



Environmental Council of the States

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ECOS Members,

Over the last year, ECOS and its members have worked to reshape the relationship between states and U.S. EPA to more closely reflect our Cooperative Federalism 2.0 principles. EPA has largely embraced those principles, and we have all worked to clarify what they tell us about:

- How the state-federal relationship should operate at all levels;
- How EPA should perform oversight;
- How states and EPA should use deference and escalation processes;
- How EPA should consider state needs as it sets its research agenda;
- How to incorporate state priorities into EPA’s FY20-21 program planning process; and
- How we should modernize program and information management through E-Enterprise for the Environment

There is still a lot of work to be done in the coming year. Our work on Cooperative Federalism 2.0 has always been in support of our collective mission to protect human health and the environment. To ensure meaningful and durable change, states need to demonstrate that the improved partnership between states and EPA established under Cooperative Federalism 2.0 leads to positive environmental and public health outcomes. After the November elections, we expect to face some turnover in membership. As new members join ECOS, we need to educate them on Cooperative Federalism 2.0 and work with them to stay focused on our major priorities. Additionally, we will need to institutionalize Cooperative Federalism by ensuring that the changes in the state-federal relationship that we have created at leadership levels are disseminated throughout state agencies and EPA.

The current administration is increasingly giving states a seat at the table. As President Becky Keogh has put it, now is the time for us to create a real STate and National Dialogue – STAND. To help us do that, the following table lists some major cooperative federalism area as well as near and mid-term activities in those areas.

No.	Work Area	Near Term Work (Oct. 2018 - Jan. 2019)	Medium Term Work (Feb. - Oct. 2019)
1	Oversight Principles	When released, reconcile EPA’s State Oversight Principles with the ECOS Oversight Principles.	Promote awareness of the principles among federal and state agency leaders.
2	Ongoing oversight pilot projects	Collect feedback on Title V and NPDES oversight program improvement pilots	Help EPA incorporate feedback on the pilot programs and use it to make permanent program improvements.
3	New oversight pilot projects	Identify the next 2-3 program areas for oversight improvement projects.	Help EPA conduct pilots, collect feedback, and use it to make permanent program improvements.
4	Expedited response to emerging contaminants and rulemaking	Through the E-Enterprise for the Environment Leadership Council (EELC), help states, tribes, and EPA develop a common framework for responding to emerging contaminants.	TBD

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5	Deference in compliance and enforcement oversight	Collect feedback on state experiences with implementation of EPA's interim guidance on the state and EPA relationship in compliance and enforcement issues and, when released, EPA's Oversight Principles.	Work with EPA to continue to improve EPA's guidance on effective compliance approaches and on deference.
6	National Compliance Initiatives (NCI)	Help states identify common priorities for EPA's NCIs.	Collect experiences on the new NCI development process and work with EPA to adjust and improve implementation of new NCIs.
7	ECOS Results	Establish state workgroup to review and update common measures.	Work with EPA to improve existing data sources used in ECOS Results and introduce new sources as well.
8	Informing EPA research priorities to address state needs	Through ERIS, help states convey their research needs to EPA.	Document the process by which EPA will regularly incorporate state research needs into EPA research priorities and monitor to make sure the process works.
9	Permitting	Through E-Enterprise, work with EPA and tribes to identify permit timeliness metrics, encourage states to publish timeliness data, and address common problems such as with incomplete permit applications.	TBD

We look forward to working with all of the states on this important work in the coming year.

Sincerely,

Todd Parfitt
 ECOS Past President
 Director, Wyoming Department
 of Environmental Quality

John Linc Stine
 Commissioner, Minnesota Pollution
 Control Agency