To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 4/14/2017 6:28:19 PM
Importance: Normal
Subject: Record Number of Attendees Gather for Successful Spring Meeting, Arizona DEQ Invites States to Lean Rollout, & More
Received: Fri 4/14/2017 6:29:37 PM

ECOSWIRE

Friday, April 14, 2017

Vol. 19 No. 14

Table of Contents

- Record Number of Attendees Gather for Lively and Productive ECOS Spring Meeting
- Arizona DEQ Invites State Observers for Lean Management System Rollout
- E-Enterprise for the Environment Engagement Forum Spotlights Successful Projects
- Martineau Testifies on Behalf of ECOS at House Hearing on Brownfields
- ECOS Members Speak to the National Academies
- ECOS Launches Facebook Page
- ECOS Wants to Hear about State Plans for Earth Day Festivities
- State News You Can Use
- Need-to-Know News in Water & Air
- Federal Agency News
- U.S. EPA News
- Appointment & Career Opportunities
- Upcoming Events

Record Number of Attendees Gather for Lively and Productive ECOS Spring Meeting

A record-setting 273 attendees representing 45 states and the District of Columbia, federal agencies, non-governmental organizations, and industry gathered last week in Washington, DC, for a wide-ranging and well-received ECOS Spring Meeting. Highlights of the two-day public gathering included a rousing luncheon keynote by Arizona Department of

Environmental Quality Director Misael Cabrera on the need for agencies to embrace change (see related story) and a roundtable with former U.S. EPA leaders Bob Perciasepe and Jeff Holmstead on the potential challenges of implementing regulatory reform.

Arizona DEQ Director Misael Cabrera.

Also headlining the meeting was U.S. Senate Committee on Environment & Public Works Chairman John Barrasso (R-WY), who outlined priorities including reform of the Endangered Species Act and streamlined permitting and indicated that President Trump's budget likely will not be accepted by Congress. ECOS attendees later heard for the first time as a group from EPA Administrator Scott Pruitt. The new EPA chief emphasized his priorities of rule of law, process review, and cooperative federalism. Noting that 40 percent of the country is in nonattainment of the National Ambient Air Quality Standards (NAAQS), Pruitt expressed a desire to focus on compliance assistance in partnership with states.

ECOS President John Linc Stine of Minnesota, U.S. EPA Administrator Scott Pruitt, ECOS Vice President Todd Parfitt of Wyoming, ECOS Secretary-Treasurer Becky Keogh of Arkansas, and ECOS Past President Martha Rudolph of Colorado (left to right).

A series of engaging discussions rounded out the two days of public sessions. They touched on beneficial reuse of produced water, environmental infrastructure, the energy future, states and the Volkswagen settlement, community engagement, Sustainable Materials Management, and compliance improvement. The ECOS Data Management Workgroup and Environmental Research Institute of the States also met for side discussions.

During a Saturday morning business session, ECOS members passed eight resolutions and extended three more to the Fall Meeting. One new resolution discusses the value of supplemental environmental projects and their value to states. Other topics addressed in successful resolutions are safer chemicals, the respectful use of data, lead wheel weights, and small community challenges. Resolutions on NAAQS and water infrastructure investment were tabled for follow-up on the April 20 All-Member Call (see related story). The call also will cover ECOS efforts to move ahead to strongly represent states in the current dialogue with U.S. EPA over state and federal roles.

ECOS sincerely thanks the following for their sponsorship of the Spring Meeting: Natural Resources Defense Council, The Natura Conservancy, Diesel Technology Forum, American Fuel & Petrochemical Manufacturers, Bloomberg BNA, National Association of Clean Water Agencies, American Water Works Association, Edison Electric Institute, Center for Climate & Energy Solutions, Walmart, American Gas Association, Entergy, U.S. Business Council for Sustainable Development/Pathway 21, MDB, Inc., American Coalition for Clean Coal Electricity, Waste Management, and National Association of Manufacturers.

Links to meeting materials and a list of attendees are available here. For additional coverage of meeting activities, see the following *Inside EPA* articles, which are reprinted with permission: *States Plan Proposals to Achieve EPA Goals in Lieu of Agency Guidance* and *States Urged to Craft Plans for EPA's Delegation of Environmental Work*. [Parisien/Hanson]

Arizona DEQ Invites State Observers for Lean Management

System Rollout

As discussed at the Spring Meeting, the Arizona Department of Environmental Quality (ADEQ) continues to deploy its Lean Management System in several of its program offices and is opening the process to observers from other ECOS member agencies. This management system was the focus of ADEQ Director Misael Cabrera's recent ECOS meeting keynote, and the agency has previously hosted state and foreign government delegations seeking to learn from its experiences.

ADEQ has offered states the opportunity to send delegations of up to two people to one of a series of week-long deployment "evolutions" that will be taking place April 24-August 7. Attendence is first-come, first served, and some evolutions may be open to U.S. EPA delegations as well. ADEQ is also offering to share training materials used in the rollout with the observer states.

For more information, contact Leah Rossow of AZDEQ via email or at (602) 771-2309. [McAleer]

E-Enterprise for the Environment Engagement Forum Spotlights Successful Projects

E-Enterprise for the Environment

More than 200 stakeholders met on April 5 at the Mayflower Hotel in Washington, DC, to attend the first ever engagement forum for E-Enterprise for the Environment. The purpose of the forum, which followed a meeting of the E-Enterprise Leadership Council, was to highlight many of the E-Enterprise projects that benefit the regulated community, states and tribes, and the federal government. More than 15 projects were on display for attendees, who were able to participate in hands-on demonstrations and speak to subject matter experts.

The featured projects covered an array of topics, including ensuring safe drinking water, submitting and receiving reports electronically to save time and resources, customizing reports, and reporting air emissions data.

To view photos of the event, visit the ECOS Twitter page at twitter.com/ECOStates
and the new ECOS Facebook page at facebook.com/ECOStates. Subscribers to Bloomberg BNA can read a story about the event here. [Lane]

Martineau Testifies on Behalf of ECOS at House Hearing on Brownfields

Area of Focus: *Waste*

On April 4, former ECOS President Robert Martineau testified on behalf of ECOS before the House Subcommittee on the Environment and the Economy at a hearing on a discussion draft for Brownfields reauthorization. Martineau, Commissioner of the Tennessee Department of Environment & Conservation, highlighted the benefits of the Brownfields program, pointing to several key projects in communities around Tennessee. Martineau went on to discuss the importance of liability protection in reducing risk for investors, citing local Tennessee examples of Brownfields successes which led to job creation,

environmental improvement, and economic stimulation at formerly dormant properties. His written testimony can be found here.

Robert Martineau testifies on Brownfields reauthorization.

Subcommittee Chairman John Shimkus (R-IL) discussed the subcommittee's intent to reauthorize and improve the program, calling it vital to states and local communities. Members of the subcommittee also gave the program high marks as they asked witnesses to comment on how aspects of the draft, such as liability protection, multipurpose grants, and funding increases, would yield improved results. State and local witnesses emphasized the importance of Brownfields grants in conducting site assessments and leveraging private investment.

Shimkus closed the hearing calling for continued coordination with ECOS and others as the discussion draft moves forward. More information on the hearing can be found here. [MacCartney]

ECOS Members Speak to the National Academies

On April 10, ECOS members Ben Grumbles of Maryland, David Paylor of Virginia, Martha Rudolph of Colorado, and Bryan Shaw of Texas met with members and staff of the Division of Earth and Life Studies (DELS) of the National Academies of Sciences, Engineering, and Medicine. DELS members and staff spent the afternoon speaking with ECOS members and state association staff to better understand states' needs and how they can work with them.

Martha Rudolph, ECOS Past President and ERIS Board Member, provided a brief overview of what it takes to run a state environmental agency. ERIS President David Paylor addressed state research needs. In one panel session, ECOS members discussed what might help the National Academies foster a productive relationship with states. A separate panel session with state association staff discussed how state associations can serve as a conduit between DELS and states. [Hanson]

ECOS Launches Facebook Page

ECOS is now on Facebook! You can visit our page and read relevant news stories, view photos from events, and keep up-to-date with relevant ECOS and state information. We're easy to find at facebook.com/ECOStates. You can also type Environmental Council of the States or simply @ecostates in the search bar.

Make sure you "like" and "follow" our page when you visit, and contribute to our page with relevant posts. Also be sure to share our page with your colleagues and friends.

ECOS Wants to Hear about State Plans for Earth Day Festivities

How is your state celebrating Earth Day? If your agency is hosting an event, advertising environmentally friendly practices on social media, or promoting the day in another way, ECOS wants to hear about it.

This year, ECOS is compiling a list of the "Top 10" state Earth Day initiatives. Please send information on efforts that your state has underway for Earth Day **by April 19** to Sarah Grace Longsworth of ECOS. [Longsworth]

State News You Can Use

Ohio EPA Pioneers Materials Marketplace to Promote Reuse and Recycling

Minnesota Considers Strengthening Successful Renewable Energy Standard

Rhode Island Offers Free Trees to Save Homeowners Money

Need-to-Know News in Water & Air

Pruitt Notifies States of Reconsideration of Power Plant Effluent Guidelines Rule

Area of Focus: *Water*

This week, U.S. EPA Administrator Scott Pruitt sent ECOS President John Stine of Minnesota a letter to notify states of EPA's intent to consider petitions for reconsideration of EPA's November 2015 final rule establishing Effluent Guidelines and Standards for the Steam Electric Power Source Generating Point Source Category. The petitions, submitted by the Utility Water Act Group and the U.S. Small Business Administration's Office of Advocacy, specifically seek relief from deadlines set by the final rule.

This rule contains flexibilities for states that issue National Pollution Discharge Elimination System permits. The permitting authority may determine a date when the new effluent limitations apply to any given discharger within a specified period of time. Permitting authorities may choose a later date within that time period based on information received from the discharger. Under the rule, Publicly Owned Treatment Works must meet new pretreatment standards by November 2018.

EPA will stay the rule for 120 days while it considers relief from the deadlines for both direct and indirect discharges, and also will revisit other substantive aspects of the rule. According to the agency, Pruitt's letter reinforces his stated commitment to working with states and local communities to improve the environment and bolster the economy while respecting the rule of law. [Piper]

DOJ, U.S. EPA File Motions to Hold Cases Regarding Ozone, Methane, and Carbon Emissions

Area of Focus: *Air*

In accordance with a March 28 Executive Order signed by President Trump, U.S. EPA is reviewing existing regulations that

potentially burden domestic energy production. On April 7, the Department of Justice, on behalf of U.S. EPA, submitted motions to hold two cases in abeyance until the current Administration is able to determine if and how it wants to address the rules at issue – the 2015 ozone NAAQS and the 2016 methane rules for new oil and gas operations.

These motions come on the heels of the Administration's request to hold the Clean Power Plan (CPP) case in abeyance and a motion in opposition of that hold submitted by NY, CA, CT, DE, HI, IL, IA, ME, MD, MA, MN, NM, OR, RI, VT, VA, WA, DC, and six cities on April 5, which was then met with a reply brief from DOJ/EPA in support of putting a hold on the case. To date, the D.C. Circuit has not yet ruled on whether it will hold the CPP case or the case addressing 2016 methane rules in abeyance.

However, on April 11, a three-judge panel at the U.S. Court of Appeals for the District of Columbia Circuit released an order delaying oral arguments in the case challenging the 2015 ozone NAAQS. The 2015 ozone NAAQS case was originally brought by the Murray Energy Corporation after U.S. EPA promulgated a rule to lower ozone standards from 75 parts per billion (ppb) to 70 ppb in October 2015. EPA has spent the past year defending the rule; however, on April 7, the agency submitted a motion requesting an indefinite delay of the oral arguments as the current Administration reviews its position and determines whether EPA should "reconsider the rule or some part of it." While there is no timetable for review completion, the court is requiring the EPA to report back on the status of its review every 90 days. [Poole]

Federal Agency News

OMB Issues Guidance on Federal Restructuring and Workforce Reduction

The White House Office of Management and Budget (OMB) this week released a memo that provides guidance to federal agencies on how to fulfill the requirements of President Trump's Reorganization Executive Order to make the government "lean, accountable, and more efficient." The 14-page memo provides wide-ranging guidance on how to achieve this.

Portions that may be of particular interest to ECOS members include developing agency reform plans that include how they will "better leverage technology and improve underlying business processes" and "streamline and eliminate processes." This appears to align well with E-Enterprise for the Environment and business process improvement initiatives in which ECOS has been involved. According to the memo, OMB will be looking at cross-cutting reforms to address situations where "multiple federal agencies interact in fragmented or duplicative ways with state, local, and tribal governments." It also will be looking for opportunities to reduce reporting burdens.

ECOS staff will track implementation of this memo as closely as possible over the next several months, as there are deadlines in June and September for agency reform plans and much of the restructuring ties to the President's budget proposals. [Hanson]

U.S. EPA News

Beachhead Leader Benton Departing U.S. EPA

The White House announced this week that Don Benton, who led President Trump's beachhead team at U.S. EPA, is departing the agency. President Trump intends to nominate Benton for Director of the Selective Service System, the independent agency that would oversee a potential military draft.

Benton served as Trump's Campaign Chairman in Washington State. He was a State Senator there for 20 years and was also Director of the Clark County Environmental Services Department. [Parisien]

Appointment & Career Opportunities

Water Experts Sought for National Academies Committee

The National Academies of Sciences, Engineering, and Medicine is seeking nominations for committee members to serve on a new study that will help guide research at the U.S. Geological Survey Water Mission Area. The study will identify the most compelling national water resource challenges and science and research needs for the next 25 years and consider integrating across science disciplines.

Areas of expertise needed include: surface and groundwater quality and quantity, water resources, and water use and availability for humans and the environment. Nominations are due **April 28**. [Hanson]

Utah Hiring Water Quality Director

The Utah Department of Environmental Quality seeks a Director for their Division of Water Quality. This individual will become a member of the agency's Executive Management Team and be responsible for developing programs to promote and protect the waters of the state.

For more information, see here. To be considered for this opportunity, email your resume and cover letter to anelsen@utah.gov by **April 24**. [Longsworth]

Upcoming Events

Exchange Network

Updated EN2017 Agenda Now Available

The EN2017 Program Committee is pleased to present an updated 2017 Exchange Network National Meeting Agenda. Sessions and descriptions have been added for this year's event. Don't miss your chance to engage at EN2017 on **May 16-18** in Philadelphia!

The updated agenda reflects this year's theme: Innovation and Partnership. Some of the topics to be covered in peer-to-peer learning opportunities and interactive discussion sessions include:

- Shared services
- Identity management
- Advanced monitoring
- Combined Air Emissions Reporting (CAER)
- Innovations in water monitoring data
- ICIS-NPDES

- Mobile applications
- Process improvement
- E-Enterprise for the Environment
- Communicating success in environmental management
- Harnessing APIs and cloud technology

Registrants are reminded to book their rooms ahead of the **April 21** hotel deadline. State, territory, and tribal participants are eligible to apply for travel reimbursement, and EN2017 is open to all interested parties,

For all the latest information, please visit http://www.exchangenetwork.net/en2017. [Ortiz]

Calls

ECOS All-Member Call

ECOS will hold an All-Member call on **April 20 at 3-4 pm Eastern**. The call will focus on reviewing resolutions and discussing the ECOS' next steps on cooperative federalism and the state-federal relationship in the new Administration.

Please contact Megan Swanson of ECOS for more information. [Longsworth]

ECOS Toxic Substances Reduction Workgroup

ECOS's Toxic Substances Reduction Workgroup will hold its next monthly call on **April 25 at 3 p.m. Eastern**. The call likely will feature updates to U.S. EPA's regulations under the Lautenberg Act, including those of recent chemical prioritization and risk evaluation proposals, as well as the process for the TSCA inorganics byproduct negotiated rulemaking.

If you have any questions or would like to be added to the workgroup, please contact Sarah Grace Longsworth of ECOS. [Longsworth]

Webinars

U.S. EPA on Plastics and Microplastics

U.S. EPA's Trash Free Waters program is hosting two webinars in April related to plastics and microplastics contaminating waters.

On **April 18 at 1 p.m. Eastern**, Dr. Bart Koelmans will discuss the chemicals found in or on microplastics and their potential risks in "Contaminants Associated with Microplastics."

On **April 26 at 4 p.m. Eastern**, Dr. Denise Hardesty will present information on risk assessment of plastics and microplastics in the environment during "Risk Assessment of Plastics and Microplastics."

To attend the webinars log in to here at the appropriate time. [Hanson]

ITRC on PVI: Fundamentals of Screening, Investigation, and Management

ITRC will hold a web-based training on **April 18 at 1-3:15 p.m. Eastern** on its technical and regulatory guidance document entitled Petroleum Vapor Intrusion (PVI): Fundamentals of Screening, Investigation, and Management (PVI-1, 2014). The training will provide regulators and practitioners with consensus information based on empirical data and recent research to support PVI decision making under different regulatory frameworks. The PVI assessment strategy described in this guidance document enables confident decision making that protects human health for various types of petroleum sites and multiple PHC compounds.

Learn more and register here. [Bodi]

U.S. EPA on Challenging Nutrients Coalition

U.S. EPA will host a webinar on **April 19 at 3-4 p.m. Eastern** on its public-private coalition to address the issue of excess nitrogen and phosphorous levels in water. This interdisciplinary coalition has representatives from over 80 organizations, including federal agencies, states, nonprofits, manufacturers, researchers, and for-profit industry. The coalition will focus on understanding requirements and needs, and helping to provide technology solutions and support. It will also discuss innovative projects and partnerships improving nutrient monitoring.

State environmental and health agencies, tribes, local governments, communities, and other stakeholders are invited to participate. To join the webinar, please register here. If you are unable to listen through your computer speakers, please dial (866) 299-3188 and enter access code 2025646669. Please contact Lisa Matthews of U.S. EPA for more information or Amy Scheuer with registration questions. [Piper]

ITRC on Geospatial Analysis for Optimization at Environmental Sites

ITRC will hold a web-based training on **April 20 at 1-3:15 p.m. Eastern** on its guidance document entitled ITRC's Geospatial Analysis for Optimization at Environmental Sites (GRO-1). The training will educate and train state regulators and other practitioners on using geospatial analyses to evaluate optimization opportunities at environmental sites.

Learn more and register here. [Bodi]

U.S. EPA on Assessing and Addressing Near-Road Air Quality with Easy Modeling

A U.S. EPA webinar on **April 20 at 2-3:30 p.m. Eastern** will present the Community-LINE Source Model (C-LINE), a user-friendly, near-road air pollution model. C-LINE allows users to evaluate how changes in traffic may affect air pollution. Users can easily manipulate model inputs to also examine upwind and downwind effects, or estimate the areas most influenced annually by near-road pollution.

Register here to attend the webinar and learn more. [Hanson]

ECOS on Performance Partnership Grants

On **April 26 at 2:30 p.m. Eastern**, ECOS will hold a webinar for states on U.S. EPA's Performance Partnership Grants

(PPGs). The webinar will include information on how PPGs work, the benefits they provide, and best practices for managing them. Information on states' use of PPGs will be provided through case studies and ECOS statistics, and there will be an opportunity for Q&A.

To register, click here. For more information, please contact Owen McAleer of ECOS. [McAleer]

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 11/3/2017 6:08:41 PM
Importance: Normal
Subject: Parfitt Advances ECOS Priorities in DC, ECOS Weighs in on U.S. EPA Strategic Plan, & More
Received: Fri 11/3/2017 6:09:49 PM

ECOSWIRE

Friday, November 3, 2017

Vol. 19 No. 41

Table of Contents

- ECOS President Advances State Priorities across Nation's Capital
- ECOS Expresses Support for Cooperative Federalism, E-Enterprise in U.S. EPA Strategic Plan Comments
- Pruitt Announces Directive on Agency's Science Committees
- U.S. EPA Seeks Comments on Applying Federal Permitting Best Practices to State Infrastructure Permits
- House Looks at Hurricane Response Takeaways in Two Hearings this Week
- State News You Can Use
- ECOS Resource of the Week
- Need-to-Know News in Air, Water, & Environmental Justice
- E-Enterprise for the Environment
- Member News
- Career Opportunities
- Upcoming Events

ECOS President Advances State Priorities across Nation's Capital

This week, Todd Parfitt of Wyoming and ECOS staff participated in a series of meetings to share Parfitt's priorities as ECOS President and information on Cooperative Federalism 2.0 and ECOSResults.org. Parfitt met with the White House Office of Management and Budget on the outlook for state and tribal assistance grants and ECOS' budget priorities generally. Walking the halls of the U.S. Capitol, Parfitt met with Senate Environment & Public Works Committee Chair John Barrasso

(R-WY) and Rep. Liz Cheney (R-WY).

Other key meetings included discussions with EPA officials on the new Smart Sectors Program and permitting reform (see related story), and a gathering with the Executive Directors of the Association of Clean Water Administrators and Association of State Wetland Managers on advancing state assumption of the Section 404 program (see related ECOS Resolution). [Dunn/Swanson]

ECOS Expresses Support for Cooperative Federalism, E-Enterprise in U.S. EPA Strategic Plan Comments

ECOS on October 31 submitted comments on the U.S. EPA's draft FY 2018-2022 Strategic Plan. In the comment letter, ECOS offers support for the draft plan's emphasis on cooperative federalism and E-Enterprise for the Environment and suggests additional areas for agency focus, such as emergency response. The letter is accompanied by several pages of technical input on various aspects of the strategic plan.

The draft plan was released October 5 for public comment. Over the course of the 26-day public comment period, ECOS held discussions on the draft through an all-member call and correspondence and submissions from individual states.

Stay tuned for a final version of the strategic plan later this year. [McAleer]

Pruitt Announces Directive on Agency's Science Committees

On October 31, U.S. EPA Administrator Scott Pruitt issued a directive designed to ensure "independence and integrity" of agency Federal Advisory Committees (FACs). The new policy requires all FAC members to be independent from EPA and will prevent any individual who receives EPA funding from serving on one of the agency's FACs. This principle would not apply to state, tribal, or local government agency recipients of EPA grants.

The directive focuses on the following areas related to FACs: strengthening member independence; increasing state, tribal and local government participation; enhancing geographic diversity; and promoting fresh perspectives.

In addition, Pruitt announced key leadership appointments for three of the 23 committees: Michael Honeycutt of the Texas Commission on Environmental Quality will chair the Science Advisory Board; Tony Cox of Cox Associates will head the Clean Air Scientific Advisory Committee; and Paul Gilman of Covanta will serve as Chairman of the Board of Scientific Counselors. In the coming days, the full membership of these committees and boards will be announced and is expected to include state environmental agency science experts. [Swanson]

U.S. EPA Seeks Comments on Applying Federal Permitting Best Practices to State Infrastructure Permits

On October 31, EPA issued a *Federal Register* notice seeking comments on whether federal permitting best practices are generally applicable to infrastructure permits issued by delegated or authorized states as described in Title 41 of the Fixing America's Surface Transportation Act (FAST-41).

Federal "best practices" specifically refers to the January 18 document *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects* developed by the Federal Permitting Improvement Steering Council. The document includes the following best practice areas: enhancing early stakeholder engagement; ensuring timely decisions regarding environmental reviews (including exploring opportunities to expand use of general permits where appropriate); improving coordination between federal, state, and tribal agencies; increasing transparency; reducing administrative burdens by using online permit applications, eliminating unnecessary internal process steps, and conducting routine evaluations of permit processes; using geographic information systems (GIS) to expedite permitting; creating and providing training; and implementing other best practices such as use of conflict resolution and third-party neutral facilitators.

Comments are due **November 20**. States are asked to share feedback on the best practices with Beth Graves of ECOS. [Graves]

House Looks at Hurricane Response Takeaways in Two Hearings this Week

This week, the House Committee on Transportation and Infrastructure held a hearing to "explore key takeaways from this year's unprecedented hurricane season." One of the witnesses was new U.S. EPA Region 2 Administrator Pete Lopez.

Also this week, the House Committee on Energy and Commerce Subcommittee on Energy held a hearing entitled *The 2017 Hurricane Season: A Review of Emergency Response and Energy Infrastructure Recovery Efforts*. This hearing featured witnesses from the U.S. Department of Energy and U.S. Army Corps of Engineers. [Dunn]

State News You Can Use

Louisiana, U.S. EPA, and DOJ Reach Air Pollution Settlement with ExxonMobil

Colorado, U.S. EPA, and Justice Department Reach Air Pact with PDC Energy

Missouri Accepting Comments on Reducing Red Tape

Wyoming Works with U.S. EPA to Protect Streams

Virginia Reports Cleanest Air in Past 20 Years

Arkansas Staff Get 'Groovy' at Arkansas Environmental Federation Convention

Maine Announces Governor's Awards for Environmental Excellence

ECOS Resource of the Week

ITRC's Guidance on Complex Sites

Does your state agency use resources from the Interstate Technology and Regulatory Council (ITRC)? One such resource is its latest guidance document, *Remediation Management of Complex Sites*, released this week.

This guidance presents a recommended process for remediation management at complex sites, incorporating and referring to best management practices, tools, and technologies described in previous publications by U.S. EPA, the U.S. Department of Defense, ITRC, and others. The guidance also includes numerous case studies that describe real-world applications of remediation and remediation management at complex sites.

Click here to view the document. ITRC will hold its first Complex Sites online training class on **February 6, 2018 at 1-3:15 p.m. Eastern**.

ITRC is a state-led coalition of state and federal regulators, industry, and stakeholders working together to achieve regulatory acceptance of environmental technologies. Its website can be accessed at the bottom of ECOS' homepage, or here. [Bodi/Longsworth]

Need-to-Know News in Air, Water, & Environmental Justice

U.S. EPA Sets Public Hearing on CPP Repeal

Area of Focus: *Air*

U.S. EPA has announced that it will hold a public hearing on the proposed repeal of the *Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units* (commonly known as the Clean Power Plan, or CPP) in Charleston, West Virginia on **November 28-29**. Registration will be open once the public meeting notice is published in the *Federal Register*, and all individuals wishing to speak are encouraged to register in advance.

"EPA is headed to the heart of coal country to hear from those most impacted by the CPP and get their comments on the proposed Repeal Rule," said EPA Administrator Scott Pruitt.

For additional details, see the EPA press release and EPA website for background information on the CPP. [Poole]

U.S. EPA Issues Pair of Actions on Cross-State Air Pollution

Area of Focus: *Air*

U.S. EPA on October 30 announced two actions that address cross-state air pollution for the 2008 ozone standards.

One action denies a petition filed by nine northeastern states under Section 176A of the Clean Air Act asking the agency to add eight states plus portions of Virginia to the Ozone Transport Region. EPA has determined that approaches such as those under the Clean Air Act's (CAA's) good neighbor provision will be more effective in addressing remaining ozone transport obligations for the 2008 standards. More information is available here.

In the second action, EPA issued a memo to provide supplemental information to states and the Regions. This information supports the development or review of State Implementation Plans that address the CAA's "good neighbor" provision, as it pertains to the 2008 ozone National Ambient Air Quality Standards. While this information can inform the development of these plans, the information is not a final determination regarding states' remaining obligations under the good neighbor provision, and any such determination would be made through notice-and-comment rulemaking. More information is available here. [Parisien]

U.S. EPA Signs NODA for Proposed Stays of Oil and Gas Air Rules

Area of Focus: *Air*

On November 1, U.S. EPA signed two Notices of Data Availability (NODAs) related to the agency's proposed stays of air requirements in the 2016 New Source Performance Standards for the oil and natural gas industry. EPA on June 16 had proposed a two-year stay and a three-month stay of the rule's fugitive emissions requirements, well site pneumatic pump standards, and requirements that closed vent systems be certified by a professional engineer while the agency reconsiders issues associated with these requirements.

Since proposing the stays, the agency has heard a wide range of concerns and suggestions from stakeholders both about the 2016 rule and the proposed stays. The NODAs provide information on some of these issues and seek comments to assist in developing a final rule. The information provided in the NODAs falls into two categories: challenges to implementing the requirements in the 2016 rule that would be covered by proposed stays; and the agency's legal authority to issue a stay. EPA also is providing an updated analysis of cost savings, forgone benefits, and net benefits of the proposed two-year stay.

EPA will take public comment on the NODAs for 30 days following publication in the *Federal Register*. For more information, click here. [Parisien]

U.S. EPA Recognizes 28 CWSRF Program Successes

Area of Focus: *Water*

U.S. EPA on October 31 recognized 28 clean water infrastructure projects for excellence and innovation within the Clean Water State Revolving Fund (CWSRF) program at the 2017 National SRF Workshop hosted in Indianapolis, Indiana by the Council of Infrastructure Financing Authorities. Honored projects range from large wastewater infrastructure projects to small decentralized and agriculture projects.

EPA's Performance and Innovation in the SRF Creating Environmental Success (PISCES) program celebrates innovation

demonstrated by CWSRF programs and assistance recipients. The CWSRF is a federal-state partnership that provides communities a permanent, independent source of low-cost financing for a wide range of water quality infrastructure projects. Over the past 30 years, CWSRF programs have provided more than $125 billion in financing for water quality infrastructure.

"For decades the Clean Water State Revolving Fund has supported critical water infrastructure projects that help grow the American economy and support our way of life," said Mike Shapiro, Acting Assistant Administrator for EPA's Office of Water. "These projects are a testament to the power of the Clean Water State Revolving Fund in leveraging investment to meet the country's diverse clean water needs."

More about the projects and the PISCES program can be found here. Information about an ECOS project to identify and share innovative CWSRF work can be found here. [Parisien/Piper]

U.S. EPA Announces Selections for 2017 Environmental Justice Small Grants

Area of Focus: Environmental Justice

U.S. EPA has announced the award of nearly $1.2 million in competitive grants to 36 community and tribal organizations working to address environmental justice issues in their communities. The grants enable these organizations to conduct research, provide education, and develop community-driven solutions to local health and environmental issues in minority, low-income, and tribal communities.

In an effort to increase outreach to affected communities in states and territories, the 2017 Environmental Justice Small Grants (EJSG) Program placed special emphasis on proposals from under-represented states that have been awarded three or fewer EJSGs over the last five years. Of the 36 total projects selected, 23 are from underrepresented states (64%). The agency will make final awards upon successful completion of the award application process. [Poole]

E-Enterprise for the Environment

E-Enterprise

McDonnell Appointed to E-Enterprise Leadership Council

This week, ECOS President Todd Parfitt of Wyoming appointed Pennsylvania Department of Environmental Protection Secretary Patrick McDonnell to serve on the E-Enterprise Leadership Council (EELC). McDonnell fills the state EELC vacancy created when John Stine of Minnesota ended his term as ECOS President.

ECOS thanks Stine for his EELC service and welcomes McDonnell to the leadership body. [Graves]

Member News

Tormey of Iowa Elected to ACOEL Fellowship

Congratulations to Ed Tormey, General Counsel of the Iowa Department of Natural Resources, on his election last week as a Fellow of the American College of Environmental Lawyers (ACOEL). Tormey has practiced environmental law in both the private and public sectors for 27 years and also has served as Legal Services Bureau Chief at the Ohio Environmental Protection Agency.

As reported in last week's *ECOSWIRE*, former ECOS member and President Tom Burack also was one of 20 individuals from across the nation elected last week to the College Fellowship at ACOEL's 10th anniversary meeting in Charleston, South Carolina. [Parisien]

Career Opportunities

ECOS Seeks Project Manager

ECOS is accepting applications for a Project Manager to support the work of E-Enterprise for the Environment (EE) and the National Environmental Information Exchange Network (EN). The Project Manager works with senior staff at state environmental agencies, U.S. EPA, and tribes to support the operation of the EN, and to facilitate its deeply connected and formative role in EE.

To apply for this position, send a resume and cover letter here by November 30 with subject "Application for Project Manager."

See more information here. [Longsworth]

Upcoming Events

Meetings

Butler of Ohio to Participate in Disaster and Public Safety Brown Bag on the Hill

The Sea Grant Association invites interested attendees to a lunchtime briefing, *Using Science and Outreach to Assist State and Local Decision Makers in Disaster Preparedness and Public Safety*. ECOS member Craig Butler of Ohio will participate in the lunchtime discussion, which is sponsored by Congressmen Lee Zeldin of New York and Joe Courtney of Connecticut.

The event will be held **November 8 at 12-1:30 p.m.** in the Rayburn House Office Building. RSVP by November 3 to Joel Widder. [Piper]

ECOS Calls

November, December All-Member Calls

ECOS will hold its remaining two All-Member Monthly Calls in 2017 on:

- **November 16, 4-5 p.m. Eastern** on science and research
- **December 14, 3-4 p.m. Eastern** on data and analytics

Please mark your calendars now. An agenda with dial-in information will be emailed to all ECOS members prior to the call. [Swanson]

Superfund Workgroup

The ECOS Superfund Workgroup will hold its next call on **November 27 at 2:30-3:30 p.m. Eastern** to continue state-U.S. EPA discussion of implementing the recommendations of the EPA Superfund Task Force. The workgroup is chaired by ECOS Waste Committee Chair Scott Thompson, Director of the Oklahoma Department of Environmental Quality, and has the regular participation of EPA Task Force Chair Kell Kelly, Senior Advisor to the Administrator, and other EPA leaders.

The call will include a report-out on Superfund discussions at the recent ASTSWMO Annual Meeting by ASTSWMO CERCLA/Brownfields Subcommittee Chair Amy Brittain of Oklahoma and former ASTSWMO Past President Bonnie Buthker of Ohio. Call participants will provide input on the solutions proposed.

For more information, please contact Lia Parisien of ECOS. [Parisien]

Shale Gas Caucus

The ECOS Shale Gas Caucus (SGC) will kick off its Phase 3 cross-media webinar series on **December 6 at 2-3 p.m. Eastern** with a discussion of preventing produced water spills and leaks. Moderated by SGC Co-Chairs Dave Glatt of North Dakota and Martha Rudolph of Colorado, the call will feature Scott Anderson and Dan Mueller of the Environmental Defense Fund and Roy Hartstein of Southwestern Energy. Jim Kenney of U.S. EPA's Office of Enforcement and Compliance Assurance will follow with an announcement of an SGC success story in the area of produced water.

For more information, please contact Lia Parisien of ECOS. [Parisien]

Webinars

California on Safer Consumer Products

California's Department of Toxic Substances Control (DTSC) will hold a Safer Consumer Products program public workshop on lead-acid batteries and alternatives on **November 6** in Sacramento, California. The event will be broadcast via webinar and will cover the various uses of lead-acid batteries, the regulatory landscape they face, lithium-iron-phosphate batteries as a potential alternative in vehicles, automobile manufacturer perspectives, and issues such as recycling.

This information is being gathered as part of DTSC's work to evaluate whether lead-acid batteries should be listed as a Priority Product under California's Safer Consumer Products regulations. Public comments and questions are welcome.

Register for the in-person or webinar and download the agenda and event announcement. [Longsworth]

U.S. EPA and the Army Corps on WOTUS by Sector

U.S. EPA and the U.S. Army Corps of Engineers have announced ten teleconferences to hear from stakeholders their recommendations for revising the definition of "Waters of the United States" under the Clean Water Act. The first nine teleconferences will be tailored to specific industries, as follows, and the tenth will be open to the public at large.

The teleconferences will run throughout the fall on **Tuesdays at 1-3 p.m. Eastern** as follows:

- **November 7** scientific organizations and academia;
- **November 14** stormwater, wastewater management and drinking water agencies; and
- **November 21** general public. [Piper]

ECOS and U.S. EPA on Compliance Research Part 5

Part 5 of the Compliance Research Webinar Series entitled *Innovative Approaches to Foster Compliance – the Role of Deterrence* will be held on **November 9 at 1-2:30 p.m. Eastern**.

Dr. Sarah Stafford, a Professor at the College of William and Mary working in Economics, Public Policy, and Law, will present the basic theories of compliance and deterrence and the findings of social science research on what techniques are most effective. She also will present some innovative approaches being used in programs across the U.S. to encourage facilities to increase voluntary compliance and to decrease inadvertent violations.

The Compliance Research Webinar Series, hosted by the National Enforcement Training Institute of the U.S. EPA Office of Enforcement and Compliance Assurance and designed for ECOS and U.S. EPA, helps program administrators understand how collaboration with academics can identify effective and measureable approaches to compliance.

For more information, please contact Sonia Altieri of ECOS. [Altieri]

ITRC on Long-term Contaminant Management Using Institutional Controls

On **November 14 at 1-3:15 p.m. Eastern**, the Interstate Technology and Regulatory Council (ITRC) will host a free online training on institutional controls (ICs), which are administrative or legal restrictions that provide protection from exposure to contaminants on a site.

After attending the training, participants will be able to describe best practices and evolving trends for IC management at individual sites and across state agency programs; improve IC reliability and prevent IC failures; improve existing, or develop new, IC management programs; identify the pros and cons about differing IC management approaches; and more.

Learn more and register here. [Bodi]

U.S. EPA on Drinking Water Issues

U.S. EPA's Office of Research and Development and the Office of Water host a monthly webinar series on small drinking water systems. Their schedule for the rest of the year is:

- **November 15** - National Stormwater Calculator for Managing Runoff
- **November 28** - Lead in Schools and Selecting Lead Free Fixtures
- **December 12** - Residual Chlorine and Calibration Check for Chlorine Instruments

More information on the small systems webinars, including recordings of past webinars and how to register, is available here. [Hanson]

U.S. EPA ORD on Cyanobacteria Monitoring

U.S. EPA's Office of Research and Development will hold its next monthly Tools and Resources webinar on **November 15 at 3-4 p.m. Eastern**.

The webinar will focus on monitoring cyanobacteria with satellites, highlighting how federal agencies (EPA, NASA, NOAA and USGS) are collaborating to use real-world satellite applications that support environmental management of U.S. lakes by quantifying cyanobacterial harmful algal blooms and related water quality parameters. This webinar will also address provisional satellite derived cyanobacteria data and three software tools available to state environmental and health agencies for review and testing as part of the Cyanobacteria Assessment Network (CyAN).

Register here. [Longsworth]

ITRC on PVI: Fundamentals of Screening, Investigation, and Management

On **November 16 at 1-3:15 p.m. Eastern**, the Interstate Technology and Regulatory Council (ITRC) will host a free online training on petroleum vapor intrusion (PVI), the process by which volatile petroleum hydrocarbons released as vapors from light nonaqueous phase liquids, petroleum-contaminated soils, or petroleum-contaminated groundwater migrate through the vadose zone and into overlying buildings.

After attending this training, participants should be able to determine when and how to use the ITRC PVI document at their sites; describe the important role of biodegradation impacts on the PVI pathway (in contrast to chlorinated solvent contaminated sites); value a PVI conceptual site model and list its key components; and more.

Learn more and register here. [Bodi]

NIH on Wildfire Risk Communication and Health Effects

On **November 17 at 1-2 p.m. Eastern**, the National Institutes of Health will host a webinar on the impacts of wildfires on the health of vulnerable individuals and on communities exposed periodically to such events.

The presentations will cover how environmental exposures associated with wildfires affect human health, as well as approaches being used to develop targeted risk communication about wildfires for a variety of audiences.

Register here.

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 3/31/2017 4:43:08 PM
Importance: Normal
Subject: States Respond to Sweeping Climate Order, White House Sends Congress $247M in FY17 U.S. EPA Cuts, & More
Received: Fri 3/31/2017 4:44:58 PM

ECOSWIRE

Friday, March 31, 2017

Vol. 19 No. 13

Table of Contents

- President Trump Signs Sweeping Order to Launch Review of CPP & Other Rules
- Georgetown Climate Center Tracks State Response to Executive Order
- White House Sends FY17 Budget Request to Congress with $247M in U.S. EPA Cuts
- House Hears Benefits of Brownfields Reauthorization
- House Passes Bill Barring U.S. EPA from Using Science Not Publicly Available
- ECOS Seeks States to Pilot ECOS Measures Project
- ECOS Wants to Hear about State Plans for Earth Day Festivities
- State News You Can Use
- Need to Know News in Emerging Contaminants & ITRC
- Upcoming Events
- ECOSWIRE Notes

President Trump Signs Sweeping Order to Launch Review of CPP & Other Rules

On March 27, President Trump signed a wide-ranging Executive Order (EO) on Promoting Energy Independence and Economic Growth (EO). The EO directs federal agencies to: take appropriate actions to promote clean air and clean water while respecting the "proper roles" of the Congress and the states; reassess all regulations and take the necessary steps to modify or rescind any rules that place an undue burden on the power sector; and suspend, revise, or rescind the Clean Power Plan (CPP) and other U.S. EPA and U.S. Department of Interior rules following agency review. The order also revokes a number of EOs signed by former President Obama; ends the requirement that federal agencies consider climate

change risks to their missions, programs, and facilities; directs the Council on Environmental Quality to rescind its guidance on incorporating climate change analysis into National Environmental Policy Act reviews; disbands the Interagency Working Group on the Social Cost of Greenhouse Gasses, rescinds the federal government's "social cost of carbon" metric; and lifts moratoria on coal leases on federal lands.

While there is a great deal of information in the EO, the portion covering reconsideration of the CPP has garnered much of the initial attention. As with any final rule, U.S. EPA must follow the Congressional Review Act in its review, which requires the agency to complete a formal rulemaking and address facts already in the administrative record.

Legal challenges to the outcome of this process are likely. Led by the New York Attorney General, the Attorneys General of California, Connecticut, Delaware, Hawaii, Illinoi, Iowa, Maine, Maryland, Massachusetts, Minnesota New Mexico, Oregon, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia this week issued a press release vowing to "protect those we serve" in regards to the threats of climate change. Colorado and Pennsylvania leaders also have issued statements in opposition to the EO.

As pointed out in the EO, the U.S. Department of Justice has petitioned the U.S. Court of Appeals for the D.C. Circuit to hold in abeyance its review of the CPP (*West Virginia v. EPA*, D.C. Cir., No. 15-1363, *motion filed* 3/28/17) while the new leadership at EPA reviews it. CPP supporters are expected to file formal opposition to DOJ's request to halt the litigation late next week.

However, in a letter to Governors on March 30, EPA Administrator Scott Pruitt reiterated that states are not "required nor expected" to comply with the CPP. While this does not change the regular course of business pending the Supreme Court stay of the CPP, Administrator Pruitt did go on to say, "To the extent any deadlines become relevant in the future, case law and past practice of EPA supports the application of day-to-day tolling." He added, "The days of coercive federalism are over." [Poole]

Georgetown Climate Center Tracks State Response to Executive Order

Following President Trump's signing of this week's Executive Order (see related story), the Georgetown Climate Center created a database to track state responses. While many states are supportive of the EO, there are also Governors who have pledged to continue moving forward in the realm of climate change adaptation and clean energy exploration.

To track the diverse state responses, visit the Georgetown Climate Center's webpage. [Poole]

White House Sends FY17 Budget Request to Congress with $247M in U.S. EPA Cuts

As Congress prepares to negotiate funding by April 28 for the remainder of FY17, the White House Office of Management and Budget (OMB) sent a memo on Friday to lawmakers proposing that cuts be taken from several agencies under the upcoming FY17 appropriations bill. Cuts are proposed from five U.S. EPA programs: Categorical Grants ($115M /10%), Office of Research and Development ($48M), Brownfields Project Grants ($5M), Great Lakes Programs ($49M), and Superfund Remedial ($30M). The memo describes some EPA cuts intended to "ease" the affected programs into larger

reductions for FY18.

The cuts from EPA and other agencies offset proposed funding increases in Defense and Homeland Security, including increases to fund the construction of a southern border wall. The OMB proposal likely will meet resistance on the Hill due to its inconsistency with budget caps imposed by a 2015 spending agreement.

Amid the White House's recent budget activity, states have expressed concern over cuts that would affect delegated programs. On March 30, the National Governors' Association sent a letter to congressional leaders to this effect. Earlier this month, ECOS President John Linc Stine of Minnesota and ECOS staff met with House and Senate appropriations staff to discuss the status of the EPA budget for FY17. [McAleer]

House Hears Benefits of Brownfields Reauthorization

The U.S. House Subcommittee on Water Resources and Environment, chaired by Rep. Garret Graves (R-LA), held a hearing March 28 on a revitalizing American communities through the Brownfields Program.

With new legislation to reauthorize Brownfields expected soon, the subcommittee was especially interested to hear about the benefits of Brownfields programs in communities across the nation, both urban and rural, as well as key areas of focus for future legislation. Rep. Graves questioned participants about the private-public partnerships that are created through Brownfields programs, while Ranking Member Grace Napolitano (D-CA) asked how an increase in funding could drive positive outcomes.

Amanda LeFevre, Outreach and Education Coordinator at the Kentucky Brownfield Redevelopment Program, speaking on behalf of the Association of State and Territorial Solid Waste Management Officials, highlighted the small town resources offered through 128(a) program funding. The support of local community officials in the preparation of grant applications and the workshops provided for organizations, communities, and others are among the important benefits of this funding, LeFevre noted.

On April 4, the House Subcommittee on Environment and the Economy will hold a hearing on Brownfields Reauthorization at which former ECOS President Robert Martineau, Commissioner of the Tennessee Department of Environment and Conservation, will testify on behalf of ECOS. More information on that hearing can be found here. [MacCartney]

House Passes Bill Barring U.S. EPA from Using Science Not Publicly Available

On March 29, the House of Representatives passed the Honest and Open New EPA Science Treatment Act (HONEST Act) by a vote of 228-194. The bill, one of many recent efforts aimed at reining in government regulations, prohibits U.S. EPA from writing any rule that uses scientific studies and data not publicly available.

The While House and congressional Republicans believe the bill will ensure sound science and reduce regulatory costs, whereas congressional Democrats assert that the HONEST Act will leave EPA unable to implement important regulatory protections because the agency might not be allowed to release some data underpinning them.

The bill, similar to the Secret Science Act passed in previous Congresses, also requires that scientific studies be replicable and that redacted personal or trade information in data be viewable to those who sign confidentiality agreements. [Longsworth]

ECOS Seeks States to Pilot ECOS Measures Project

The ECOS Measures Project, launched in 2016, is creating a dashboard that states can use to better communicate to the public their efforts to protect human health and the environment. This will be a web-based tool, not inviting comparison by state, but allowing each state to graphically tell its story using common measures which have been selected through a robust state-led process through ECOS' Planning Committee and in coordination with AAPCA, NACAA, ASTSWMO, ACWA, and ASDWA.

ECOS Planning Committee Vice Chair Bill Ehm of Iowa will provide an update on the project next week at the ECOS Spring Meeting. ECOS currently is recruiting 15 states to be pilots for this effort. States that have already agreed to be pilots are Arkansas, Colorado, Hawaii, Iowa, Nebraska, Tennessee, Virginia, and Wyoming.

States interested in piloting the project are who would like more information are asked to please email Connor MacCartney of ECOS. [Altieri]

ECOS Wants to Hear about State Plans for Earth Day Festivities

How is your state celebrating Earth Day? If your agency is hosting an event, advertising environmentally friendly practices on social media, or promoting the day in another way, ECOS wants to hear about it.

This year, ECOS is compiling a list of the “Top 10” state Earth Day initiatives. Please send information on efforts that your state has underway for Earth Day **by April 14** to Sarah Grace Longsworth of ECOS. [Longsworth]

State News You Can Use

Ohio Approves First-of-its-Kind Wetlands Pilot

Mississippi Set to Issue Daily Ozone Forecasts

Need to Know News in Emerging Contaminants & ITRC

ECOS Holds TSCA Workgroup Call on DoD's Emerging Contaminants Program and Thermostat Recycling

Area of Focus: *Chemicals and Emerging Contaminants*

ECOS on March 30 held its monthly Toxic Substances Reduction Workgroup call. The Department of Defense's (DoD) Dr. Tricia Underood, Deputy for Chemical and Material Risk Management in the Office of the Deputy Assistant Secretary of Defense, first shared a presentation on DoD's Emerging Contaminants Program. She detailed DoD's start to the program, which included collaboration with ECOS on three White Papers, and described how science experts identify chemicals of potential risk to the Army and public.

Ryan Kiscaden, Executive Director of the Thermostat Recycling Corporation, then presented on the organization's efforts to gather old mercury thermostats for safe recycling.

For links to the White Papers or both PowerPoint presentations, or if you would like to participate in the workgroup, please contact Sarah Grace Longsworth of ECOS. [Longsworth]

ITRC

Interstate Technology and Regulatory Council

ITRC Wraps up Well-Attended Annual Meeting

The ITRC this week held its Annual Meeting in New Orleans with more than 400 attendees representing all 50 states, federal government, industry, tribes, and public stakeholders. Participants attended nine technical team working sessions and an awards ceremony, and heard from two accomplished plenary speakers.

Plenary presentations were delivered by Louisiana Department of Environmental Quality Secretary Chuck Carr Brown, who discussed environmental justice in his state, and sustainable architect David Waggonner, who spoke about stormwater efforts in the city of New Orleans and around the world. The plenary concluded with the presentation of the first ITRC Lifetime Achievement Award given to Tom Schneider of Ohio EPA.

ITRC congratulates all of its award winners and thanks everyone who attended the Annual Meeting! Check back on the ITRC website for photos, an attendee list, and more information. [Bodi/Reyes]

Upcoming Events

ECOS Meetings

255 Attendees, 45 States Set to Meet with Pruitt, Barrasso, and Others at Spring Meeting

A final agenda is now posted for ECOS' action-packed 2017 Spring Meeting on *New Administration, New Congress: States' Path Ahead*. Registration for the April 6-7 public gathering stands at 255 attendees, with some 45 ECOS member agencies represented.

Highlights of the April 6-7 public gathering will include keynotes by Misael Cabrera of Arizona on building a change-receptive organization and by U.S. EPA Administrator Scott Pruitt and Senate Environment & Public Works Committee Chairman John

Barrasso of Wyoming on their respective priorities. Also planned is a roundtable with former EPA Acting Administrator Robert Perciasepe and former EPA Assistant Administrator for Air & Radiation Jeffrey R. Holmstead on the outlook for the agency. Additional discussions will center on produced water from shale gas production, environmental infrastructure, the energy future, the Volkswagen settlement, community engagement, Sustainable Materials Management, and compliance improvement.

The ECOS room block at the Mayflower Hotel is closed, but government rates may be available. Please contact Sarah Grace Longsworth of ECOS if you plan to cancel a room at the hotel so that we can accommodate the next person on our waiting list.

Access the final agenda, online registration, and hotel information here. [Parisien]

Webinars

ITRC on Groundwater Statistics for Environmental Project Managers

Statistical techniques may be used throughout the process of cleaning up contaminated groundwater, but it can be challenging for practitioners who are not experts in statistics to interpret and use statistical techniques. This training class will encourage and support project managers and others who are not statisticians to:

- Use the ITRC Technical and Regulatory Web-based Guidance on Groundwater Statistics and Monitoring Compliance to make better decisions for projects;
- Apply key aspects of the statistical approach to groundwater data; and
- Answer common questions on background, compliance, trend analysis, and monitoring optimization.

Join ITRC on **April 6 at 1-3:15 p.m. Eastern** for this essential online training! Learn more and register here. [Bodi]

U.S. EPA on Assessing and Addressing Near-Road Air Quality with Easy Modeling

A U.S. EPA webinar on **April 20 at 2-3:30 p.m. Eastern** will present the Community-LINE Source Model (C-LINE), a user-friendly, near-road air pollution model. C-LINE allows users to evaluate how changes in traffic may affect air pollution. Users can easily manipulate model inputs to also examine upwind and downwind effects, or estimate the areas most influenced annually by near-road pollution.

Register here to attend the webinar and learn more. [Hanson]

ECOSWIRE Notes

ECOSWIRE will not be published on April 7 due to the ECOS Spring Meeting. Publication will resume on April 14.

Also, the March 24 edition of *ECOSWIRE* incorrectly reported the date of a House hearing on state ozone standard flexibility. That hearing was held on March 22, not May 22.

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 12/22/2017 4:34:41 PM
Importance: Normal
Subject: ECOS Leaders Meet in Washington to Advance Cooperative Federalism, Congress Funds Government thru Mid-January, & More
Received: Fri 12/22/2017 4:36:00 PM

ECOSWIRE

Friday, December 22, 2017

Vol. 19 No. 47

Table of Contents

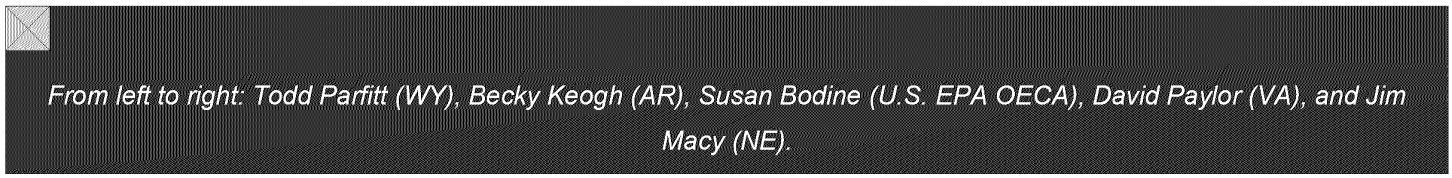
- ECOS Leaders Advance Discussions with U.S. EPA on Cooperative Federalism and More
- Congress Funds Government through Mid-January
- U.S. EPA Announces Next Steps Following Proposed CPP Repeal
- ECOS and Other State Media Associations Co-Sign Letter on VIDA
- U.S. EPA Finalizes e-Manifest User Fee Rule
- Former U.S. EPA Acting Administrator McCabe Tapped to Head New Jersey DEP
- Ehm Selected as Executive Committee Region 7 Representative
- Cross Off Spring Meeting Registration and Reservations from Your Holiday To Do List
- State News You Can Use
- Need-to-Know News in Compliance and Enforcement, Air, & Water
- U.S. EPA Appointments
- ECOS Staff News
- Opportunities
- Upcoming Events

ECOS will not be published on December 29 and will resume publication January 5. From all the ECOS staff, best wishes for the holidays and New Year!

ECOS Leaders Advance Discussions with U.S. EPA on Cooperative Federalism and More

This week ECOS President Todd Parfitt of Wyoming, Vice President Becky Keogh of Arkansas, Secretary-Treasurer Jim Macy of Nebraska, and ERIS President David Paylor of Virginia conducted visits with U.S. EPA officials in Washington, DC, to continue conversations around oversight of delegated programs and advancing Cooperative Federalism 2.0. The ECOS leaders met with Henry Darwin, Deputy Assistant Administrator and Chief of Operations, and officials in the U.S. EPA Offices of Air and Radiation and Enforcement and Compliance Assurance.

The leadership also spent time on the search process for a new ECOS/ERIS Executive Director. The members' commitment to the organizations agendas at this busy time of year is sincerely appreciated. [Dunn]



From left to right: Todd Parfitt (WY), Becky Keogh (AR), Susan Bodine (U.S. EPA OECA), David Paylor (VA), and Jim Macy (NE).

Congress Funds Government through Mid-January

On December 20, Congress passed a Continuing Resolution (CR) to fund the federal government through January 19, 2018. The third CR in the FY 2018 budget cycle, this bill maintains FY17 spending levels, albeit with some budget anomalies associated with various policy riders. The bill is expected to be signed by President Trump before the current CR expires at midnight Friday.

With lawmakers imminently heading home for the holiday recess, negotiations will resume in January on overall spending caps as well as several unrelated issues expected to be rolled into the budget debate. [McAleer]

U.S. EPA Announces Next Steps Following Proposed CPP Repeal

U.S. EPA on December 18 issued an Advance Notice of Proposed Rulemaking (ANPRM) indicating that the agency will solicit public input as it considers the next regulatory steps to limit greenhouse gas emissions from existing electric utility generating units (EGUs), also known as power plants.

The ANPRM is a separate, but related, action to the October 16 proposal to repeal the Clean Power Plan. It offers the public the opportunity to comment on specific topics for the agency to consider in developing any subsequent proposed rule. EPA is specifically soliciting information on systems of emission reduction for EGU facilities, compliance measures, and state planning requirements under Clean Air Act section 111(d).

EPA will take comment on the ANPRM for 60 days following publication in the *Federal Register*. More information, including the ANPRM and fact sheet, are available here. [Poole]

ECOS and Other State Media Associations Co-Sign Letter on VIDA

ECOS and three other nonprofit associations representing state environmental regulatory agencies (the Association of Clean

Water Administrators [ACWA], the Association of State Wetland Managers [ASWM], and and the Association of Fish and Wildlife Agencies [AFWA]) co-signed a letter to members of Congress this week detailing the potential consequences for environmental quality if the Vessel Incidental Discharge Act (S. 1129) were enacted. The associations previously wrote a letter of concern on VIDA in June 2016.

Read this week's letter here. [Longsworth]

U.S. EPA Finalizes e-Manifest User Fee Rule

U.S. EPA on December 20 finalized its rule for setting and revising fees for users of the e-Manifest system. This final e-Manifest User Fee Rule completes the regulatory framework for implementing Congress' *Hazardous Waste Electronic Manifest Establishment Act of 2012*, which authorizes EPA to implement a national system and collect user fees to recover the costs of developing and operating the system.

Click here for more information about the final e-Manifest User Fee Rule, including the pre-publication version.

For additional information, join EPA for the next e-Manifest webinar on **January 3 at 2-3:30 p.m. Eastern** by accessing the live webinar here. [Parisien]

Former U.S. EPA Acting Administrator McCabe Tapped to Head New Jersey DEP

New Jersey Governor-Elect Phil Murphy on December 20 announced his selection of former U.S. EPA Acting Administrator Catherine McCabe to serve as Commissioner of the state Department of Environmental Protection. She will succeed Bob Martin in the post.

Among McCabe's previous positions are Deputy Regional Administrator of EPA's Region 2 and Deputy Chief of the U.S. Department of Justice Environmental Enforcement Section. ECOS looks forward to welcoming her as a member! [Parisien]

Ehm Selected as Executive Committee Region 7 Representative

ECOS is pleased to announce that Bill Ehm of Iowa has been selected by his regional colleagues to serve as Region 7 Representative to the Executive Committee. Ehm fills the unexpired term of Jim Macy, who was elected Secretary-Treasurer earlier this year.

Ehm's term is effective through the 2018 Fall Meeting, with the option for renewal for a full two-year term. [Swanson]

Bill Ehm of Iowa

Cross Off Spring Meeting Registration and Reservations from Your Holiday To Do List

ECOS' elves are already hard at work planning a timely and wide-ranging Spring Meeting on *Getting to Results*. The gathering, to be held March 20-22 ECOS Spring Meeting in St. Paul, Minnesota, will spotlight ECOS' expanding Results.org effort, as well as state initiatives to accelerate and enhance land cleanups, promote cross-agency partnerships, ensure a secure and sustainable energy future, encourage Sustainable Materials Management, achieve tangible results through Cooperative Federalism 2.0 and E-Enterprise, tackle PFAS, and effectively communicate progress to the public.

Also planned are keynotes by Governor Mark Dayton of Minnesota (invited) and a generational expert on building for future agency success, a point-counterpoint session on Clean Water Action 404 assumption, and two offsite evening events including an excursion to the Science Museum of Minnesota.

Register by **February 16** to receive the reduced early bird rate. Also, act now to reserve a room at the hotel by calling The Saint Paul Hotel at (800) 292-9292, and mention the ECOS Spring Meeting to receive the group rate. The special ECOS group rates of $149 (government and staff room) and $169 (deluxe room) plus tax are available until February 19 or sellout of the room block, whichever is sooner. ECOS room nights include March 19, 20, and 21, with limited availability March 22. Visit the Spring Meeting page for additional details.

For agenda or sponsorship information, please contact Lia Parisien of ECOS. Contact Sarah Grace Longsworth for registration information and Megan Swanson for hotel information. [Parisien]

State News You Can Use

New Mexico Develops Streamlined Oil and Gas Air Emissions Application

Ohio EPA Announces 2018 Water Pollution Control Loan Fund Program Management Plan

Mississippi Offers Tips to Promote a Green Holiday Season

Need-to-Know News in Compliance and Enforcement, Air, & Water

U.S. EPA Delays FY17 Data Verification, Plans Webinar on Verification Tool and Improvements

Area of Focus: *Compliance and Enforcement*

This week, ECOS shared with members a letter from U.S. EPA's Office of Enforcement and Compliance Assurance (OECA) announcing a delay in the timing of the FY2017 data verification period to allow states time to review changes to the metrics and measures for the State Review Framework Round 4.

The letter also announces a national webinar on **January 16, 2018 at 3-4:15 p.m. Eastern** regarding data verification and improvements EPA has made to its tool that states use to complete their verification process. States may register here.

For more information, contact Rebecca Kane of OECA. [Graves]

Court Orders U.S. EPA to Set Timetable for Ozone Designations

Area of Focus: *Air*

On December 20, the U.S. Court of Appeals for the DC Circuit ordered U.S. EPA to act by **January 12** to set a firm date and outline a compliance timetable for remaining attainment designations for the 2015 ground-level ozone standard.

All designations were due October 1. U.S. EPA formally published designations for areas of the country in attainment on November 16. The final decisions for areas likely out of compliance have not been released.

In June 2017, EPA Administrator Scott Pruitt announced a one-year extension that would have pushed back the deadline for all attainment designations until October 2018. This extension was withdrawn in August 2017. For enforcement purposes, the attainment designations start the clock for states that must draft cleanup plans for areas that are out of compliance. [Poole]

U.S. EPA Launches Water System Partnerships Website

Area of Focus: *Water*

U.S. EPA has launched a new interactive website to promote awareness of the benefits of drinking water partnerships. For communities and utilities facing growing costs and challenges for treating drinking water, drinking water system partnerships provide opportunities to increase capacity, share costs, and leverage other resources.

The new website highlights ways partnerships can address these challenges, enhancing public health by working together and sharing information through a user-friendly interface accessible to states, communities, utilities, and others. [Piper]

U.S. EPA Appointments

Stepp Moving From Region 5 to Helm of Region 7

U.S. EPA Administrator Scott Pruitt on December 19 announced the appointment of former ECOS member Cathy Stepp to become Regional Administrator for Region 5.

Stepp currently serves as Principal Deputy Regional Administrator for Region 7 and will return to the Midwest region, where

was Secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. Stepp also previously served as a Wisconsin State Senator. [Parisien]

ECOS Staff News

Graves Promoted to Executive Project Manager

ECOS congratulates Beth Graves on her recent promotion to the position of Executive Project Manager!

Graves, who has worked for the association for a decade, spearheads work conducted under the E-Enterprise for the Environment initiative and the ECOS Planning Committee. [Parisien]

Opportunities

Reminder: State Communications Leads Sought for New ECOS Community of Practice

ECOS invites all members to provide the contact information for their agency's lead communications expert to become part of our new Communications Community of Practice. In accordance with ECOS President Todd Parfitt's 2017-2018 priorities, ECOS is launching this virtual learning community for state communications professionals to share best practices, success stories, challenges, and transferable lessons.

It is anticipated that once all contacts are identified, the group may hold three calls per year and also use one another as resources to share questions and information. The group also will periodically interface with U.S. EPA communications leads from Headquarters and the Regions.

Contact information for your state expert may be sent to Nia Duke of ECOS. [Duke]

U.S. EPA Invites Nominations to National Advisory Council for Environmental Policy and Technology

U.S. EPA is seeking nominees to fill several potential vacancies on the National Advisory Council for Environmental Policy and Technology (NACEPT). Representatives of state, local, and tribal governments, academia, industry, and nongovernmental organizations serve on this federal advisory committee.

NACEPT provides advice to the EPA Administrator on a range of policy, management, and technology issues.

For more information, including how to apply, refer to the *Federal Register* notice. The deadline for applications is **January 3, 2018**. [Hanson]

U.S. EPA Seeks Nominations to Commission for Environmental Cooperation

Committee

U.S. EPA invites nominations for appointment to the Governmental Advisory Committee to advise the U.S. Representative to the Commission for Environmental Cooperation.

Nominees are sought by **February 16, 2018** from the state, local, and tribal government sectors. For more information, click here. [Parisien]

Upcoming Events

Webinars

ITRC on Remedy Selection for Contaminated Sediments

The Interstate Technology & Regulatory Council (ITRC) will hold its first online training of 2018 on *Remedy Selection for Contaminated Sediments* on **January 9, 2018 at 1-3:15 p.m. Eastern.**

The sediments underlying many of our nation's major waterways are contaminated with toxic pollutants from past industrial activities. Cleaning up contaminated sediments is expensive and technically challenging. Sediment sites are unique and complex, and require a multidisciplinary approach and often project managers lack sediments experience. This training course will teach participants to apply the associated ITRC technical and regulatory guidance as a tool to overcome the remedial challenges posed by contaminated sediment sites.

Learn more and register here. [Bodi]

Exchange Network on Grant Applications

In support of the FY 2018 Exchange Network (EN) Grant cycle, U.S. EPA is hosting webinars to assist interested applicants. The final webinar will be held **January 10, 2018 at 1-2 p.m. Eastern**. Topics will include a summary of the FY 2018 EN Grant program, new and modified solicitation notice content, administrative procedures for submitting applications, tips on writing a high-quality application, and a question-and-answer session for potential applicants.

To participate, call (866) 299-3188 and use conference code 2025660466#, and access this webinar link. An Adobe Connect account is not required to enter the webinar, and participants can simply log in as a guest.

For more information, please contact EPA's Salena Reynolds. [McAleer]

ECOS and U.S. EPA on ECHO

An E-Enterprise ECHO team led by Oklahoma and EPA has identified potential improvements to the display, usability, and accuracy of U.S. EPA's Enforcement and Compliance History Online (ECHO) website. The team has identified a number of possible enhancements to improve the user experience and the display of facility compliance history.

Two identical webinars were planned to share the proposed changes with the co-regulator community and receive

feedback. The first was held on December 12, and a second webinar will repeat the same content on **January 11, 2018 at 12-2 p.m. Eastern**. Please register here.

In advance of the webinars, states can learn more about the proposed changes in this summary document. Please note that the changes are proposals only at this point and the team is seeking comments and input to ensure that proposed changes will meet the needs of ECHO stakeholders. You may send general written comments, questions, and markup of the summary document to Layne Piper of ECOS.

Oklahoma, as state team lead, asks states to provide input on a very brief set of questions to help the team better understand the ECHO community's preferences for a specific set of display and labeling options. Please click here by **January 26** to participate. [Piper]

NEWMOA and NERC on C&D Materials Management & Markets in the Northeast

The Northeast Waste Management Officials Association (NEWMOA) and Northeast Recycling Council (NERC) will host a webinar on Construction & Demolition (C&D) Materials Management and Markets in the Northeast on **January 17, 2018 at 2-3:30 p.m. Eastern**.

The discussion will center on two main areas:

- The results of NEWMOA's recently released analysis of data collected by the environmental agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont on architectural C&D materials disposal, processing, and recovery for reuse and recycling.
- The results of a Massachusetts Department of Environmental Protection (MassDEP) funded study that evaluated the current and future status of C&D debris management in Massachusetts, and identified and recommended potential opportunities for the diversion of a greater proportion of recyclable materials to recycling markets. NERC administered and contracted with DSM Environmental Services to conduct the project. MassDEP has established a goal of diverting 50 percent of C&D materials from disposal, but in recent years the actual diversion rate has plateaued at around 30 percent. The primary objective of the analysis undertaken by DSM was to first assess incoming and outgoing materials at Massachusetts C&D processors and handling facilities, and to determine what the opportunities and constraints are to increase materials diversion beyond 30 percent.

Register for the webinar here. Please reach out to Connor MacCartney with any questions.
[MacCartney]

U.S. EPA on Urban Soil Contamination

U.S. EPA will hold its first Tools and Resources webinar of the New Year on **January 17, 2018 at 3-4 p.m. Eastern**. The webinar will focus on identifying sources (site-related or natural, anthropogenic) of soil contamination in urban settings, a process vital to decision-making during environmental cleanups.

Presenters will discuss EPA's methodology for citywide or urban area background data set collection, as well as results of a recent U.S. EPA study on soil contamination in Louisville and Lexington, Kentucky; Memphis and Chattanooga, Tennessee;

Raleigh and Winston-Salem, North Carolina; and Gainesville, Florida.

To register, click here. [Longsworth]

ECOS on 2018 Clean Water SRF

On **January 30, 2018 at 2-3:30 p.m. Eastern**, ECOS will host a webinar to highlight three states' innovative uses of Clean Water State Revolving Funds (CWSRF). The three featured projects demonstrate unique uses and dispersion of CWSRF funds, and offer valuable case studies that will build state capacity and knowledge.

See this flyer for more information on the presentations from Idaho, Iowa, and Massachusetts. The webinar is the product of a research project to document the flexibilities of the CWSRF. ECOS is working under a cooperative agreement with U.S. EPA's Office of Water.

Register here for the webinar, or contact Layne Piper for more information. [Piper]

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 7/14/2017 7:03:02 PM
Importance: Normal
Subject: ECOS Seeks Nominations for Secretary-Treasurer, Wyoming Governor Confirmed for Fall Meeting, & More
Received: Fri 7/14/2017 7:04:12 PM

ECOSWIRE | Vol. 19 No. 27

View this email in your browser

ECOSWIRE

Friday, July 14, 2017

Vol. 19 No. 27

Table of Contents

- ECOS Seeks Nominations for Secretary-Treasurer
- Wyoming Governor, Park Superintendent Confirmed for Fall Meeting
- ECOS Seeks Nominations for Special Recognition Award
- Nominations Being Accepted Thru July 21 for New Round of ECOS Innovation Awards
- ECOS Prepares for STEP 2017
- House Markup of U.S. EPA FY18 Budget Reverses Some of President's Proposed Cuts
- Senate EPW Advances Bodine Nomination
- U.S. EPA Releases Proposed Rule on WOTUS
- State News You Can Use
- Member Spotlight
- Need-to-Know News in Cooperative Federalism & Water
- ITRC
- ERIS
- Upcoming Events

ECOS Seeks Nominations for Secretary-Treasurer

Executive Committee Representatives for Even Regions Also Sought

ECOS is seeking nominations for the position of Secretary-Treasurer. Interested ECOS members should send an expression of interest by **August 4** to President John Linc Stine of Minnesota and copy Executive Director Alexandra Dunn. Self-nominations are appropriate. Please note "ECOS Secretary-Treasurer Nomination" in the subject line. Officer Voting will be

conducted by electronic ballot until **September 11**, the first day of the ECOS Fall Meeting.

Also at the Fall Meeting, states from even-numbered U.S. EPA Regions will elect new representatives to the Executive Committee. Under ECOS' bylaws, the current regional representative may not be re-elected to the position. States in even-numbered regions should caucus amongst themselves to identify and elect their representative and report it to Alexandra Dunn before or during the meeting. If you are emailing your decision, please note "ECOS Executive Committee Regional Representative" in the subject line. The terms for all positions begin following the Fall Meeting. [Dunn/Parisien]

Wyoming Governor, Park Superintendent Confirmed for Fall Meeting

New Agenda Available; States Should Also Plan to Attend September 13

Wyoming Governor Matt Mead is the newest keynoter confirmed for the 2017 Fall Meeting in Jackson Hole, Wyoming on *Bright Ideas: States Leading the Way*, for which early bird registration runs through **August 4**. Attendees also will be welcomed to the meeting by David Vela, Superintendent of Grand Teton National Park. A new agenda has been posted.

The interactive program ties together a number of cutting-edge ECOS initiatives of interest to a variety of stakeholders. Among the highlights, ECOS will feature outstanding programs selected for 2017 State Program Innovation Awards (see related story), unveil a new dashboard that states can use to better protect human health and the environment, and explore early wins in its Cooperative Federalism 2.0 campaign to forge an improved state-U.S. EPA partnership.

U.S. EPA officials already confirmed to attend are Assistant Deputy Administrator & Chief of Operations Henry Darwin, Senior Advisor to the Administrator for Regional & State Affairs Ken Wagner, and Acting Deputy Administrator Mike Flynn. Former ECOS member Collin O'Mara (Delaware), now President & CEO of the National Wildlife Federation, also will deliver a keynote address. And sure to be a highlight of the meeting is an evening excursion to Grand Teton National Park.

The public portion of the Fall Meeting runs all day September 11 and 12, with **states-only sessions planned until 11:15 a.m. on September 13**. These discussions will be followed by the E-Enterprise for the Environmental Leadership Council Meeting on the afternoon of September 13 and morning of September 14 until 11:30 a.m.

Attendees should make their **hotel reservations as early as possible** to take advantage of the lower of two ECOS group rates ($199 for hotel rooms versus $289 for larger accommodations). ECOS room nights include September 10, 11, and 12, with limited availability on the nights of September 13 and 14. When using the hotel reservation link, please note that Policies listed on the first reservation page apply to ECOS but that Terms & Conditions listed on a subsequent page do not apply. The special ECOS group rates are available until **August 9** or sellout of the room block, whichever is sooner.

See the Fall Meeting website for the agenda, online registration, hotel reservation link, hotel overflow suggestions, ground transportation options, and special events in Jackson listing. For more information about the agenda, sponsorship opportunities, or the hotel, contact Lia Parisien of ECOS. For additional registration information, contact Sarah Grace Longsworth of ECOS. [Parisien]

ECOS Seeks Nominations for Special Recognition Award

The ECOS President gives the ECOS Special Recognition Award annually to a member agency staff member whose dedication and contributions over a sustained period lead to the meaningful advancement of an ECOS priority during his or her tenure as President. ECOS currently is seeking nominations from its members for the 2017 award, which will be presented at the September 11-12 Fall Meeting in Jackson Hole, Wyoming**.** Please send your nominations to Alexandra Dunn of ECOS by **July 21.** The ECOS officers will make the final selection.

The 2016 Special Recognition awardee was Ken Zarker of Washington for his tireless work with states, Congress, and others related to reforming the Toxic Substances Control Act and his dedication to efforts to reduce toxics in the environment. In 2015, Andy Putnam of Colorado and Chris Simmers of New Hampshire received the recognition for their dedication to ECOS through involvement in and leadership of the Exchange Network and E-Enterprise. [Parisien]

Nominations Being Accepted Thru July 21 for New Round of ECOS Innovation Awards

New Request: Please Include Contact Information with Submissions

Each year, ECOS honors outstanding state initiatives with State Program Innovation Awards. The association will present a new round of awards at our **September 11–13** Fall Meeting in Jackson Hole, Wyoming.

If you have a successful new innovation to share, please send a write-up of approximately one page in Word that includes the items in the model below (which was one of last year's winning entries), including contact information. ECOS is particularly interested this year in innovations in the areas of permit streamlining and business process improvement, community outreach and engagement, and land revitalization and reuse. Nominations need not be confined to these areas, however, and are not given more weight in the selection process. Please send submissions to Megan Swanson by July 21.

In addition to receiving consideration for recognition and presentation at the Fall Meeting, submissions will be published in a special edition of *ECOS Green Report*. [Swanson]

Model Innovation Nomination
Virginia's Wetland Monitoring and Assessment Program

Description of Initiative:
Virginia has approximately one million acres of wetlands. An estimated 75 percent of these acres are palustrine vegetated wetlands, and the remaining 25 percent are estuarine wetlands. Virginia is believed to have lost about 40 percent of its original complement of pre-colonial wetlands. A study of wetland trends in Southeastern Virginia for 1994-2000 showed a net loss of 2,100 acres (1.3 percent). The actual loss of vegetated wetlands was even higher, but offset by a gain in pond and open water area.

The loss of palustrine wetlands was primarily due to conversion to uplands, while estuarine wetlands were lost through conversion to open water. Major causes of wetland loss in Virginia include conversion to other land cover types, ecosystem service modifications associated with climate change, hydrologic alterations, invasive species, fragmentation by development, crop fields, roads, fences, berms, and eliminated ecosystem services, notably habitat and water quality.

The Virginia Department of Environmental Quality (DEQ) and the Virginia Institute for Marine Science have developed a robust, science-based Wetland Monitoring and Assessment Strategy for evaluating the condition of wetlands in the Commonwealth. The overarching goal of Virginia's strategy is to devise a long-term implementation plan for a wetland monitoring and assessment program that protects the physical, chemical, and biological integrity of the Commonwealth's water resources, including wetlands.

In order to accomplish this goal, it is critical to first know the status of wetland resources in Virginia, in terms of location and extent of wetlands in each watershed, and have a general knowledge of the quality of these wetland resources. Second, the functions of wetland resources impacted through the permitting program must be accurately evaluated to determine those functions to be replaced through compensatory mitigation. It is also important to assess the degree to which the required compensatory mitigation is performing in relation to those impacted functions. The assessment method is a multi-service model that involves three levels of data collection. The method characterizes the capacity of the wetland to provide water quality and habitat services using remotely sensed data. The model application produces a relative score for each wetland for each service. The scores are then refined and calibrated by site visits to randomly selected wetlands. The relationship between structure and function is validated by intensive study of ecological service endpoints.

Results to Date:
The data collected from the assessment have been compiled into an online GIS-based wetland data viewer identified as the Wetland Condition Assessment Tool (WetCAT). WetCAT can be used to evaluate wetland condition over time, make better permitting decisions relative to cumulative impacts, avoid and minimize wetland loss, evaluate performance of compensatory wetland mitigation in replacing wetland acreage and function, and evaluate the effectiveness of the regulatory program.

Virginia's wetland monitoring and assessment program is being implemented with funds awarded through U.S. EPA's Wetland Program Development Grants to continue these efforts. DEQ has received nine grant awards from EPA for this initiative, and Virginia is recognized as one of five states leading this initiative nationally.

Contacts:
David L. Davis, CPWD, PWS
Director, Office of Wetlands & Stream Protection
Virginia Department of Environmental Quality
dave.davis@deq.virginia.gov
804.698-4105

Michelle M. Henicheck, pWS
Senior Weland Ecologist
Virginia Department of Environmental Quality
michelle.henicheck@deq.virginia.gov
804.698-4007

ECOS Prepares for STEP 2017

ECOS' 2017 State Environmental Protection (STEP) meeting will take place this Monday, **July 17**. The interactive one-day gathering, themed *Reframing our Environmental Future,* will center on ECOS' *Cooperative Federalism 2.0 Paper*, released last month. See the agenda for a full list of speakers, panels, and further details. Breakfast, lunch, breaks, and a reception will be provided at the meeting. We look forward to seeing our members and friends there! [Longsworth]

House Markup of U.S. EPA FY18 Budget Reverses Some of President's Proposed Cuts

On July 12, the House Appropriations Subcommittee for Interior, Environment, and Related Agencies, which covers U.S. EPA, released its markup for an FY18 appropriations bill. The bill funds EPA at $7.5B, 7 percent or $528M below FY17 enacted levels and $1.9B above the President's FY18 budget request. Some budget highlights affecting states include:

- STAG funding totals $3.29 billion, a $240M reduction from FY17 enacted levels and $360M above the President's FY18 budget request.
- STAG grants that see increases in the bill are Diesel Emissions Reduction grants (25%), Brownfields Projects Grants (13%), and Targeted Airshed Grants (33%). Funding for Mexico Border grants is eliminated.
- The Clean Water SRF account is funded at $1.143B, down $250M or 18% below the FY17 enacted level; Drinking Water SRF funding is unchanged.
- Categorical grants to states and tribes remain flat-funded at $1.07B, with specific callouts for the Brownfields, Exchange Network, UST, and CAA sec 106 Water Quality Monitoring grant programs.
- The House bill proposes rescissions of $60M from the STAG account, $27M from the Science & Technology account, and $36M from Environmental Programs & Management.

The legislation includes funding for buyouts and voluntary separation agreements, an authorization for the EPA Administrator and the Secretary of the Army to withdraw the Waters of the United States rule, and funding prohibitions on greenhouse gas reporting and ozone NAAQS. [McAleer]

Senate EPW Advances Bodine Nomination

The Senate Committee on Environment and Public Works on July 12 voted 11-10 to advance the nomination of Susan Bodine to serve as Assistant Administrator for the U.S. EPA Office of Enforcement and Compliance Assurance. No date has been set for a full Senate vote.

During Bodine's recent confirmation hearing before EPW, Senator Bernie Sanders (I-VT) had probed the nominee about how she would handle EPA's proposed budget cuts and the emphasis on state environmental protection. Bodine responded that she agreed with ECOS' recent Cooperative Federalism 2.0 paper outlining a vision for EPA and states to work collectively to protect the environment and public health.

More information about the Wednesday's vote can be found here. [Harrison/Parisien]

U.S. EPA Releases Proposed Rule on WOTUS

U.S. EPA has released a pre-publication version of the proposed rule for "Step 1" of the process to replace the Obama-era Clean Water Rule. This first step is to reinstate policies that were in effect prior to finalization of the Clean Water Rule, and the proposed rule rescinds the definition of "waters of the United States" and replaces it with the definition used prior to issuance of the 2015 Clean Water Rule.

EPA also has released an economic analysis of the proposed rule.

The proposed rule is expected to be published in the *Federal Register* shortly. [Piper]

State News You Can Use

New York Marks Invasive Species Awareness Week

Texas Shares Tips on Living Sustainably

Member Spotlight

Two Minutes with Bill Ehm, Division Administrator, Environmental Services Division, Iowa Department of Natural Resources

What's your current job?

I lead the Environmental Services Division of the Iowa Department of Natural Resources (DNR).

How long have you been Division Administrator? What's your best experience thus far?

I have been in this position for six years. I have been a strong proponent of LEAN in our Department. It has been very rewarding to watch our staff and customers find better ways to accomplish our goals and make everyone's work easier and more focused at the same time.

How has being a member of ECOS benefitted you?
Besides making some great friends, I have appreciated learning how other states do the same business as Iowa, but in varied ways. I have brought many ideas back home to be incorporated into our work at DNR.

What is the best management advice you've received?
"Care more about the people you have than for the ones you wish you had."--Chuck Gipp, DNR Director

CONTINUED HERE

Need-to-Know News in Cooperative Federalism & Water

Cooperative Federalism 2.0 Document Featured on 'States at the Table' Website

Area of Focus: Cooperative Federalism

ECOS' Cooperative Federalism 2.0 document is featured on the States at the Table webpage, a joint project of the Council of State Governments and the Association of Air Pollution Control Agencies to provide an online comprehensive resource for state leaders from all three branches of government on opportunities to interact with federal energy and environmental agencies through Federal Advisory Committees (FACs).

By providing timely information on meetings, activities, and openings with FACs of interest, States at the Table seeks to promote federalism on environmental and energy issues and to provide interested state officials opportunities to engage with their federal counterparts. The site focuses on FACs of interest at U.S. EPA and the U.S. Department of Energy, National Oceanic and Atmospheric Administration, and U.S. Department of Interior. [Swanson]

U.S. EPA Invites Comment on Proposal to Withdraw CWA Restrictions for Pebble Mine

Area of Focus: *Water*

U.S. EPA on July 11 proposed to withdraw its July 2014 Clean Water Act Proposed Determination that would, if finalized, have imposed restrictions on the discharge of dredged or fill material associated with the potential Pebble Mine in Alaska's Bristol Bay watershed. The agency, which is seeking public comment on the proposal, is consulting with federally recognized tribal governments of the Bristol Bay region and with Alaska Native Claims Settlement Act Regional and Village Corporations with lands in the Bristol Bay watershed.

Public comments must be received on or before 90 days from the date of publication of the *Federal Register* notice. Comments will be accepted by email to ow-docket@epa.gov with docket number EPA-R10-OW-2017-0369 in the email subject line.

Read the pre-publication *Federal Register* notice. [Parisien]

ITRC

Interstate Technology and Regulatory Council

ITRC Launches New Streamlined Website

ITRC is pleased to announce the launch of its new website. The new layout is more user-friendly and streamlined, and staff can't wait to see what the ECOS and ITRC communities think.

Please feel free to contact ITRC with any comments or suggestions. Your thoughts are welcome and appreciated! [Bodi]

ERIS

Environmental Research Institute of the States

ERIS/ORD Meeting in Oklahoma

The Environmental Research Institute of the States (ERIS) Board and U.S. EPA's Office of Research and Development (ORD) convened in Oklahoma City for its annual joint meeting this week.

On Tuesday, ERIS board members, ORD staff, and executive employees of the Oklahoma Department of Environmental Quality (DEQ) drove to the Robert S. Kerr Environmental Research Center, ORD's Groundwater, Watershed, and Ecosystem Restoration laboratory in Ada, Oklahoma. Roundtable discussion covered topics including research needs, state-federal partnerships, and updates on pilot programs like C-FERST and the wildfire smoke guide. Lab scientists also provided a tour of the Kerr facilities and brief overviews of their current projects. In the evening, DEQ staff introduced meeting attendees to a Village Green Bench, a project in Oklahoma City's Myriad Botanical Gardens that measures air quality and weather conditions in real-time using new technologies built into a solar-powered park bench.

DEQ hosted the Board and ORD staff at their offices on Wednesday to conclude the meeting. The agency detailed Oklahoma's environmental challenges, and meeting attendees discussed prominent issues like perfluorinated chemicals and risk communication, and next steps for ERIS and ORD.

Oklahoma DEQ Executive Director Scott Thompson (top right) and ERIS Board Members at EPA's Village Green Bench in Oklahoma City's Botanical Garden. Top Row: Paul Mercer (ME), Bob King, Thompson; Bottom Row: ERIS President David Paylor (VA), Martha Rudolph (CO), and Bill Holman.

Upcoming Events

Calls

TIME CHANGE: ECOS, US EPA on FY 2018-19 Draft NPM Guidance Documents

ECOS' Call with EPA's Office of Water (OW) on their FY18-19 NPM guidance has been rescheduled to take place an hour

earlier than originally planned. The call will now occur next Thursday, **July 20th at 2-3 p.m. Eastern**. The conference call information is: 1-866-299-3188; Code: 202-564-0516. (Please note, the agenda that was originally distributed for this call listed an incorrect access code for the conference line. The code listed above is correct).

In late June, U.S. EPA has released its draft National Program Manager (NPM) Guidance documents for fiscal years (FY) 2018-19. The documents are available for public comment until **July 28**. This week, ECOS' Partnership and Performance Workgroup held calls with three other EPA program offices- OAR, OLEM, and OECA- to discuss their FY18-19 guidance documents.

States should send comments to Owen McAleer of ECOS by July 21 to be considered in ECOS' input on the guidances. Please contact Owen with any questions. with any questions. [McAleer]

Webinars

ITRC on Groundwater Statistics for Environmental Project Managers

An upcoming ITRC online training and associated technical document will bring clarity to the planning, implementation, and communication of groundwater statistical methods, and should lead to greater confidence and transparency in the use of groundwater statistics for site management. The training will be held **July 18 at 1-3:15 p.m. Eastern**.

Learn more and register here. [Bodi]

U.S. EPA on Beta ECHO Biosolids Data

U.S. EPA has developed an Enforcement and Compliance History Online (ECHO) facility search form for the NPDES Biosolids data coming in with the 2016 implementation of the NPDES eReporting Rule. U.S. EPA has begun collecting Biosolids Annual Reports electronically in the 42 states where it implements the federal Biosolids Program. The search allows for customized search, sort, and download of biosolids data for the first time. States are invited to see a demonstration of this feature and provide feedback prior to release to the public.

Questions on which EPA seeks feedback on are:

- Can you find the biosolids data you're seeking?
- Are there places in the search form that don't make sense?
- Once there are multiple years of annual report data available, how do you want to search and view these results?

To join a webcast on the topic on **July 19 at 1-2 p.m. Eastern**, call (866) 299-3188
and enter passcode 2025645960#. The webcast link is here.

For more information, including information on how to test the biosolids search prior to the webinar, contact Rebecca Kane at (202) 564-5960. [Graves]

U.S. EPA on ECOTOX

U.S. EPA will hold its monthly Tools and Resources Webinar on **July 19 at 3-4 p.m. Eastern**. The webinar will focus on ECOTOXicology, a comprehensive, publicly-available knowledgebase that provides chemical environmental toxicity data on aquatic life, terrestrial plants, and wildlife.

State environmental and health agencies, tribes, local governments, communities, stakeholders, and others interested in learning about predicting chemical toxicity and potential exposure effects should register here. [Longsworth]

ITRC on Geospatial Analysis for Optimization at Environmental Sites

Optimization activities can improve performance, increase monitoring efficiency, and support site decisions. Project managers can use geospatial analysis for evaluation of optimization opportunities. Unlike traditional statistical analysis, geospatial methods incorporate the spatial and temporal dependence between nearby data points, an important factor for data collected as part of an environmental investigation.

This ITRC course on **July 25 at 1-3:15 p.m. Eastern** will train state regulators and other practitioners in understanding and using geospatial analyses.

Learn more and register here. [Bodi]

U.S. EPA on Water Issues

U.S. EPA has two ongoing webinar series addressing clean water and small water systems. The Office of Research and Development (ORD) hosts a series on water research, with the following monthly webinars scheduled:

- **August 30** - Nutrients: Weatherizing, Salinization, and Evolution of Urban Water
- **October 25** - Life Cycle Assessment as a Decision Support Tool

More information on the water research webinar series, including how to register, is available here.

In addition, ORD and the Office of Water host a monthly webinar series on small drinking water systems. Their schedule for the rest of the year is:

- **July 25** - Water Loss and Distribution System Infrastructure: Leak Detection and Cost Savings
- **August 29** - Treatment and Control for Manganese and Iron
- **September 26** - Small Systems Research DeRISK Center
- **October 31** - State Acceptance of UV Disinfection Technologies
- **November 28** - Lead in Schools and Selecting Lead Free Fixtures
- **December 12** - Residual Chlorine and Calibration Check for Chlorine Instruments

More information on the small systems webinars, including recordings of past webinars and how to register, is available here. [Hanson]

U.S. EPA on C-FERST

U.S. EPA's Office of Research and Development (ORD) will host a Community-Focused Exposure and Risk Screening Tool (C-FERST) training session for ECOS and Association of State and Territorial Health Officials (ASTHO) members on **July 26 at 1-3 p.m. Eastern**. The webinar will feature slides with presenter scripts and a detailed demonstration to aid state environmental staff and health directors who are not confident in using C-FERST themselves in training others to use the tool.

ECOS and ASTHO have been working with ORD on EPA's C-FERST tool, which provides information to help users identify and learn about environmental issues in their communities, and explore exposure and risk reduction options.

If you are interested in joining, please email Sarah Grace Longsworth of ECOS. [Longsworth]

ECOS and U.S. EPA on Compliance Research

A Compliance Research Webinar Series hosted by U.S. EPA OECA's NETI and designed for ECOS members and EPA will help program administrators understand how collaboration with academics can identify effective and measureable approaches to compliance. In each of five webinars, social and behavioral scientists from top universities will present research findings on compliance monitoring, rule and permit design, reporting and transparency, and innovative enforcement. Following the presentations, participants will discuss program initiatives that can be put to the test through collaboration with academics.

The introductory webinar was held June 27. The other webinars will be held as follows:

- Monitoring – **August 9, 3-4:30 p.m. Eastern**
- Rule and Permit Design – **September 28, 2-3:30 p.m. Eastern**
- Reporting and Transparency – **October 24, 2-3:30 p.m. Eastern**
- Innovative Enforcement – **November (TBD)**

For more information, please contact Sonia Altieri of ECOS. [Altieri]

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 5/5/2017 8:40:57 PM
Importance: Normal
Subject: U.S. EPA FY17 Funding, STEP Meeting, & More
Received: Fri 5/5/2017 8:57:17 PM

ECOSWIRE

Friday, May 5, 2017

Vol. 19 No. 17

Table of Contents

- Congress Passes FY17 Omnibus that Avoids Significant U.S. EPA Cuts
- STEP Theme and Registration to Go Live Monday
- ECOS Seeks Innovative CWSRF Projects to Spotlight
- U.S. EPA Submits Rule to Repeal and Rewrite WOTUS
- ECOS Welcomes U.S. EPA Step Forward on State CCR Permitting
- ERIS Releases Study of State Research Needs
- State News You Can Use
- Need-to-Know News in Air & Water
- Regulatory Reform Corner
- Upcoming Events

Congress Passes FY17 Omnibus that Avoids Significant U.S. EPA Cuts

Area of Focus: Planning

On May 4, Congress passed an omnibus appropriations bill to fund the federal government through the end of fiscal year 2017. The bill funds U.S. EPA at $8.06B, an $81M or one percent reduction from FY16 enacted funding levels. Noteworthy changes to the State and Tribal Assistance Grants (STAG) account include:

- An increase in the usual rescission from unobligated STAG funds from $40M to $61.2M;
- The addition of a new $4M *Water Quality Monitoring* non-categorical grant to address the Gold King Mine Spill;
- Partial increases in the Diesel Emissions, Targeted Airshed, and CWA §319 grant programs; and
- Elimination of the $21M State Multipurpose Grant program from FY2016.

President Trump, despite earlier comments hinting at a shutdown, is expected to sign the bill before the government shutdown deadline of midnight today. Once the bill is enacted, EPA will have 30 days to release an FY17 operations plan containing program-level information on funding and rescission applications.

For an ECOS chart showing the full EPA budget, click here. [McAleer]

STEP Theme and Registration to Go Live Monday

After wrapping up a successful Spring Meeting last month, ECOS already is busy planning its July 17 STEP Meeting in Washington, DC. The meeting theme, hotel information, and registration will go live on Monday at www.ecos.org.

To discuss STEP sponsorship opportunities, please contact ECOS Executive Director Alexandra Dunn at (202) 266-4929 or adunn@ecos.org. [Lane]

ECOS Seeks Innovative CWSRF Projects to Spotlight

Area of Focus: *Water*

ECOS is pleased to announce the commencement of a project to document additional innovative projects funded by the Clean Water State Revolving Fund (CWSRF) under a cooperative agreement with U.S. EPA's Office of Water. We are seeking 1-2 paragraphs about projects and approaches that demonstrate unique uses and dispersion of CWSRF funds. The uniqueness and creativity of the work could lie in the project itself or in the financing approaches, terms, and conditions. We will ultimately profile about 15 projects, in a variety of large, medium, and small communities, and in rural, suburban, and urban settings. We are especially focusing on projects that benefit disadvantaged communities, that build recipient capacity, and that address sustainability challenges.

ECOS will select 10-15 projects to be featured from those submitted, and will follow up with those points of contact to document the approach in detail. ECOS will write the case studies in summer 2017, and will share drafts with the parties referenced in each case study. A panel of judges will choose three projects from EPA, ECOS, and our partner water associations to be featured in a national webinar in the fall. The report will be designed and finalized shortly thereafter. We will share a link to a recording of the webinar for future use and viewing.

Please see this memorandum for the information you need to respond to this call for brief project descriptions to be included in ECOS' report and webinar. Examples may be provided to Layne Piper of ECOS by May 19. [Piper]

U.S. EPA Submits Rule to Repeal and Rewrite WOTUS

Area of Focus: *Water*

U.S. EPA on May 2 sent to the White House Office of Management (OMB) its first rule under the Trump Administration's policy review order. The proposed rule, "Definition of 'Waters of the United States' –Recodification of Preexisting Rules," would repeal the Obama-era Clean Water Act (CWA) jurisdiction rule as the first step in the process of rewriting that policy.

The proposed rule may not be subject to the Administration's order for agencies to designate two existing rules for repeal for every new rule because it has not been categorized as "economically significant."

Technically the deadline for OMB review is 90 days, but the process could take more time. For a copy of an EPA presentation detailing the process for fulfilling Trump's Executive Order to review the Clean Water Rule, please email Layne Piper. [Piper]

ECOS Welcomes U.S. EPA Step Forward on State CCR Permitting

Area of Focus: *Waste*

ECOS this week commended U.S. EPA on its initiation of guidance regarding EPA review and approval of state applications to operate coal combustion residual (CCR) permit programs. State authority to develop and carry out CCR programs, provided by the 2016 Water Infrastructure Improvements for the Nation Act (WIIN Act), actively had been sought by ECOS and its members.

On April 28, EPA Administrator Scott Pruitt sent letters to the nation's Governors informing them of steps the agency is taking to implement its new authority for approving state programs. "In working together on the draft guidance, EPA and the states are acting in the spirit of cooperative federalism," notes ECOS Executive Director and General Counsel Alexandra Dunn. "ECOS looks forward to continued dialogue with EPA and the Association of State and Territorial Solid Waste Management Officials in the guidance development process." *

The ECOS Waste Committee will discuss development of the guidance during a May 12 call (see related story). [Parisien]

ERIS Releases Study of State Research Needs

Area of Focus: *Environmental Research Institute of the States*

The Environmental Research Institute of the States (ERIS), an affiliate of ECOS, released this week a summary of states' current research needs and environmental priorities identified in its second bi-annual survey. The survey, distributed in fall 2016, aimed to coordinate state science needs with the work of the U.S. EPA's Office of Research and Development (ORD).

States identified surface and groundwater quality, remediation and changing remediation standards, nutrients and nonpoint source water contamination, emerging contaminants and toxics, and air quality, specifically the new ozone standard, as the most pressing challenges for their agencies in 2016. States agreed that more training on federal research information, methods, and tools could help to alleviate these issues, and noted webinars and a searchable website as resources to strengthen communication, translation of research, and the state-federal relationship around research.

ERIS has already communicated the survey results with ORD. In late February and March 2017, ORD hosted a series of follow-up calls with state representatives to discuss in more detail the science needed to address the state identified priority areas. "States are already gaining insight and finding value in the survey follow-up calls conducted with ORD," says David Paylor, ERIS President and Director of the Virginia Department of Environmental Quality. "There have been requests for additional coordination, especially regarding topics of high priority like perfluorinated chemicals."

“The Environmental Research Institute of the States is very pleased to be contributing to forming a dynamic and relevant research agenda, both at the EPA and other federal agencies throughout the scientific and policy community,” says Alexandra Dunn, Executive Director and General Counsel at ECOS.

See the full survey summary here. [Longsworth]

State News You Can Use

Iowa Project AWARE Cleanup to Tackle Upper Cedar River

Delaware Streamlines Government via Open Data Portal

Minnesota Expands Plastics Collection Services

South Carolina Works to Curb Food Waste

Ohio Offers Array of Assistance Services to Communities and Businesses

Texas Offers Tips on Going Green with Pets

Need-to-Know News in Air & Water

Twelve Governors Urge Trump to Stay in Paris Agreement, Keep U.S. Commitments

Area of Focus: *Air*

Governors from California, Colorado, Connecticut, Delaware, Hawaii, Minnesota, New York, Oregon, Pennsylvania, Rhode Island, Virginia, and Washington this week signed onto a letter urging President Trump to remain in the Paris Climate Agreement and uphold the United States' commitment to reduce greenhouse gas emissions 26-28 percent below 2005 levels by 2025.

Click here to view the letter. [Poole]

Pruitt Sees 'Relief' Coming after Ending EPA's 'War on Coal'

Area of Focus: *Air*

In a May 1 op-ed in the *Washington Times,* U.S. EPA Administrator Scott Pruitt writes that "relief – and prosperity – is on the way" because the Trump administration has ended the "war on coal" by targeting major climate change regulations such as the agency's greenhouse gas standards for existing power plants.

Pruitt also maintains that greenhouse gas emissions growth in China and India "would continue unchecked" under Obama Administration policies and criticizes the Clean Power Plan for yielding "very little" environmental benefits while simultaneously imposing major economic costs.

For more information, please follow this link. [Poole]

Governors Form Water Policy Learning Network

Area of Focus: *Water*

The National Governors Association this week announced the formation of a new Water Policy Learning Network in its Center for Best Practices, to be co-chaired by Governors Edmund G. Brown of California and Larry Hogan of Maryland. The goal of the network is to inform Governors' natural resource advisors on best practices for water policy that "they are uniquely positioned to advance."

For more information, see NGA's press release. [Piper]

Regulatory Reform Corner

In accordance with Executive Order 13777, "Enforcing the Regulatory Reform Agenda," U.S. EPA is seeking input on regulations that may be appropriate for repeal, replacement, or modification.

On April 11, EPA announced it is soliciting public comments on its evaluation of existing regulations per EO 13777. All public comments will be accessible online in U.S. EPA's docket on the Regulations.gov website identified by Docket ID No. EPA-HQ-OA-2017-0190. On April 13, EPA issued a *Federal Register* notice: Evaluation of Existing Regulations.

On March 24, EPA Administrator Scott Pruitt issued an agency-wide memorandum on implementation of EO 13777, which announced members of the required Regulatory Reform Task Force and directed program offices to seek public input on existing regulations and report findings to the Task Force by May 15. Per the Administrator's March 24 memo, EPA offices have conducted several sessions and still plan the following:

- The Office of Land and Emergency Management will host a public meeting to obtain public feedback on **May 9 at 9 a.m.- 5 p.m. Eastern** in Arlington, VA.

To track all U.S. EPA regulatory reform activities, visit the regulatory reform central website at https://www.epa.gov/laws-regulations/regulatory-reform. [Parisien]

Upcoming Events

Calls

Shale Gas Caucus

The Shale Gas Caucus will hold the next call in its produced water series on **May 10 at 2-3 p.m. Eastern.** Participants will hear from the Environmental Defense Fund on U.S. EPA's publicly owned treatment works guidance and from Anadarko on centralized waste treatment permitting. Time will be allotted at the end of the call for a discussion of proposed topics for the SGC's third phase.

A calendar invitation has been distributed to SGC members, and an agenda and materials will follow. For additional information or to participate (open to states and EPA), contact Lia Parisien of ECOS. [Parisien]

Waste Committee

The ECOS Waste Committee will hold a call on **May 12 at 3-4 p.m.** Eastern to discuss the development of EPA guidance on state combustion residual (CCR) permitting programs. Moderated by Waste Committee Chair Scott Thompson of Oklahoma, the call will feature Association of State and Territorial Waste Management Officials (ASTSWMO) CCR Workgroup Co-Chairs Bonnie Buthker of Ohio and Mike Forbeck of Ohio, who will report out on the workgroup's recent discussions. States will then have a chance for Q&A and input.

A Google call invitation has been distributed. To be added to the invitation, please contact Lia Parisien. [Parisien]

Webinars

ITRC on Long-Term Contaminant Management

Institutional controls (ICs) are administrative or legal restrictions that provide protection from exposure to contaminants on a site. When ICs are jeopardized or fail, direct exposure to human health and the environment can occur.

While guidance and research to date has focused on the implementation of ICs, a training class on **May 9 at 1-3:15 p.m. Eastern** will focus on post-implementation IC management, including monitoring, evaluation, stakeholder communications, enforcement, and termination.

Learn more and register here.

Combined Air Emissions Reporting (CAER) Project

E-Enterprise

On **May 10 at 2-3 p.m. Eastern**, a webinar will be held on the Combined Air Emissions Reporting (CAER) project. CAER is a collaborative effort among U.S. EPA, state, tribal, and local air agencies to streamline industry reporting of air emissions

and associated data. The webinar will offer an advance look at the presentation planned for EN2017 and will include information on CAER's background, supporting projects, and lessons learned to date.

Registration is available here. The call-in number is (415) 930-5321, with access code 945641420. Contact Joe Mangino of U.S. EPA for more information. [Parisien]

ECOS on State Lean Skills Exchange Program

On **May 10 at 2-3 pm Eastern**, ECOS will hold a webinar on its State-to-State Business Process Improvement (BPI) Skills Exchange Program. This program, kicked off in 2016, pairs BPI leaders across state agencies and provides support for a short, in-person staff detail focused on training, strategic planning, or other capacity building exercises.

Guests will hear from the state participants in three different exchanges, as well as an introduction from ECOS Innovation & Productivity Committee Chair John Mitchell of Kansas. To register for the webinar, click here. [McAleer]

ITRC on LNAPLs

Light non-aqueous phase liquids (LNAPLs) are organic liquids such as gasoline, diesel, and other petroleum hydrocarbon products. Understanding LNAPLs is important because they are present in the subsurface at thousands of remediation sites across the country, and are often the sole reason why a site remains "open."

This ITRC training course is relevant for all levels of state and federal regulators, environmental consultants, and technically inclined site owners and public stakeholders. The training course is divided into three parts:

- LNAPL Characterization and Recoverability -- Improved Analysis on **May 11 at 1-3:15 p.m.** Learn more and register.
- Evaluating LNAPL Remedial Technologies for Achieving Project Goals on **May 18 at 1-3:15 p.m.** Learn more and register. [Bodi]

U.S. EPA on Stormwater Finance

EPA's Water Infrastructure and Resiliency Finance Center and the Water Environment Federation are hosting a series of webinars on stormwater finance. The series will focus on strategies that counties can use to support stormwater management programs. Each webinar will provide a technical overview of successful examples of communities supporting stormwater programs.

Please register for the webinars at these links:

- **May 11, 2-3 p.m. Eastern** - Register for webinar
- **May 23, 2-3 p.m. Esatern** - Register for webinar

For more information, click here. [Piper]

EN2017 Meeting Webcast

Exchange Network

The 2017 Exchange Network National Meeting (EN2017) will be broadcast live via webcast! Unable to join us in person? Join the webcast to view the General Sessions on May 16-18 and the Concurrent Presentation Sessions on the afternoons of May 16-17. You will be able to remotely engage in discussions, submit questions to presenters, and interact with panelists!

Registration for the webcast is now open here. There is no charge.

Links to recordings and the presentation slides will be available here. [Ortiz/Parisien]

U.S. EPA on Decentralized Wastewater MOU Partnership

EPA will hold a webinar on "How State and Local Governments Promote and Proclaim SepticSmart Week," presented by the EPA Decentralized Wastewater MOU Partnership. The webinar will be held on **May 16 at 2-3 p.m. Eastern**. Staff from the State of Washington, the State of Alaska, and the City of Ogden Dunes, Indiana will present. Register for the webinar here. [Piper]

U.S. EPA on Rapid Benefit Indicators

The Rapid Benefit Indicators (RBI) approach, developed by EPA's Office of Research and Development, is an easy-to-use process for assessing restoration sites using non-monetary benefit indicators. The RBI approach uses readily available data to estimate and quantify benefits to people around an ecological restoration site using indicators of nature's value to people (ecosystem service benefit indicators).

The framework uses five questions to guide the process of indicator selection and measurement: Can people benefit from an ecosystem service? How many people benefit? How much are people likely to benefit? What are the social equity implications? How reliable are benefits expected to be over time?

State environmental and health agencies, tribes, and others are invited to register for the webinar on **May 17 at 3-4 p.m. Eastern**. To join, please register here. If you are unable to listen through your computer speakers, please dial (866) 299-3188 and enter access code 2025646669.

Contact Lisa Matthews for more information or Amy Scheuer with registration questions. [Parisien]

U.S. EPA on Water Issues

U.S. EPA has two ongoing series of webinars addressing clean water and small water systems. The Office of Research and Development (ORD) hosts a series on water research with the following monthly webinars scheduled:

- **May 31** - EPA's Global Change Explorer Web Tools Collection
- **June 21** - Nonpotable Water Reuse in Urban Environments

- **August 30** - Nutrients: Weatherizing, Salinization, and Evolution of Urban Water
- **October 25** - Life Cycle Assessment as a Decision Support Tool

More information on the water research webinar series, including how to register, is available here.

In addition, ORD and the Office of Water host a monthly webinar series on small drinking water systems. Their schedule for the rest of the year is:

- **May 20** - Water Systems Partnerships
- **June 27** - Treatment for Harmful Algal Blooms and Associated Toxins and Funding for Upgrades
- **July 25** - Water Loss and Distribution System Infrastructure: Leak Detection and Cost Savings
- **August 29** - Treatment and Control for Manganese and Iron
- **September 26** - Small Systems Research DeRISK Center
- **October 31** - State Acceptance of UV Disinfection Technologies
- **November 28** - Lead in Schools and Selecting Lead Free Fixtures
- **December 12** - Residual Chlorine and Calibration Check for Chlorine Instruments

More information on the small systems webinars, including recordings of past webinars and how to register, is available here. [Hanson]

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 8/4/2017 7:16:46 PM
Importance: Normal
Subject: ECOS Explores Lean, Superfund, & Results, Publishes Green Report on Permit Streamlining
Received: Fri 8/4/2017 7:17:54 PM

ECOSWIRE

Friday, August 4, 2017

Vol. 19 No. 30

Table of Contents

- States, U.S. EPA Gather in Denver to Talk Lean
- ECOS Superfund Workgroup Holds Inaugural Call, Seeks More Members
- ECOS All-Member Webinar Provides Sneak Preview of ECOSResults.org
- New ECOS Green Report Spotlights State Permit Streamlining
- ECOS, Other Associations Urge U.S. EPA to Clarify 404 Assumption
- ECOS Fall Meeting Early Registration Ends Today; Room Block Closes August 9
- State News You Can Use
- Member Spotlight
- Need-to-Know News in Air & Waste
- Opportunities
- Upcoming Events

States, U.S. EPA Gather in Denver to Talk Lean

A group of 42 business process improvement (BPI) leaders representing 16 states and U.S. EPA met this week at EPA's Region 8 offices in Denver to share lessons learned and strengthen ties among environmental agency process improvement professionals. Over the course of the August 1-2 gathering, the group formulated a plan to coordinate their respective initiatives, share results data, and establish a structure for an official national BPI network.

State leaders and EPA Lean Advocates also gained insight from presentations and tours from several Colorado-based innovators including the City of Denver Peak Academy, Colorado Department of Transportation, and Governor's Office Lean

team.

ECOS thanks all the states that participated in the meeting: Arizona, Arkansas, California, Colorado, Delaware, Iowa, Minnesota, Montana, New Hampshire, Ohio, Rhode Island, Utah, Vermont, Washington, Wisconsin, and Wyoming. Please contact Owen McAleer of ECOS for more information on this work.

In related news, the EPA Office of the Inspector General (OIG) this week released a report finding that the agency "needs to institutionalize its 'Lean' program to reap cost and time benefits." Among OIG's recommendations to the agency was the "development of a cohesive strategy for leading, implementing, and monitoring the Lean initiative." Last month, EPA named former ECOS member Henry Darwin of Arizona as Assistant Deputy Administrator and Chief Operating Officer with the charge of implementing a Lean management system to achieve better results for the agency. Darwin will participate in an ECOS Fall Meeting roundtable on *Inspiring Innovation and a Change-Oriented Culture* alongside his Arizona successor, Misael Cabrera, and other states. [McAleer]

State leaders at the Lean Meeting in Denver.

ECOS Superfund Workgroup Holds Inaugural Call, Seeks More Members

Senate Hearing Focuses on Superfund Modernization

A new ECOS Superfund Workgroup on July 31 held its inaugural call to chart a cooperative federalism course in implementing the recent recommendations of the U.S. EPA Superfund Task Force recommendations (see July 28 edition of *ECOSWIRE*). Led by ECOS Waste Committee Chair Scott Thompson of Oklahoma, the workgroup will hold monthly calls to maximize state-federal cooperation in implementing the federal recommendations. Task force Chair Kell Kelly, Senior Advisor to the EPA Administrator, will participate in the workgroup along with other EPA officials and leaders of the Association of Solid Waste Management Officials (ASTSWMO).

On the call, ECOS members expressed support for the overarching goals of the recommendations to accelerate and improve cleanups and said states want to be an integral part of achieving them. Members pointed to a need to be involved upfront in issues like remedy selection and to find ways to avoid duplication of effort and contain costs to states.

In August 1 testimony before a Senate Environment & Public Works subcommittee, former ASTSWMO President Jeffery Steers echoed these sentiments, pointing to an opportunity to modernize certain aspects of Superfund law to acknowledge the role of states as co-regulators who operate sophisticated programs across the country. "Our members, and to some extent our regulated community, continue to be challenged with the skyrocketing financial obligations associated with remediating contaminated lands," Steers said.

Steers also pointed to ECOS' *Cooperative Federalism 2.0* effort during the question-and-answer period. C-SPAN's video coverage of the hearing is available here.

If you are interested in participating in the new ECOS workgroup, or have written comments or suggested call topics to

share, please contact Lia Parisien of ECOS. [Parisien/Harrison]

ECOS All-Member Webinar Provides Sneak Preview of ECOSResults.org

ECOS convened an All-Member Webinar on August 1 to provide an update on the ECOS Results Project and a first glimpse at preliminary infographics and site designs of ECOSResults.org. An adaptable and engaging website, ECOSResults.org will use charts, graphs, and other data displays to show the progress states are making to protect human health and the environment.

Under the leadership of ECOS President John Linc Stine of Minnesota and Past President Martha Rudolph of Colorado, ECOS launched the project in 2016 to identify common environmental, economic, and public health progress measures for all states to use. Fourteen common measures were selected in early 2017 following a robust state-led process through the ECOS Planning Committee, in coordination with the state environmental media associations.

ECOS members on the call were supportive of the design preview. Stay tuned for a demo of ECOSResults.org at the ECOS Fall Meeting. If you have any questions about the project, please contact Sonia Altieri or Connor MacCartney of ECOS. [Altieri]

New ECOS *Green Report* Spotlights State Permit Streamlining

In an effort to showcase state innovations in permitting processes, ECOS has prepared a *Green Report* on permit streamlining efforts.

The report, titled *Streamlining Permitting: An Inventory of State Environmental Agency Online Tools and Resources*, provides details of initiatives as they appear on the websites of state environmental agencies. [Harrison]

ECOS, Other Associations Urge U.S. EPA to Clarify 404 Assumption

This week ECOS and the Association of Clean Water Administrators and Association of State Wetland Managers sent a letter to U.S. EPA's Office of Water encouraging the agency to adopt the majority recommendations included in the final report of the Assumable Waters Subcommittee and undertake an effort to clarify Section 404(g), either through guidance or rulemaking.

The letter expresses appreciation for the agency's response to state requests to clarify the 404 assumption process, and says "many states already play a major role in implementation of dredge and fill regulations, and that combined state-federal programs provide effective, efficient, resilient, protective, and stable regulation in accordance with Section 404 of the Clean Water Act." [Piper]

ECOS Fall Meeting Early Registration Ends Today; Room

Block Closes August 9

Early registration closes today for ECOS' action-packed 2017 Fall Meeting in Jackson Hole, Wyoming on *Bright Ideas: States Leading the Way*. The interactive program ties together a number of cutting-edge ECOS initiatives of interest to a variety of stakeholders. Among the highlights, ECOS will feature outstanding programs selected for 2017 State Program Innovation Awards, unveil a new dashboard that states can use to better protect human health and the environment, and explore early wins in its Cooperative Federalism 2.0 campaign to forge an improved state-U.S. EPA partnership.

Confirmed keynoters are Wyoming Governor Matt Mead and former ECOS member Collin O'Mara (Delaware), now President & CEO of the National Wildlife Federation. Attendees also will be welcomed to the meeting by David Vela, Superintendent of Grand Teton National Park. U.S. EPA officials already confirmed to attend are Assistant Deputy Administrator & Chief of Operations Henry Darwin, Senior Advisor to the Administrator for Regional & State Affairs Ken Wagner, and Acting Deputy Administrator Mike Flynn. Sure to be a highlight of the meeting is an evening excursion to Grand Teton National Park.

The public portion of the Fall Meeting runs September 11 and 12, with **states-only sessions planned until 11:15 a.m. on September 13**. These discussions will be followed by the E-Enterprise for the Environmental Leadership Council Meeting on the afternoon of September 13 and morning of September 14 until 11:30 a.m. The special ECOS group rates at Snow King Resort are available until **August 9** or sellout of the room block, whichever is sooner.

See the Fall Meeting website for the agenda, online registration, hotel reservation link, hotel overflow suggestions, ground transportation options, and area attractions. For more information about the agenda, sponsorship opportunities, or the hotel, contact Lia Parisien of ECOS. For additional registration information, contact Sarah Grace Longsworth of ECOS. [Parisien]

State News You Can Use

New York YouTube Series Features DEC Staff and Their Work

Pennsylvania Develops App for O&G Inspections, Nominated for National Award

Tennessee Digitizes Septic System Cords for Public

Missouri Offers Compliance Assistance Visits

Rhode Island Offers $4 Million to Help Communities Protect Open Space

Utah Voluntary Cleanup Program Promotes Streamlined Process

Member Spotlight

Two Minutes with Julie Moore, Secretary, Vermont Agency of Natural Resources

How long have you been Secretary of the Vermont Agency of Natural Resources? What's your best experience thus far?

I was appointed by Governor Phil Scott in January 2017. My best experience thus far been the opportunity to learn from the amazing scientists and practitioners who work on the incredible diversity of issues ANR is tasked with – everything from cumulative contaminant risk to groundwater as a public trust to forest fragmentation and even endangered mussels!

How has being a member of ECOS benefited you?

ECOS provides the opportunity to meet my counterparts in other states. Still feeling quite new to the job, there is so much value in having a network of peers who are very generous with their time and sharing their experience.

What is the best management advice you've received?

"Play it straight." Ultimately, people – whether staff, advocates, or the public – appreciate direct, concise, honest answers, including saying "I don't know" when you don't know.

CONTINUED HERE

Need-to-Know News in Air & Waste

U.S. EPA Withdraws Extension for 2015 Ozone NAAQS Designations

Area of Focus: *Air*

On August 2, U.S. EPA withdrew the 1-year extension of the deadline for promulgating initial area designations for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) published in the June 28 *Federal Register*. Through discussions with states concerning designations, EPA now understands that the information gaps that formed the basis of the extension may not be as expansive as the agency previously believed. There may be areas where designations could move forward in the next few months. Publication of this action in the *Federal Register* is expected within the next couple of weeks.

The action comes a day after several states filed a petition for review in the U.S. Court of Appeals for the DC Circuit. New York, California, Connecticut, the District of Columbia, Delaware, Illinois, Iowa, Maine, Maine, Massachusetts, Minnesota, New Mexico, Oregon, Rhode Island, Pennsylvania, Vermont, and Washington are asking the U.S. Court of Appeals to review EPA's decision to extend the deadline for promulgating initial area designations for the 2015 ozone NAAQS.

While not referencing the lawsuit directly, EPA Administrator Scott Pruitt notes in an August 2 press release, "Under previous Administrations, EPA would often fail to meet designation deadlines, and then wait to be sued by activist groups and others, agreeing in a settlement to set schedules for designation. We do not believe in regulation through litigation, and we take deadlines seriously." He adds, "We believe in dialogue with, and being responsive to, our state partners. Today's action

reinforces our commitment to working with the states through the complex designation process." [Poole]

U.S. EPA 2017 Air Trends Report Shows Significant Progress

Area of Focus: *Air*

On August 2, U.S. EPA released its annual air trends report titled *Our Nation's Air: Status and Trends Through 2016* that shows significant air quality strides during a time of economic growth.

Reporting that that this progress often is overlooked, EPA points to the Association of Air Pollution Control Administrators' report *The Greatest Story Seldom Told*, which explains that "[t]hrough the Clean Air Act's framework of cooperative federalism, hard-working state and local air agencies have been responsible for tremendous progress in virtually every measure of air quality."

The report shows that between 1990 and 2016, national concentration averages of harmful air pollutants decreased considerably, with:

- Lead (3-month average) down 99 percent;
- Carbon monoxide (8-hour) down 77 percent;
- Sulfur dioxide (1-hour) down 85 percent;
- Nitrogen dioxide (annual) down 56 percent;
- Ground-level ozone (8-hour) down 22 percent;
- Coarse Particulate Matter (24-hour) down 39 percent; and
- Fine Particulate Matter (24-hour) down 44 percent.

However, EPA Administrator Scott Pruitt does note, "Despite this success, there is more work to be done. Nearly 40 percent of Americans are still living in areas classified as 'nonattainment' for failing to achieve national standards. EPA will continue to work with states, tribes, and local air agencies to help more areas of the country come into compliance."

See more information here. [Poole]

U.S. EPA Tests New Smoke Sense App to Educate Public and Gather Information

Area of Focus: *Air*

U.S. EPA has released a new smartphone app that will help develop risk communication strategies and determine the extent that exposure to wildland fire smoke affects health and productivity. The Smoke Sense app, currently available only for Android phones, allows individuals to learn about wildfires and smoke health risks in their area, report their health symptoms, and report the range of actions they are willing to take to reduce their exposure. The app provides users current and forecasted air quality by zip code and a map showing current fires and smoke plumes. More information about the app and the research it supports is available here.

With the nation in the midst of wildfire season and wildfire smoke triggering air pollution advisories, states may want to review information in *Wildfire Smoke: A Guide for Public Health Officials* to help prepare for and address wildfire smoke events. [Hanson]

U.S. EPA Adds Superfund Sites to National Priorities List

Area of Focus: *Waste*

U.S. EPA announced July 31 that it is adding seven, and proposing to add four, hazardous waste sites to the Superfund program's National Priorities List (NPL). Superfund law directs EPA to update the NPL annually, and only sites added to the NPL are eligible to receive federal funding for long-term permanent cleanup.

"My goal as Administrator is to restore the Superfund program to its rightful place at the center of the agency's core mission," said EPA Administrator Scott Pruitt. "When we clean up these sites, we make communities healthier places to live and clear the way for development and increased economic activity."

The following sites are being added to the final NPL:

- The Battery Recycling Company in Bo. Cambalache, Puerto Rico
- Former Custom Cleaners in Memphis, Tennessee
- Highway 18 Ground Water in Kermit, Texas
- Microfab Inc. in Amesbury, Massachusetts
- Old Highway 275 and N. 288th Street in Valley, Nebraska
- Post and Lumber Preserving Co. Inc. in Quincy, Florida
- Saint-Gobain Performance Plastics in Village of Hoosick Falls, New York

The following sites are being proposed for addition to the NPL:

- Newark South Ground Water Plume in Newark, Delaware
- American Creosote DeRidder in DeRidder, Louisiana
- Mississippi Phosphate Corporation in Pascagoula, Mississippi
- Eagle Industries in Oklahoma City, Oklahoma

Federal Register notices and supporting documents for the final and proposed sites are here. [Parisien]

Opportunities

U.S. EPA Seeks State Officials for Local Government/Small Community Advisory Committees

U.S. EPA seeks local, state, and tribal elected and appointed officials for its Local Government Advisory Committee (LGAC) and the Small Community Advisory Committee (SCAC). The LGAC provides advice on the development and implementation of agency programs at the local level, while SCAC members serve to represent communities of under 10,000. Applications are due **August 10** for consideration for September 2017 appointments to 1-2 year terms.

The full solicitation is available here. [Parisien]

Upcoming Events

Calls

PFAS Workgroup

ECOS and U.S. EPA's joint PFAS Workgroup will host a bimonthly call for interested state and EPA partners on **August 7 at 4-5 p.m. Eastern**. The purpose of the call is to share information on PFAS work, including analytical methods, toxicity, and treatment. Monday's call will feature a discussion of EPA's cross-agency coordination of PFAS activities from the agency's Office of Research and Development (ORD) Acting Assistant Administrator Bob Kavlock, as well as an update on the EPA's PFAS Analytical Methods Workgroup from Co-Chairs Cindy Caporale of Region 3, Schatzi Fitz-James of the Office of Land and Emergency Management, and Chris Impellitteri of ORD. States will also have time to share and discuss their PFAS updates.

Please pre-register for the call by contacting Sarah Grace Longsworth of ECOS with questions or for a copy of the workgroup's May call summary. [Longsworth]

Webinars

ECOS and U.S. EPA on Compliance Research Part 2

Jodi Short of the University of California Hastings College of Law will present "Monitoring: A Review of Research on Inspection and Compliance for Regulators" on **August 9 at 3-4:30 p.m. Eastern**. The research highlights what is known about the way monitoring practices can drive – or undermine – compliance.

The Compliance Research Webinar Series, hosted by EPA OECA's NETI and designed for ECOS, U.S. EPA, and state environmental agencies, will help program administrators understand how collaboration with academics can identify effective and measureable approaches to compliance. In each of the webinars, social and behavioral scientists from top universities will present research findings on compliance monitoring, rule and permit design, reporting and transparency, and innovative enforcement. Following the presentations, participants will discuss program initiatives that can be put to the test through collaboration with academics.

Additional webinars will be held as follows:

- Rule and Permit Design – **September 28, 2-3:30 p.m. Eastern**
- Reporting and Transparency – **October 24, 2-3:30 p.m. Eastern**
- Innovative Enforcement – **November (TBD)**

For more information, please contact Sonia Altieri at saltieri@ecos.org. [Altieri]

ITRC on Long-Term Contaminant Management Using Institutional Controls

On **August 14 at 1-3:15 p.m. Eastern**, ITRC will host an online training on Long-Term Contaminant Management Using Institution Controls (ICs).

ICs are administrative or legal restrictions that provide protection from exposure to contaminants on a site. When ICs are

jeopardized or fail, direct exposure to human health and the environment can occur. After attending this training, participants will be able to describe best practices and evolving trends for IC management at individual sites and across state agency programs, improve IC reliability and prevent IC failures, and improve existing, or develop new IC management programs.

Learn more and register here. [Bodi]

U.S. EPA on Water Finance Clearinghouse

U.S. EPA, through the Water Infrastructure and Resiliency Finance Center, this week launched the Water Finance Clearinghouse, a web-based portal to help communities make informed financing decisions for their drinking water, wastewater, and stormwater infrastructure needs. The Clearinghouse contains a database with more than $10 billion in water funding sources and more than 550 resources to support local water infrastructure projects. The clearinghouse follows a crowdsourcing model and can be updated in real time based on suggestions from states, federal agencies, and other water sector stakeholders through the Contributor Portal.

States can register for webinars on how to use the Clearinghouse on **August 14, 18, 24, and 31.** All webinars will be held at **2-3 p.m. Eastern**. [Piper]

U.S. EPA on CROMERR Shared Services

EPA's Office of Environmental Information will hold an open call on its Shared Cross-Media Electronic Reporting Rule (CROMERR) Services (SCS) as a follow-up to the webinar held in May. Over the past couple of years, EPA has assisted co-regulators in implementing electronic reporting programs by developing and managing CROMERR- compliant services centrally and offering these services to co-regulators as needed to reduce time and money from developing and maintaining these services independently.

This webinar will be held on **August 16 at 2 p.m. Eastern.** U.S. EPA will present the latest enhancements and alternatives available to co-regulators and discuss the processes, roles, and resource requirements for integrating and managing SCS. Existing SCS implementers and those planning to implement new electronic reporting programs in their agencies may be interested in attending.

To register, click here. [Ortiz/Parisien]

U.S. EPA on ECHO Training

Join the Enforcement and Compliance History Online (ECHO) team for another quarterly training webinar. This webinar will focus on water facility search tools including the water facility search, effluent charts, and the pollutant loading tool.

The webinar will be held on **August 22 at 1:30 p.m. Eastern**, and registration is available here. It will be recorded for the training page if this time conflicts with your schedule. [Piper]

EPA Tools and Resources Webinar

U.S. EPA will hold its monthly Tools and Resources Webinar on **August 23 at 3-4 p.m. Eastern**. The webinar will highlight the National Stormwater Calculator (SWC), which supports local, state, and national stormwater management objectives and regulatory efforts to reduce runoff and impairment through infiltration and retention using green infrastructure practices as low impact development controls. The primary focus of the SWC is to inform site developers as to how well they can meet a desired stormwater retention target with and without the use of green infrastructure. While the SWC currently operates only as a Windows-based desktop program, a mobile application version compatible with all operating systems will be released this fall.

To join the webinar, register here. [Longsworth]

U.S. EPA on Water Issues

U.S. EPA has two ongoing webinar series addressing clean water and small water systems. The Office of Research and Development (ORD) hosts a series on water research, with the following monthly webinars scheduled:

- **August 30** - Nutrients: Weatherizing, Salinization, and Evolution of Urban Water
- **October 25** - Life Cycle Assessment as a Decision Support Tool

More information on the water research webinar series, including how to register, is available here.

In addition, ORD and the Office of Water host a monthly webinar series on small drinking water systems. Their schedule for the rest of the year is:

- **August 29** - Treatment and Control for Manganese and Iron
- **September 26** - Small Systems Research DeRISK Center
- **October 31** - State Acceptance of UV Disinfection Technologies
- **November 28** - Lead in Schools and Selecting Lead Free Fixtures
- **December 12** - Residual Chlorine and Calibration Check for Chlorine Instruments

More information on the small systems webinars, including recordings of past webinars and how to register, is available here. [Hanson]

To: Reeder, John[Reeder.John@epa.gov]
From: ECOS
Sent: Fri 6/9/2017 4:11:09 PM
Importance: Normal
Subject: ECOS STEP Agenda, Innovative Approaches to Fostering Compliance, & More
Received: Fri 6/9/2017 4:12:17 PM

ECOSWIRE

Friday, June 9, 2017

Vol. 19 No. 22

Table of Contents

- ECOS Announces Dynamic STEP Meeting Agenda
- Workshop Summary Addresses Innovative Approaches to Fostering Compliance
- ECOS Leaders Join Keystone Energy Board to Discuss U.S. Energy Future
- State News You Can Use
- Need-to-Know News in Air, Water, & Chemicals and Emerging Contaminants
- U.S. EPA News
- ITRC News
- Upcoming Events

ECOS Announces Dynamic STEP Meeting Agenda

ECOS is pleased to announce the agenda for its sixth annual State Environmental Protection (STEP) Meeting, planned for July 17 in Washington, DC. The interactive one-day gathering, themed *Reframing our Environmental Future,* will center on ECOS' cooperative federalism paper, to be released next week.

Among other highlights, the meeting will feature a luncheon keynote address by Richard Lazarus of Harvard Law School on the environmental future, and will include compelling roundtables that explore roles of various stakeholders in the new model of environmental cooperative federalism.

Specifically, roundtables will address:

- Federal and state roles, strengths, and partnerships;
- The role of corporate goals and measurement systems in achieving environmental results and maintaining license to operate;
- How nongovernmental and community organizations can achieve environmental protection and accountability;
- The role of science, research, and new technology;
- Communicating results, measures, outcomes, and safeguards, and defining success.

Register for the STEP meeting by **June 23** to receive the discounted registration rate. The hotel group rate is available until **June 26** or until the block is full. Breakfast, lunch, and breaks will be provided.

For more information on the meeting or speaking and sponsorship opportunities, please contact Layne Piper of ECOS. [Longsworth]

Workshop Summary Addresses Innovative Approaches to Fostering Compliance

A summary report of *Research on Effective Government: A Workshop on Evaluating Innovative Approaches to Fostering Environmental Compliance* is now available. The workshop, held January 27, in Washington, DC, brought together environmental regulators from state agencies and U.S. EPA with scholars from a variety of disciplines for discussions about how regulators can leverage social science knowledge and research methods to foster compliance.

ECOS Compliance Committee Chair Jim Macy of Nebraska, Air Committee Vice Chair Ben Grumbles of Maryland, Water Committee Chair Craig Butler of Ohio, and other state environmental agency representatives participated in the workshop.

As a result of the workshop, ECOS and U.S. EPA will host a series of webinars to provide examples of how social and behavioral science findings have informed public health efforts, followed by a discussion of potential compliance programs ripe for analysis. This series will convey what social scientists know about best practices in compliance effectiveness strategies and how pilots can test new ways to improve compliance outcomes.

The webinars will be held on the following dates:

- Introduction – **June 27, 3-4 p.m. Eastern**
- Monitoring – August 9, **3-4:30 p.m. Eastern**
- Rule and Permit Design – **September 28, 2-3:30 p.m. Eastern**
- Reporting and Transparency – **October 24, 2-3:30 p.m. Eastern**
- Innovative Enforcement – **November (TBD)**

For more information, contact Sonia Altieri of ECOS or Leslie Cronkhite of U.S. EPA. [Altieri]

ECOS Leaders Join Keystone Energy Board to Discuss U.S. Energy Future

Keystone Energy Board Member and ECOS Waste Committee Vice Chair Chuck Carr Brown of Louisiana (left) with ECOS President John Linc Stine of Minnesota.

This week, ECOS President John Linc Stine of Minnesota and Executive Director Alexandra Dunn joined Keystone Energy Board Member Chuck Carr Brown of Louisiana for a meeting of the Keystone Energy Board in Washington, DC.

Currently, ECOS Alumnus Doug Scott (formerly an Illinois member) co-chairs the Board, which for more than 20 years has provided a forum for energy leaders to discuss and debate timely energy and environmental issues.

Topics on the agenda included the future of coal in the U.S. energy portfolio and energy cybersecurity. [Dunn]

State News You Can Use

Several States Launch Climate Alliance in Wake of Paris Accord Withdrawal

Minnesota Expands Air Quality Monitoring

Mississippi Work with Local Governments Yields Record Brownfields Funding

Texas Honors Innovators with Environmental Excellence Awards

Oregon Holds Free Hazardous Waste Classes for Business and Industry

Hoosier Riverwatch Trains Indiana Citizens on Water Quality

Need-to-Know News in Air, Water, & Chemicals and Emerging Contaminants

U.S. EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Area of Focus: *Air*

On June 6, U.S.EPA Administrator Scott Pruitt sent a letter to Governors informing them that the deadline for promulgating initial area designations under the 2015 National Ambient Air Quality Standards (NAAQS) for ozone will be extended by one

year.

Under the Clean Air Act (CAA), EPA is required to issue designations within two years of publication of a new standard, and 2015 ozone NAAQS designations would have been due by October 2017, with state plans due to EPA by August 2017. However, section 107(d) of the CAA authorizes EPA to extend the deadline by up to one year "in the event the Administrator has insufficient information to promulgate the designations."

The deadline extension allows the states additional time to develop their air quality plans, and allows EPA time to review the 2015 ozone NAAQS prior to taking its initial implementation step.

EPA is currently evaluating components of the 2015 ozone NAAQS with a focus on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport; and
- Providing timely consideration of exceptional events demonstrations.

Further, pursuant to the language in the recently enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

For more information, please see this EPA news release. [Poole/Swanson]

Strong Interest Demonstrated in WIFIA Funding

Area of Focus: *Water*

U.S. EPA's Water Infrastructure Finance and Innovation Act (WIFIA) program has received 43 letters of interest from prospective borrowers for water infrastructure projects in response to its Notice of Funding Availability (NOFA)

EPA reports that these letters, in which prospective borrowers have requested $6 billion in loans, demonstrate the pressing need for infrastructure investments and the value of this WIFIA program. WIFIA money can only fund up to 49% of project costs, and the letters detail other funding to be used, including State Revolving Fund loans, private sources, and municipal bonds. [Piper]

NGA Releases Energy-Water Nexus Paper

Area of Focus: *Water*

The National Governors Association (NGA) released a paper this week entitled *Advancing the Energy-Water Nexus: How Governors Can Bridge Their Conservation Goals*. The report looks at opportunities to better design policy to support cost-effective conservation of energy and water resources.

ECOS Executive Director and General Counsel Alexandra Dunn participated in an experts roundtable that contributed to the final product. [Piper]

States and U.S. EPA ORD Establish Regular PFC Calls

Area of Focus: *Chemicals and Emerging Contaminants*

Last week, a small group of states and U.S. EPA's Office of Research and Development (ORD) held a call on challenges surrounding perfluorinated chemicals (PFCs). The discussion focused on analytical methods for identifying and measuring PFCs.

Given broad interest in the topic, the group is being expanded to allow states and ORD to regularly discuss PFC issues. If you or one of your staff would like to be added to the list for future calls, please email Sarah Grace Longsworth of ECOS. [Hanson]

U.S. EPA News

Patrick Traylor Joins U.S. EPA OECA Team

Patrick Traylor has been tapped to serve as U.S. EPA as Deputy Assistant Administrator in the Office of Enforcement and Compliance Assurance (OECA). Most recently, Traylor was a partner at Hogan Lovells, a multinational law firm headquartered in Washington, DC and London, where he focused on environmental law and litigation.

He also has held several law clerk positions at the American Chemistry Council, the U.S. Department of Justice (Environmental Enforcement Section), the U.S. Attorney's Office for the Southern District of Texas (Environmental Crimes Section), and the EPA Region 6 Office of Regional Counsel. [Altieri]

ITRC News

Interstate Technology and Regulatory Council

ITRC Calls for 2018 Technical Team Projects

ITRC is accepting proposals for 2018 technical team projects. All environmental topics important to states will be considered. Proposals that address the following top priorities identified in the 2016 ERIS/ITRC survey will be ranked higher in the selection process:

- Treatment of drinking water and public water supplies;
- Water and groundwater quality – changing standards;
- New technologies/tools, resources to address remediation of contaminated sites;
- Emerging contaminants comparative risk-based standards and removal technologies; and
- Remedy resiliency and remedy design considerations.

Please follow the evaluation criteria and use the proposal template to submit your proposal. Proposals are due by **July 6**. Visit the ITRC website for more information, or contact Director Patricia Reyes with any questions. [Bodi]

Upcoming Events

Calls

Shale Gas Caucus

The ECOS Shale Gas Caucus (SGC) will hold a call on **June 21 at 3-4 p.m. Eastern** to discuss proposed topics for the third phase of its work. Call participants will include SGC Co-Chairs Martha Rudolph of Colorado and Dave Glatt of North Dakota; Scott Anderson, Ben Ratner, and others with EDF; Roy Hartstein of Southwestern Energy; and SGC members. Phase 3 will launch at the September 11-12 ECOS Fall Meeting in Jackson Hole, Wyoming.

A calendar invitation has been sent to SGC members. For more information, please contact Lia Parisien of ECOS. [Parisien]

Webinars

U.S. EPA on SPeCS for SIPs: Plan Collection Interface

U.S. EPA will conduct a repeat of a June 8 webinar on **June 13 at 2-3:30 p.m. Eastern** to provide state, local, and tribal air agencies an overview of the State Plan Electronic Collection System (SPeCS) for State Implementation Plans (SIPs). This new system, still in its early phases of development, will facilitate the electronic submission, processing, and review of SIPs and certain other state submissions to EPA. The webinar will focus on the "Plan Collection Interface" module of the web-based SPeCS, which will provide easy-to-use screens for air agency users to make submissions to the EPA. Through the webinar, EPA will seek air agency input in order to improve the design and functionality of the final system.

For more information on the webinar, contact Mia South of EPA. The webinar link is at here. The meeting number is 741 215 540, with password 12345. Call (866) 557-3330 and use conference code 5037663218. After the presentations, recordings of the webinars will be posted here.

The SPeCs for SIPs project is part of the E-Enterprise for the Environment model. For more information on this project, contact Kelly Poole of ECOS. [Poole]

U.S. EPA on PCB FAST

U.S. EPA Region 9 will hold a webinar on **June 21 at 12:30-2 p.m. Eastern** detailing how to use the PCB Facility Approval Streamlining Toolbox (PCB FAST), a Lean-based process aimed to reduce the average time for PCB cleanup plan approvals. EPA Region 9 will discuss how it used a Lean Six Sigma event to reduce the cleanup plan application approval by 20% while improving communication, avoiding re-do loops, and strengthening relationships with state partners and the regulated communities.

The webinar is open to EPA, state, and industry attendees. To register, see here. [Longsworth]

U.S. EPA on Public Health Impact of Wildfire Smoke Emissions

U.S. EPA will hold a webinar on the "Public Health Impact of Wildfire Smoke Emissions" on **June 21 at 3-4 p.m. Eastern**. The webinar will focus on the agency's 2016 *Wildfire Smoke: Guide for Public Health Officials*, which educates those affected by wildfire smoke on how to reduce exposure, what public health actions are recommended, and how to communicate air quality to the public.

The webinar is open to state environmental and health agencies, tribes, local governments, communities, stakeholders, and

others interested in learning about steps to reduce health effects from wildfire smoke emissions.

To register, click here. [Longsworth]

U.S. EPA on Water Issues

U.S. EPA has two ongoing webinar series addressing clean water and small water systems. The Office of Research and Development (ORD) hosts a series on water research, with the following monthly webinars scheduled:

- **June 21** - Nonpotable Water Reuse in Urban Environments
- **August 30** - Nutrients: Weatherizing, Salinization, and Evolution of Urban Water
- **October 25** - Life Cycle Assessment as a Decision Support Tool

More information on the water research webinar series, including how to register, is available here.

In addition, ORD and the Office of Water host a monthly webinar series on small drinking water systems. Their schedule for the rest of the year is:

- **June 27** - Treatment for Harmful Algal Blooms and Associated Toxins and Funding for Upgrades
- **July 25** - Water Loss and Distribution System Infrastructure: Leak Detection and Cost Savings
- **August 29** - Treatment and Control for Manganese and Iron
- **September 26** - Small Systems Research DeRISK Center
- **October 31** - State Acceptance of UV Disinfection Technologies
- **November 28** - Lead in Schools and Selecting Lead Free Fixtures
- **December 12** - Residual Chlorine and Calibration Check for Chlorine Instruments

More information on the small systems webinars, including recordings of past webinars and how to register, is available here. [Hanson]