideshow. Ms. Guevara noted:

- DOE EM attempts to meet environmental cleanup milestones that are contained in both state issued consent orders as well as state-federal "tri-party agreements"
- DOE EM also works on munitions cleanups, and works under a regulatory framework for shallow disposal of large volumes of uranium
- Ms. Guevara's slideshow examined funding trends for DOE EM from FY01 through FY07, accompanied by projections for future funding profiles through FY12. It is

important to note that after a high of \$7.3B in FY05, funding has dropped to a current level of \$5.7 for FY08. It also appears that there will be a projected funding difference of approximately \$1.5M in DOE moving forward from FY09 through FY12

- Other problems are that original cost estimates for sites did not accurately anticipate what actual cleanup costs would be- eg: costs at the Hanford site in Washington state grew from \$6 B to \$12 B
- DOE EM attempts to make each dollar go the furthest by addressing the highest priority (highest risk) project. A simple rule of thumb to understand this process was noted to be “the project with the most curies wins.” This is of importance to ECOS members as DOE self-regulates for “rad only” cleanups, and that cleanups that involved mixed wastes, etc. that ECOS members typically are most concerned with could receive a lower priority from DOE EM using this rule of thumb. In summary, soil and groundwater cleanups would typically receive a lower priority
- Ms. Guevara noted that approximately 23 cleanup milestones may be missed during FY07 due to recent budget cuts. Missing these milestones could expose DOE to fines and penalties from states. DOE EM’s current philosophy is to attempt to work with each state individually where a milestone will be missed in an attempt to collaboratively establish priorities
- Ms. Guevara ended her presentation by thanking ECOS for the invitation to speak, and expressed a commitment on behalf of DOE EM to work collaboratively with ECOS in the future. Ms. Guevara also committed to working internally within DOE EM on issues that are viewed as important to ECOS members. Ms. Guevara noted that it has been about 10 years since she last spoke to ECOS, and wanted to make clear that she wants to maintain a good working relationship with ECOS members, and would like to speak to ECOS members as often as she may be invited