



working together to protect our quality of life >>

NEWMOA

2010 annual report



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Letter from NEWMOA's 2010 Co-Chairs

We are proud of the quality of life that we have in the Northeast. Our region is full of wonderful year-round recreational opportunities, plentiful clean water, great cities, good jobs, and much more. However, these qualities will be threatened unless we can continue to innovate and sustain environmental protection in the face of budget cuts and challenges. Interstate collaboration, through NEWMOA, is essential to our efforts to ensure that the quality of life in the Northeast continues to thrive and improve.

Safe management of waste, cleanup of contaminated properties, proper development of Brownfields, and reduced toxics in products are all critical to people's health and economic well being. NEWMOA is dedicated to helping its members fulfill their missions to ensure that these occur in the region.

In Fiscal Year 2010, NEWMOA supported a number of critical state initiatives. These included supporting a newly formed Interstate Chemicals Clearinghouse (IC2), an association of state and local agencies that promotes a clean environment, healthy communities, and a vital economy through the development and use of safer chemicals and products. The members of the IC2 coordinate through the Clearinghouse to help protect vulnerable populations, particularly children, from products and chemicals that may be harmful. This year, the IC2 made substantial progress in establishing a governance structure, offering training webinars, and developing online data resources to support state and local programs.

This year, NEWMOA celebrated the 20th anniversary of the federal Pollution Prevention (P2) Act and the Northeast Assistance and Pollution Prevention Roundtable. To mark this occasion, NEWMOA published two special newsletters – the first one celebrated P2

accomplishments in the region since 1990 and the second one focused on the future. The Newsletters highlighted advances in P2 and sustainable practices. Even with all of the cost effective P2 work over the past 20 years, there are still many challenges that require innovative, cost effective, and creative solutions. During the spring and summer of 2010, NEWMOA's members engaged in productive discussions to identify the opportunities facing P2 and sustainability programs and to outline strategies for moving forward in such key areas as reducing greenhouse gases, promoting economic competition and clean technology, reducing toxics in products, reducing solid waste and advancing product stewardship, conserving water, promoting new technology, conducting community outreach, and measuring results.

NEWMOA's Workgroups (now numbering more than 25) are where the on-the-ground work of the Association takes place. This year the Workgroups addressed gypsum wallboard waste recycling, beneficial use determinations, Brownfields development, and pollution prevention measurement, among other issues. Email listservs, newsletters, and web resources help Workgroups share information.

Identifying and meeting future challenges in waste management is an important focus of NEWMOA. We began to implement the Association's Climate Waste Action Plan during the past year through a regional effort to promote increased recycling of waste paper generated by commercial entities. This effort emerged from an analysis by one of NEWMOA's members that examined greenhouse gas impacts of various types of municipal solid waste. They found that waste paper that is not recycled can contribute significantly to greenhouse gas production. NEWMOA held a summit during the summer of 2010 to begin a discussion with key stakeholders on successful strategies for reducing the generation and increasing the collection

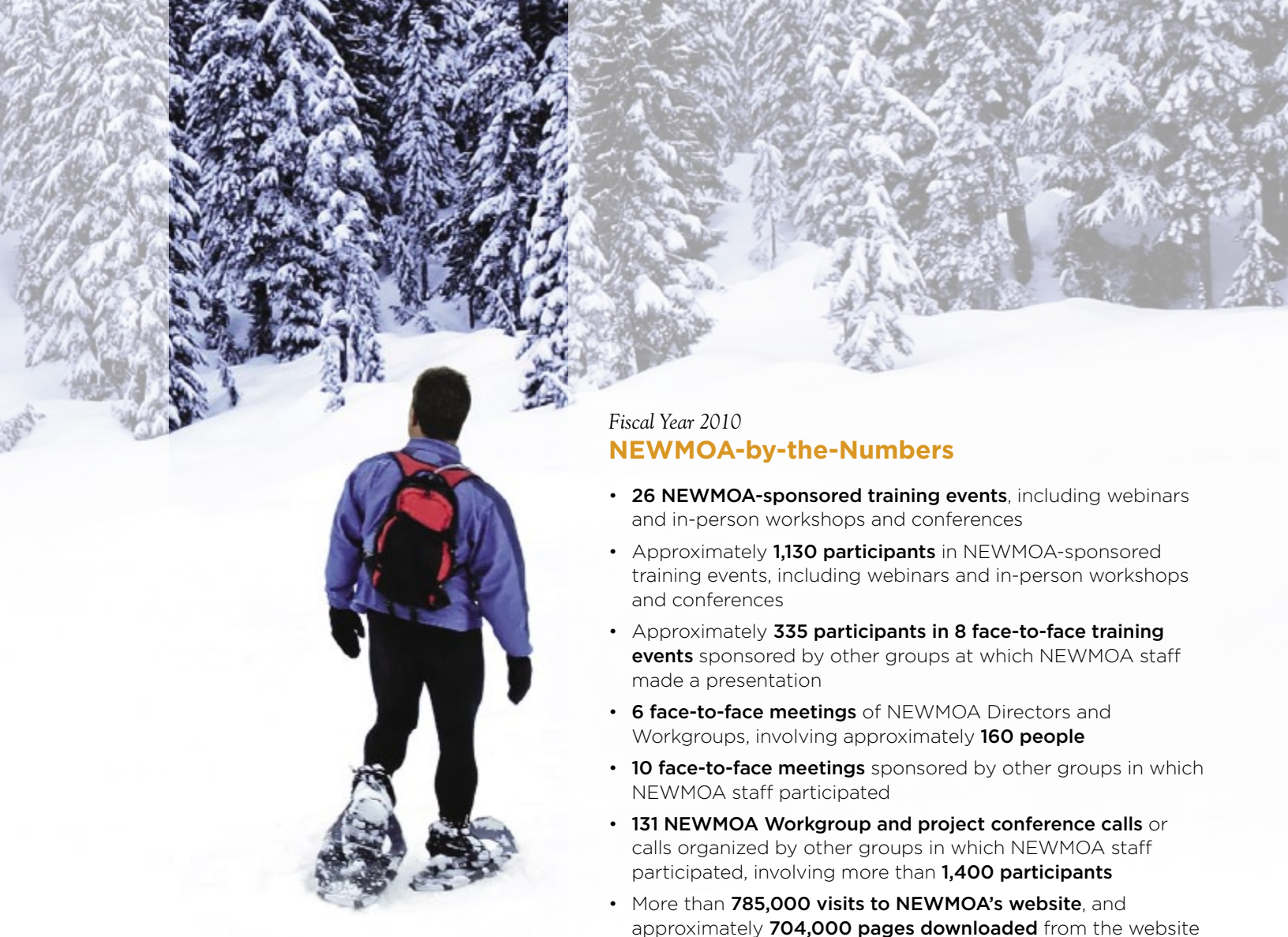


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2010 NEWMOA Co-Chairs*

and recycling of waste paper by such businesses as banks, law offices, commercial property managers, retailers, and others.

We encourage you to review the reports by the program area chairs that follow. NEWMOA's success is largely due to a talented and dedicated staff that provides the programmatic and administrative support needed to carry out its initiatives; state and federal agency staff that participate in Workgroups, trainings, and projects; and the NEWMOA Board of Directors, who provide guidance and leadership. We will miss our fellow NEWMOA Directors, David O'Toole and Jeff Sama, NYS DEC and wish them a happy retirement and extend our best wishes to Mark Hyland, ME DEP in his new endeavors. We thank U.S. EPA Regions 1, 2, and Headquarters for their active participation in NEWMOA and their support for numerous projects and initiatives.

Finally, this Annual Report is dedicated to William F. Cass, who retired as NEWMOA's Executive Director in October 2010 after nearly 20 years of service. Bill contributed much to NEWMOA during his tenure, especially in the area of hazardous waste regulations and training. The NEWMOA Board of Directors thanks Bill for his many years of leadership and service and wishes him all the best in his retirement.



Fiscal Year 2010

NEWMOA-by-the-Numbers

- **26 NEWMOA-sponsored training events**, including webinars and in-person workshops and conferences
- Approximately **1,130 participants** in NEWMOA-sponsored training events, including webinars and in-person workshops and conferences
- Approximately **335 participants in 8 face-to-face training events** sponsored by other groups at which NEWMOA staff made a presentation
- **6 face-to-face meetings** of NEWMOA Directors and Workgroups, involving approximately **160 people**
- **10 face-to-face meetings** sponsored by other groups in which NEWMOA staff participated
- **131 NEWMOA Workgroup and project conference calls** or calls organized by other groups in which NEWMOA staff participated, involving more than **1,400 participants**
- More than **785,000 visits to NEWMOA's website**, and approximately **704,000 pages downloaded** from the website by those visitors
- **16 NEWMOA listservs** involving more than **2,050 participants**
- Approximately **3,000 Northeast Assistance and P2 News newsletters distributed** (2 issues)
- **5 other NEWMOA publications or documents** on priority topics, including 2 comment letters to U.S. EPA, developed and distributed
- **23 online databases or downloadable tools** developed and/or maintained
- More than **500 companies** reporting on their mercury-added products through IMERC
- More than **4,400 products** in the online Mercury-added Products Database (not including a single product that was reported by multiple companies)
- **8 NEWMOA-member states**
- **15 IMERC-member states**
- **21 NEWMOA Directors** that met four times for two days each
- **28 Workgroups or Committees** involving approximately **635 participants** and **5 Networking Groups** involving approximately **105 participants**
- **8 NEWMOA Fiscal Year 2010 staff**

For more information, visit www.newmoa.org.

Solid Waste Reduction & Recycling: Sustainable Materials Management

All of the Northeast state environmental agencies have a strong interest in advancing economic and environmental sustainability. A critical aspect of this is ensuring that solid waste is reduced, reused, and recycled to the maximum possible extent. Collaborating through NEWMOA helps our members to establish interstate sustainability goals and strategies for achieving them and increases states' leverage to influence decisions to improve solid waste management.

In Fiscal Year 2010, NEWMOA actively addressed information sharing priorities, commercial waste paper recycling, construction and demolition (C&D) materials management; municipal solid waste (MSW) interstate flow and disposal data analysis; organics composting, and beneficial use of materials.

NEWMOA initiated a program of regular information-sharing conference calls and webinars on solid waste topics in 2010. NEWMOA staff conducted a survey of the members to identify topics for the calls early in the year. The first call focused on prioritization and innovation under fiscal constraints. All of the state agencies benefit from learning from each other about effective and efficient ways to manage their responsibilities.

The next two were conducted as webinars and focused on different aspects of improving the management of organic waste materials. Food scraps and yard waste make up over 25 percent of the waste that Americans generate. In a landfill, this organic material decomposes and releases methane gas, a greenhouse gas 20 times more potent than carbon dioxide. In January, speakers from U.S. EPA and *Biocycle* discussed "Organics Management and the Carbon Footprint." This was followed by another one in March on "Compost Facility Regulation and Best Management Practices" with presentations by experts from the Ohio

Environmental Protection Agency and New York State Department of Environmental Conservation. The presentations are available at: www.newmoa.org/solidwaste/cwm.

A May 2010 conference call focused on requirements for closed landfills, particularly after the standard 30 year post-closure period. State agencies are concerned that this is not long enough, and there will not be adequate funds to address environmental problems that may occur after 30 years. Decades ago when the financial assurance requirement was developed, most closing landfills were small and stopped producing harmful leachate and gases within 30 years of closure. Now most operating landfills are large, and each is set up as its own legal entity, shielding the owner from future financial liability. The waste in these large landfills is unlikely to finish decomposing within 30 years, and significant environmental problems could develop after the available financial resources are depleted. State agencies asked NEWMOA to help them understand each other's approach to this situation and to develop a strategy to engage U.S. EPA and the Association of State and Territorial Solid Waste Management Officials (ASTSWMO). After this call and NEWMOA's communications, ASTSWMO decided to advance awareness of this issue in its Fiscal Year 2011 workplan.

The September 2010 conference call focused on management of mildly contaminated soils. These sites are not contaminated enough to be considered hazardous but contain one or more potentially toxic substances at levels that are higher than background. Solid waste program staff asked NEWMOA to help them understand how neighboring states regulate this material and their allowable reuse options. State Waste Site Cleanup and Hazardous Waste Programs have also



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asked NEWMOA to hold similar discussions. All of these conversations have led NEWMOA to initiate a cross-program discussion that will take place in 2011.

Looking ahead to Fiscal Year 2011, as state fiscal constraints deepen, NEWMOA's Solid Waste Program will play an even greater role in helping state agencies increase their program efficiency. NEWMOA will hold the bi-monthly information sharing conference calls or webinars on priority topics and maintain its database on beneficial use determinations (BUDs) (see side bar). We will also initiate regional projects to harmonize approaches to collection of data from C&D material haulers and recyclers and to coordinate state agency efforts to develop extended producer responsibility (EPR) programs.

Commercial Waste Paper Recycling

The Environmental Commissioners and Directors from the New England States challenged NEWMOA and the air and water interstates to identify regional activities to address climate change as a priority in 2007. As a result of this challenge, the NEWMOA Board of Directors developed a Climate-Waste Action Plan that was released in 2009. The

Construction & Demolition Waste Report

A two-year NEWMOA effort to identify ways that state programs could work together to increase recycling of gypsum wallboard waste culminated with the publication of “Policy Options White Paper – Promoting Greater Recycling of Gypsum Wallboard from Construction and Demolition (C&D) Projects in the Northeast” (www.newmoa.org/solidwaste/GypsumWallboardRecyclingWhitePaperFinal9-17-10.pdf) in September. The Paper examines the following five policy options that the Association’s C&D Materials Workgroup determined to be the most practical ways to improve gypsum waste recycling:

- Ban the disposal of gypsum wallboard waste in landfills
- Require recycling of wallboard wastes produced by state-financed projects
- Require C&D waste management planning
- Develop common terminology and reporting requirements
- Develop and implement extended producer responsibility approaches

The first three options require action by individual states – all are now being implemented (or contemplated) in one or more of the member states. NEWMOA will initiate a new project in Fiscal Year 2011 to implement the fourth option.



Plan presents a strategy for mitigating and adapting to climate change through improving waste prevention and recycling initiatives, increasing renewable energy on contaminated sites, implementing “greener” site remediation, and improving management and recycling of disaster debris. Through the Action Plan, NEWMOA’s members committed to sharing information, conducting research, discussing and developing joint policy actions, coordinating implementation of programs, and conducting needed training and capacity building.

To begin to implement this Plan, NEWMOA’s members examined available data from models of the greenhouse gas impacts of various solid waste streams, including plastics, paper, glass, and metals. This initial analysis showed that reducing the disposal of waste paper could significantly reduce life cycle greenhouse gas emissions. Paper is an organic material and breaks down to release greenhouse gases when it is burned or buried. Since state and local governments have invested heavily in creating and supporting the infrastructure for capturing and recycling paper from households, NEWMOA’s members believe that

the most significant untapped source of waste paper is from commercial operations. A significant amount of valuable office and other paper from commercial sources is disposed of when it could be recycled. Successfully capturing and recycling this resource would have significant greenhouse gas and waste management benefits.

NEWMOA formed a Commercial Waste Paper Recycling Workgroup in 2009. This Workgroup held a series of conference calls in 2009-2010 to discuss the types of waste paper that commercial facilities generate, including high quality white paper, card board, newspaper, and colored and glossy paper. The group also debated the recycling barriers that many businesses face. To inform these conversations, NEWMOA staff conducted research into the local paper recycling industry. The Workgroup decided that NEWMOA’s overall goal for this initiative is to reduce GHG emissions tied to the manufacture, transport, and disposal of commercial waste paper by:

- Working with public sector, private sector, and non-profit stakeholders to identify, develop, and implement

effective strategies to enhance recovery and recycling

- Encouraging regional paper mills and other domestic end-users to increase their use of recycled paper

The Workgroup held a Commercial Waste Paper Recycling Summit to engage stakeholders in the development of a regional commercial waste paper recycling strategy in July 2010. NEWMOA co-sponsored the event with the American Forest and Paper Association (AFPA), Institute of Scrap Recycling Industries (ISRI), Northeast Recycling Council (NERC), and U.S. EPA Regions 1 and 2. The Summit’s agenda focused on:

- Barriers that keep businesses from recycling their waste paper and ways to reduce/eliminate them
- Incentives for businesses, building owners, managers, and cleaning services to recycle
- Efficient and effective paper collection models
- Effective efforts by state agencies, municipalities, and non-profits to encourage commercial recycling
- Tracking and measuring success

The Summit involved over 50 participants representing waste haulers, paper brokers, government agencies, recycling consultants, paper recyclers, and others. Some of the themes that emerged included:

- Commercial generators need greater incentives to collect waste paper for recycling
- Generators and waste brokers need education on proper collection and recycling
- Potential sectors to target include commercial property managers, retail chains, banks, insurance agencies, and shopping malls
- State and local agencies could focus on developing a regional action plan and model programs with consistent and harmonized reporting terminology and regulatory frameworks
- Paper mills and end users need to be involved with identifying and supporting effective programs for engaging customers in collection of waste paper
- Stakeholders should work together on developing best practice guidance and setting practical numerical goals and objectives

Information on the Summit is available at: www.newmoa.org/hazardouswaste/cwm/paper/.

In Fiscal Year 2011, NEWMOA will identify priorities and regional strategies for moving forward based on the ideas from the Summit.

Municipal Solid Waste Data Analysis

State environmental agencies in the Northeast have a responsibility to monitor and manage municipal solid waste (MSW) disposal capacity. To help fulfill this responsibility, all of NEWMOA's members gather data from MSW facilities on waste imports, and most members collect data on waste shipped out-of-state in order to assess disposal capacity and to measure recycling and other waste diversion activities.

Starting in 2000, NEWMOA's members began to share data to characterize the flow of MSW in the region and to validate the information they collect. NEWMOA performed this analysis annually starting with calendar year 1999 but shifted to an every-other year schedule in 2006. In Fiscal Year 2010, NEWMOA published the results for calendar year 2008, comparing them with those from 1999 – 2006. The presentation shows that:

- Most MSW is managed in the state in which it is generated
- For all states, the quantity of MSW generated in a state that was then disposed of decreased between 2005 and 2008
- All NEWMOA states export MSW to other NEWMOA states for disposal, and there is a high degree of interdependence
- For some states, significant quantities are shipped out-of-state for disposal, including those outside the NEWMOA region
- Interstate flow continues to be dynamic, with quantities imported or exported between any two states changing (sometimes dramatically) from year to year

For more information, visit: www.newmoa.org/solidwaste/MSW2008Data.pdf.

Beneficial Use Determinations (BUDs) Database

State agencies issue beneficial use determinations (BUDs) to facilitate the use of a previously disposed of material - such as industrial byproducts and wastes from construction and demolition activities - as a product. In order to streamline the process for approving new BUDs and assist in decision-making, NEWMOA developed an online database for state programs to easily share information about determinations that have been issued. Since 2008, NEWMOA has been working with non-NEWMOA member states to expand it into a national repository.

Currently, the NEWMOA BUDs Database is on-line and searchable and includes more than 1,500 determinations issued by more than 20 states. It is available to government users only. In 2010, NEWMOA made major upgrades to the user interface and created the capability to develop custom reports and print and/or download them. NEWMOA also added a highlights feature where users can easily see the "Top 10" wastes, uses, waste/use combinations, as well as those that are common across the most states in the Database. For example, 13 states have issued BUDs for the use of coal fly ash, asphalt shingles, and foundry sands. The waste with the greatest number of BUDs is asphalt, followed by dredged material/sediment, foundry sand, coal fly ash, paper mill sludge, wood ash, uncontaminated wood, non-contaminated soil, general coal ash, and concrete. This phase of the BUDs Database development will wrap up early in Fiscal Year 2011, at which point NEWMOA will begin to seek funding to make further improvements and develop a version that is publically accessible.



As state and federal training resources diminish, NEWMOA's value to the hazardous waste programs grows. State agencies have come to rely on the Association's monthly information-sharing conference calls and annual in person workshops.

Support for State Hazardous Waste Programs

For many years, NEWMOA's Hazardous Waste Program priority has been to provide a forum for information-sharing and training to improve the technical capabilities of state program staff, particularly inspectors that visit facilities that generate or manage hazardous waste. They need training to keep up-to-date on new state and federal priorities and interpretations of existing regulations. State program staff benefit from learning how others interpret various requirements of the federal Resource Conservation and Recovery Act (RCRA), as well as how they handle such state-regulated facilities as auto salvage yards that are not covered under RCRA. As state and federal training resources diminish, NEWMOA's value to the hazardous waste programs grows. State agencies have come to rely on the Association's monthly information-sharing conference calls and annual in person workshops.

NEWMOA's monthly hazardous waste conference calls are a useful forum for information exchange. Several staff from each state, as well as U.S. EPA Regions 1 and 2 and Headquarters participate. In Fiscal Year 2010, the calls covered:

- State regulation of universal waste handling and storage facilities
- Financial assurance at treatment, storage, and disposal facilities (TSDF) and RCRA corrective action sites
- Applying the totally enclosed treatment exemption
- State electronic waste legislation and programs
- Methods to prevent "sham" recycling
- Determining the seriousness of hazardous waste violations
- State regulation of auto salvage and other scrap yards
- Training resources available on hazardous waste issues

Another service is the "Advanced Hazardous Waste Inspector" training that is held each year. NEWMOA works with U.S. EPA to design the one-day workshop based on training priorities identified in an annual survey. NEWMOA held the spring 2010 workshop twice, in New Jersey and Massachusetts.

Both of the workshops included roundtables on "Evaluating and Classifying Waste-Like Materials" and "Incompatible Wastes and Materials." In these sessions, U.S. EPA staff presented on the regulatory issues associated with distinguishing commercial chemical products from wastes. This was followed by presentations on situations inspectors have encountered where facilities assert that commercial chemical products or secondary materials that appear to be wastes are not. Participants exchanged views on the proper classification of wastes and materials. Claudie Grout, ENVISION Exceptional Instruction also presented on incompatibility issues associated with RCRA and Occupational Safety and Health Act (OSHA) requirements. She described U.S. EPA regulations and guidance, provided advice on implementation, and reviewed key chemical terminology.

The U.S. EPA Region 1 and Region 2 workshops had differing third sessions. For Region 1, the workshop included a "Contaminated Soils Characterization and Management Roundtable." Connecticut DEP staff provided an overview of regulations and policies that govern the characterization, classification, and management of contaminated soil. Staff from the Connecticut and Massachusetts DEPs presented example cases to illustrate the regulatory and technical decisions required to properly manage these materials. For Region 2, the session included an overview of the



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federal regulations concerning hazardous waste tanks and containers, with an emphasis on air pollution control and example cases. Participants exchanged views and discussed scenarios they have encountered in the field.

As NEWMOA looks forward into the next year, the reductions in state and federal resources for hazardous waste programs will mean further budget and staff cuts. State agencies will continue to rely on NEWMOA's ability to provide the high-quality training they need for their hazardous waste programs to maintain their proficiency and effectiveness.

Environmental Results Initiative for Auto Body Shops

With support from NEWMOA, the Small Business Environmental Assistance Programs (SBEAP) in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin (i.e., states in U.S. EPA Region 5) are implementing an Environmental Results Program (ERP) initiative for auto body refinishing shops. The Programs chose this sector because of a new U.S. EPA air pollution control rule that includes compliance requirements for reducing emissions from the shops. The Program objectives are to:

- Illuminate the nature, scope, and seriousness of problems at auto body shops
- Quantify environmental performance in the sector and document changes resulting from outreach efforts
- Focus limited resources on specific problem areas and deploy those strategies that have been demonstrated to achieve the greatest environmental improvements

The SBEAPs requested support from NEWMOA for this initiative because of the Association's successful Common Measures Project (see www.newmoa.org/erp/projects/commeas.cfm).

The auto body ERP Initiative involves:

- Developing a common inspection checklist
- Randomly selecting a statistically valid number of facilities in each state
- Conducting baseline visits at the selected shops using the checklist
- Analyzing the results of the visits to identify the areas where shops need assistance
- Developing common outreach materials, including a self-certification checklist
- Performing outreach to shops
- Conducting follow-up compliance inspections after the compliance date
- Comparing facility performance before and after outreach to assess the impact

NEWMOA staff trained the program participants on using common definitions and consistently noting observations in the field; and assisted with developing an inspection checklist, self-certification checklist, and outreach materials during Fiscal Year 2010.

In 2011, NEWMOA will use a software tool called the ERP Performance Analyzer to analyze baseline data and present the results. Once the follow-up inspections are completed, NEWMOA will help assess the results and develop comparisons with the baseline; work on project conclusions and recommendations; and assist in preparing the final project report. For more information about ERP and the U.S. EPA Region 5 Auto Body Initiative, visit www.newmoa.org/erp.



Promoting Safer Chemicals

In Maine, we think we live in a pristine state with abundant natural resources, even though we and others in the Northeast live downwind of much of the nation. The dirty little secret that appears in the booklet Maine residents get with their fishing license is that our pristine looking waters have unsafe levels of mercury in the freshwater fish. The NEWMOA-member states have worked together for a number of years to address this contamination by reducing mercury in products. The Northeast heavily depends on incineration to reduce the volume of solid waste, and this can lead to emissions of mercury.

The Interstate Mercury Education & Reduction Clearinghouse (IMERC)

During the past decade of my involvement with NEWMOA, I have watched the Interstate Mercury Education and Reduction Clearinghouse (IMERC) grow from an idea among the NEWMOA-member states to an effective Clearinghouse of 15 state members across the country. I believe the mercury legislation enacted by these states and their coordination through the Clearinghouse has been vital in moving mercury-added product manufacturers towards eliminating mercury use in certain products and to reducing the amount of anthropogenic mercury disposed of or released into the environment.

During the 2009 Mercury Science and Policy Conference (see side bar), NEWMOA staff presented an analysis of IMERC's mercury-added product data. This unique data set – collected under the requirements of Connecticut, Louisiana, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont – enables IMERC to analyze mercury use trends in products. The presentation covered mercury use

in products sold in the U.S. from 2001 to 2007 and showed some remarkable results. The following findings are notable:

- All product categories – 46 percent reduction
- Thermometers and measuring devices – 77 percent reduction
- Thermostats – 73 percent reduction
- Switches and relays – 48 percent reduction

These results are heartening, and they validate the hard work of the IMERC-member states over the past ten years. For a copy of the presentation, visit: www.newmoa.org/prevention/mercury/conferences/sciandpolicy/presentations/Wienert_Session3B.pdf.

As the Mercury-added Products Database has grown, other agencies, including U.S. EPA, have asked IMERC for access to the data to conduct their own analyses. To facilitate easy data transfer and improve the efficiency of the notification process for the state agencies and manufacturers, NEWMOA has initiated a project to implement electronic filing (e-filing). The Massachusetts Department of Environmental Protection (MassDEP) partnered with NEWMOA to successfully apply for funding for this initiative from the U.S. EPA's National Environmental Information Exchange Network (NEIEN). In Fiscal Year 2010, NEWMOA developed and released a request for proposals to procure a contractor to develop the software systems to support e-filing and data sharing. The final product of this effort will enable faster data collection and posting while supporting greater efficiencies in data review and analysis.

IMERC played a more active role in the implementation of the states' labeling requirements in Fiscal Year 2010 because of changes in Vermont's law, and the expiration of a number of manufacturers' alternative labeling plans created



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a need for increased interstate cooperation. The Clearinghouse also submitted comments and information to the Federal Trade Commission (FTC) to assist in the development of new rules governing the labeling of compact fluorescent lamps. These rules went into effect in July 2010.

Although there are many successes in NEWMOA's work on mercury, challenges continue to arise. This year, a number of IMERC-member state programs participated in a U.S. EPA Workgroup that is focusing on mercury contained in flooring found in school gyms across the country. This flooring, typically decades old, causes numerous problems when the floors are replaced and need to be disposed of. These kinds of emerging issues highlight the impact that legacy uses of toxics chemicals can have on communities and the value of IMERC as a resource for collaboration and problem solving.

During the year, NEWMOA was involved in other mercury initiatives. Under a contract with MassDEP, NEWMOA in partnership with the New England Interstate Water Pollution Control Commission (NEIWPCC) prepared two reports (see side bar) on mercury-containing devices likely to be found at drinking water and wastewater treatment facilities and on the results of visits to a number of these facilities in the State.

The Interstate Chemicals Clearinghouse (IC2)

Today, more than ever, the public is concerned about exposure to chemicals in everyday products and the potential effects they can have on health and quality of life. There is growing demand by consumers for reliable and accessible information on toxic chemicals in consumer products, and state legislatures and agencies are responding. Maine legislators had their blood tested for a broad spectrum of chemicals three years ago; the results were alarming and spurred the passage of the Kid's Safe Chemical Act two years ago. During the past few years, other states across the country have passed similar legislation.

In 2009, state environmental and health agencies interested in collaborating on addressing chemicals policy asked NEWMOA to facilitate the development of the Interstate Chemicals Clearinghouse (IC2) (see side bar). NEWMOA's experience with IMERC and other interstate initiatives was viewed as critical to the state and local

governments involved in the development of the IC2.

Throughout 2010, NEWMOA helped to incubate the IC2. Members held dozens of conference calls to implement the efforts of five key IC2 Workgroups. Clearinghouse members drafted a formal governance proposal that was reviewed and endorsed by 11 state and local government agency Commissioners and Directors. Once the governance structure was approved, the state and local environmental leaders signed a Memorandum of Agreement demonstrating their commitment to participating in the IC2. By the end of the Fiscal Year, the IC2 had formed a Board of Directors. Other accomplishments during the year included:

- Developing the IC2 website - www.newmoa.org/prevention/ic2
- Drafting and disseminating the inaugural issue of the IC2 e-Bulletin www.newmoa.org/prevention/ic2/pubs/
- Initiating development of an online resource on the lists of chemicals of concern prepared by state agencies
- Supporting development of a common

approach to conducting an alternatives assessment

- Managing an initiative to coordinate implementation of chemical use reporting by state agencies

IC2 held a series of training webinars that covered:

- The Globally Harmonized System of Chemical Classification and Labeling
- U.S. environmental and biological monitoring data sources
- U.S. and Canadian action on priority chemicals
- Defining "safer" when conducting safer alternatives assessments

During a time when state staff are limited in their ability to travel, the Clearinghouse's ability to bring in experts and broadcast presentations to all of the IC2 members has been a tremendous benefit.

As the IC2 publically launches in 2011 and expands to include members across a wide range of agencies, groups, and industry, NEWMOA's experience will be invaluable to its growth and operations.

Mercury Science & Policy Conference

In November 2009, NEWMOA organized and co-sponsored the "Mercury Science & Policy Conference with a Special Focus on the Great Lakes and Northeast Regions." The two-day conference brought together nearly 170 environmental and public health officials, policy makers, industry representatives, academic researchers, and non-governmental organizations with the purpose of connecting current scientific findings with policy and providing a balance of perspectives.

Objectives of the conference were to:

- Provide current information on human health, environmental, and ecological research findings in addition to associated policy activities
- Provide a forum for evaluating advancements in reducing mercury releases
- Provide a forum for discussing the scientific and public health basis for policy actions to address mercury risks
- Facilitate an exchange on the cross media technical, policy, and management issues
- Identify high priority areas for future cost effective mercury reduction activities and strategies
- Identify high priority areas for future research needed to inform policy and management decisions

For more information, including the conference presentations, visit: www.newmoa.org/prevention/mercury/conferences/sciandpolicy/.



Mercury-Added Products Found at Drinking Water & Wastewater Treatment Facilities

In Fiscal Year 2010, the Massachusetts Department of Environmental Protection (MassDEP) contracted with NEWMOA to support MassDEP outreach efforts during the upgrades of primary and secondary wastewater and drinking water treatment facilities under the American Recovery and Reinvestment Act (ARRA) and state revolving fund (SRF).

NEWMOA partnered with the New England Interstate Water Pollution Control Commission (NEIWPCC) to prepare a report summarizing the types of mercury devices likely to be found at water treatment facilities and conduct outreach and assistance to facilities through phone calls, an online survey, and site visits.

The highlight of the Project was development of “Mercury-Added Products Found at Drinking Water & Wastewater Treatment Facilities.” This Report provides descriptions and photographs of mercury-added products likely to be found at these facilities; describes the amount of mercury in the products (if known); their potential for breakage and spills and the possibility of human exposure to mercury if broken; and notes the availability of non-mercury alternatives (where applicable). The Report covers the following product categories:

- Bulk chemicals
- Laboratory chemicals and equipment
- Process control and measuring equipment
- Switches and relays
- Building equipment
- Lamps
- Batteries
- Paint
- First aid and medical equipment
- Miscellaneous

The Report is available at: www.newmoa.org/prevention/mercury/projects/WWT/Mercury-addedProductsatWWTPlants.pdf.

For more information about mercury devices found at water treatment facilities and links to additional documents, visit: www.newmoa.org/prevention/mercury/projects/WWT/index.cfm.

Interstate Chemicals Clearinghouse (IC2)

The Interstate Chemicals Clearinghouse (IC2) is an association of state, local, and tribal governments that promotes a clean environment, healthy communities, and a vital economy through the development and use of safer chemicals and products. The goals of the IC2 are to:

- Avoid duplication and enhance efficiency and effectiveness of state, local, and tribal initiatives on chemicals through collaboration and coordination
- Build agency capacity to identify and promote safer chemicals and products
- Ensure that state, local, and tribal agencies, businesses, and the public have ready access to high quality and authoritative chemicals data, information, and assessment methods

The functions of the IC2 include:

- Supporting health and environmental agencies with development and implementation of programs to promote use of safer chemicals and products
- Supporting the development of alternatives assessment methods and identification of safer alternatives
- Sharing data and information on use, hazard, exposure, and alternatives
- Sharing strategies and outcomes on chemicals prioritization initiatives
- Building the capacity of agencies by sharing materials, strategies, and trainings
- Assisting agencies in meeting the relevant information needs of businesses, consumers, and the public

IC2 membership consists of Members (i.e., state, local, and tribal governments) and Supporting Members (i.e., non-governmental organizations, businesses, labor organizations, and academic programs). For more information, visit: www.newmoa.org/prevention/ic2/.





Through the Northeast Assistance and Pollution Prevention Roundtable, state programs have been able to identify emerging issues, share priorities, and direct regional efforts to develop innovative solutions to common problems.

Advancing Sustainability through Assistance & Pollution Prevention

2010 marked two important milestones in pollution prevention - the 20th anniversary of the Pollution Prevention Act (PPA) and the formation of the Northeast Pollution Prevention Roundtable. The enactment of The Pollution Prevention Act of 1990 helped bring about two decades of innovation and a safer and healthier environment. This work was made possible by the tireless efforts of P2 program staff in the northeast and around the country. The northeast states' P2 programs have been national leaders. Early work in P2 in the northeast predates the PPA - NEWMOA started its regional roundtable to support state P2 programs in 1989. At that time, the northeast states' programs recognized the benefits of coordinating on P2 efforts to achieve greater outcomes, improve economic competitiveness, and leverage limited resources. Through the Northeast Assistance and Pollution Prevention Roundtable, state programs have been able to identify emerging issues, share priorities, and direct regional efforts to develop innovative solutions to common problems.

In Fiscal Year 2010, NEWMOA's Assistance and Pollution Prevention Program accomplishments included:

- Holding webinars
- Publishing newsletters
- Organizing a meeting of programs in U.S. EPA Region 2
- Managing the regional Pollution Prevention Resource Exchange (P2Rx)[™] Center
- Developing support tools for programs that are assisting the hospitality sector
- Advancing P2 measurement
- Enhancing the Energy and Materials and Cost Tracker (EMFACT[™]) tool

Webinars

Many state agencies are experiencing out-of-state travel restrictions, and webinars provide a great way to provide training to a large number of people. NEWMOA's Roundtable held five webinars this year focusing on:

- Green cleaning products and practices for hoteliers
- Connecting climate change mitigation with materials, products, and waste
- Design for the environment's green cleaning program
- The states Alternatives Assessment Wiki
- Lean, P2, and greening the supply chain

The Northeast Assistance and Pollution Prevention Roundtable Steering Committee held conference calls to plan these webinars, share state and U.S. EPA program updates, and plan NEWMOA's other assistance and P2 events and activities. At the beginning of the year, NEWMOA conducted a survey on training priorities, and the Steering Committee used the survey results to select priority training topics. For more information, visit www.newmoa.org/prevention/webconferences/.

Newsletters

NEWMOA published the spring 2010 *Northeast Assistance and Pollution Prevention News* and wrote the fall 2010 issue, which was distributed in October 2010. The spring newsletter highlighted the 20th anniversary of the passage of the Pollution Prevention Act and the



Michael DiGiore

New Jersey Department of Environmental Protection (NJDEP), 2010 NEWMOA Assistance & Pollution Prevention Program Chair

numerous pollution prevention activities of the northeast state programs over the past two decades (see www.newmoa.org/prevention/newsletters/20_1/vol20_1.pdf). The fall issue featured interviews with a panel of experts and explored strategic future directions (see www.newmoa.org/prevention/newsletters/20_2/vol20_2.pdf).

Meeting of States & U.S. EPA Program Staff

NEWMOA's regional meeting for state and federal programs in U.S. EPA Region 2 was valuable. During the meeting participants presented on their efforts to analyze available data to set priorities.

Attendees discussed the unique opportunities and challenges of targeting hazardous chemicals that have significant greenhouse gas impacts. The group also heard about ongoing work in the hospitality sector. Finally, the participants made plans for follow-up conference calls of the New Jersey, New York, and U.S. EPA Region 2 P2 programs.



Pollution Prevention Resource Exchange (P2Rx)

NEWMOA is a Center in the Pollution Prevention Resource Exchange (P2Rx™), a national network of eight regional information centers dedicated to improving the dissemination of pollution prevention (P2) information and promoting sustainable practices. The national goals of P2Rx are to:

- Build and facilitate dynamic regional and national P2 topic driven networks
- Serve as the trusted source for P2 information
- Increase the awareness, accessibility, and usability of P2 information
- Evaluate and measure the impact of various tools to achieve our goals

In Fiscal Year 2010, NEWMOA's P2Rx Center efforts focused on adoption of P2 strategies and technologies as an important component of sustainability and improving the quality of life in the region. For example, the Center initiated development of a virtual trade show on wet cleaning technologies as an alternative to PCE dry cleaning. NEWMOA coordinated this effort with U.S. EPA

Region 1, university-based researchers, and vendors.

NEWMOA posted a quick guide to essential information about programs that involve undergraduate and graduate student internships to promote P2 in Fiscal 2010. This Topic Hub helps assistance programs, policy makers, and educators that might be considering starting such a program; raises awareness of these programs among potential interns and host companies; and serves as an information exchange to improve existing programs.

For more information on P2Rx activities, visit: www.newmoa.org/prevention/p2rxinfo/.

Greening the Hospitality Industry

Lodging facilities and restaurants can have significant environmental impacts, including generation of food and other solid wastes, energy consumption, wastewater and stormwater discharges, and use of toxic cleaners and other potentially harmful products. There is a high degree of interest in and work underway within this sector in the Northeast. States, including Connecticut, Maine, New Hampshire, New York, Rhode Island,

and Vermont have initiated programs to certify green lodging facilities. In Maine, New Hampshire, and Rhode Island, these efforts have expanded to restaurants.

NEWMOA's Hospitality Workgroup met by conference call throughout the year to discuss the challenges facing this sector and how to address them. NEWMOA also worked on support tools to assist the efforts of the state and local programs to quantify the environmental outcomes of their hospitality certification and assistance initiatives. The staff released a draft paper, "From Behavior Change to Environmental Outcomes in Sustainable Hospitality: Metrics, Formulas, Variables, and Assumptions" for review and comment in the summer.

NEWMOA also led the National Sustainable Lodging Network (www.sustainablelodging.org), a collaboration of U.S. EPA Regions and the P2Rx Sustainability Committee to initiate a web 2.0 resource aimed at fostering an online community of practice. The staff developed a concept paper and draft marketing plan for how partners could be engaged in the development of this resource and a working description of

Energy & Materials Flow & Cost Tracker (EMFACT™)

EMFACT™ is a software tool designed to be used within companies for systematically tracking materials and energy use; releases, discharges, and wastes; and associated costs in ways that can create value for their business. The tool can provide a comprehensive picture of resource use and its relation to production and planning that can help improve both business and environmental performance.

NEWMOA and the Massachusetts Office of Technical Assistance (MA OTA) created EMFACT™ because the agencies recognized the need and opportunity for manufacturers to more effectively implement environmental management accounting as a tool to aid in setting pollution prevention priorities, identifying value-added opportunities for sustainable production, supporting lean manufacturing and greening the supply chain, and implementing materials and energy efficiency improvements.

In Fiscal Year 2010 NEWMOA continued to support EMFACT™ by making upgrades and improvements, developing an online tutorial, and pursuing case studies of early adopters.

For more information on EMFACT™ and to download the tool, visit: www.newmoa.org/prevention/emfact/.

what the site might look like. In Fiscal Year 2011, NEWMOA plans to continue working on tools to help programs implement the measurement methods, including an online tool as well as the web 2.0 resource. For more information, visit: www.newmoa.org/prevention/projects/hospitality/.

Improving the Measurement of P2

NEWMOA has been a national leader in the development of methods for measuring impacts of assistance and P2 programs for many years. In Fiscal Year 2010, NEWMOA provided support for the National P2 Results Data System to add new greenhouse gas (GHG) measures, facilitate U.S. EPA's ability to distinguish grant funded from non-grant funded activities, and update back-end cost coefficients. NEWMOA also hosted two national webinars covering U.S. EPA's P2 GHG calculator and upgrades and improvements to the P2 Results Data System. Finally, the Association issued a call for 2007-2009 P2 data to populate the P2 Results Data System. NEWMOA expects to help analyze and present the resulting regional data in Fiscal Year 2011. For more information, visit: www.newmoa.org/prevention/projects/results.cfm.

Expanding Business Value Through P2 & Sustainable Practices

NEWMOA held a two day P2 and sustainability conference in May of 2010 in San Juan, Puerto Rico in partnership with the Puerto Rico Manufacturing Association (PRMA) and the Puerto Rico Hotel and Tourism Association (PRHTA). The overall purpose of the conference was to support efforts to foster more sustainable business practices in Puerto Rico and the U.S. Virgin Islands among the manufacturing and tourism sectors. By providing a forum for the exchange of ideas on P2 tools, projects, and practices, the conference sponsors hoped to advance environmental performance and economic vitality of participating companies. The conference goals were to:

- Give businesses practical measures they can implement to green their business while saving money
- Share experiences of industry leaders about how they overcame institutional barriers to change
- Ensure the health and economic vitality of local communities by improving environmental performance

The conference was attended by more than 160 participants over two days. Attendees included:

- Environmental, health, and safety and line managers from pharmaceutical and other industrial facilities
- Owners and senior managers from hotels and lodging operations
- P2 and sustainability experts
- Government environmental agency staff
- Academics
- Representatives of non-governmental organizations



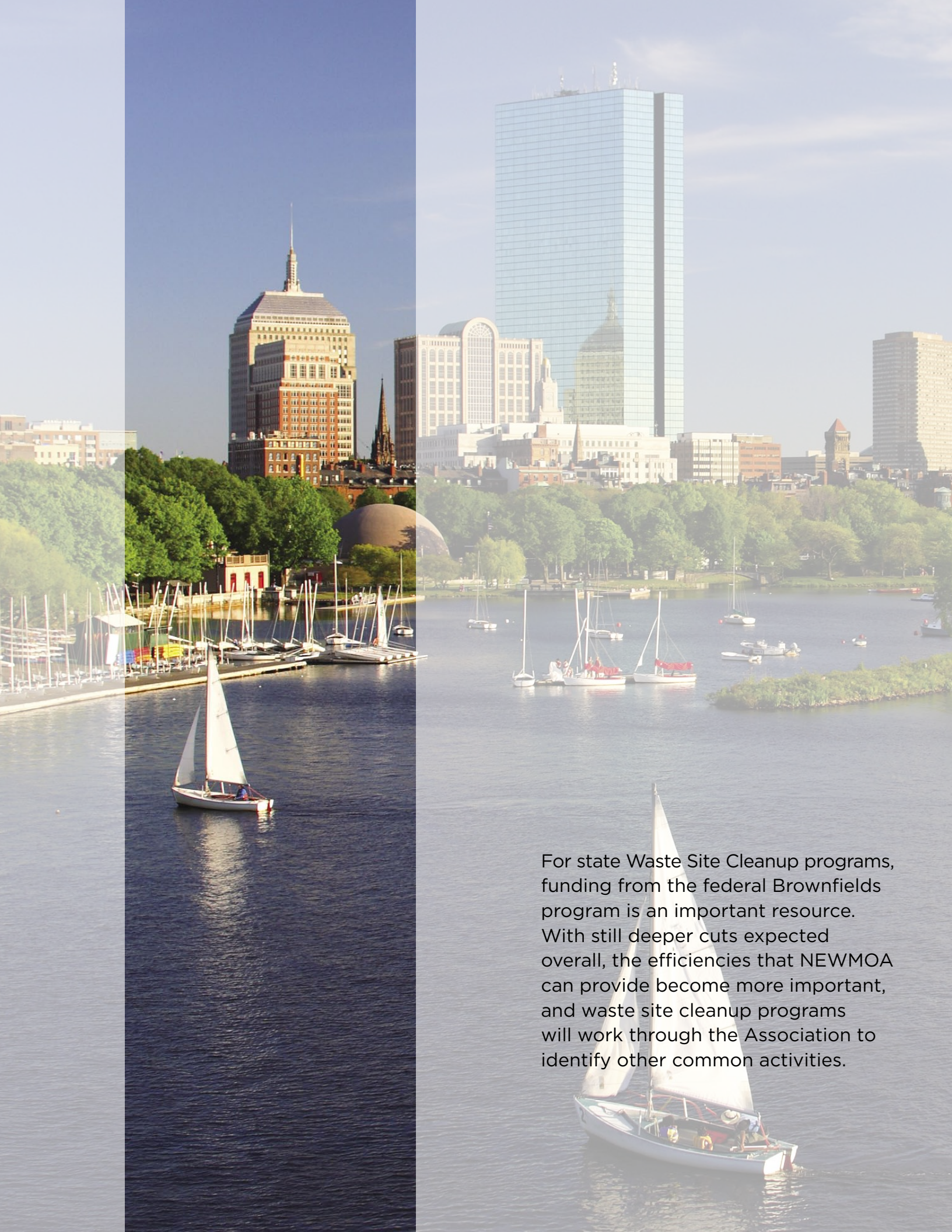
Panelists Erick Garcia, Pfizer; Rafael Pagan, PRiMEX; and Paul Lockwood, NH DES.

The attendees reported that the conference provided an opportunity for them to make new contacts and network with colleagues. The varied backgrounds of panelists combined with the structure of the sessions lead to interaction among participants and panelists. The recurring theme in conference feedback forms was that there was a need for more forums for exchanging information on sustainability strategies in Puerto Rico.

To view the conference presentations, visit: www.newmoa.org/prevention/cwm/pr/agenda.cfm.



Posters & Exhibits - Baxter display



For state Waste Site Cleanup programs, funding from the federal Brownfields program is an important resource. With still deeper cuts expected overall, the efficiencies that NEWMOA can provide become more important, and waste site cleanup programs will work through the Association to identify other common activities.

Progress on Waste Site Cleanup

NEWMOA facilitates information sharing on Waste Site Cleanup (WSC) Program priorities through quarterly conference calls of the program directors. During the first call in Fiscal Year 2010, the directors asked NEWMOA staff to focus on training on technical topics and addressing the impacts of the U.S. EPA's Toxics Substances Control Act (TSCA) program at sites that are contaminated with polychlorinated biphenyls (PCBs).

State programs staff need periodic training to keep up-to-date on technology developments in waste site characterization and remediation techniques. As fiscal pressures on state agencies grow, feasible options for staff training have diminished. State programs have come to rely on NEWMOA's technical workshops as a critical resource to maintain and improve the capabilities of their program staff. Each year NEWMOA surveys its members to identify their training priorities and uses the results to identify key topics. The Waste Site Cleanup Steering Committee confirms these priorities, designs the workshop agendas, and suggests speakers. In Fiscal Year 2010, NEWMOA organized sessions on two topics: remediation of contaminated sediments and enhanced in-situ bioremediation. Each of these was held in two locations so they were widely accessible and open to industry representatives and contractors to improve their understanding of the topics.

Many Brownfields and other contaminated properties contain or are adjacent to wetlands and/or streams and ponds. Contamination in the sediments in these areas can enter the food chain and adversely impact human health, fish, and wildlife. Due to the difficulty of accessing many of these areas, remediating those with contaminated sediments can

pose significant challenges. A related challenge is the management of contaminated sediments once they are removed. NEWMOA's 2010 "Remediation of Contaminated Sediments Workshop" was held in April in Connecticut and Massachusetts and attended by over 150 participants. Copies of the presentations are available at: www.newmoa.org/cleanup/cwm/sediments10.

The second workshop topic in Fiscal Year 2010 was "Enhanced In-situ Bioremediation." Some types of contamination, such as organic solvents, can naturally degrade under certain circumstances into harmless substances over time. Enhanced in-situ bioremediation (EISB) focuses on improving the conditions for natural degradation processes so the remediation timeframe is significantly shortened. EISB involves injecting bacteria and/or nutrients into the contaminated area to stimulate degradation and measuring progress. Treating soils in place rather than digging them up for on-site or off-site treatment or disposal saves on transportation and other energy-intensive activities. The Workshop was held in October in Connecticut and Massachusetts and was attended by more than 150 participants. Copies of the presentations are available at: www.newmoa.org/cleanup/cwm/eisb.

At a NEWMOA Brownfields programs meeting in Fiscal Year 2009, participants expressed frustration with the current process for addressing redevelopment projects where there is PCB contamination. NEWMOA responded by coordinating an initiative to articulate state agencies' concerns and to work with U.S. EPA Region 1 to improve the process. These concerns revolve around:

- Jurisdictional uncertainty
- Workplan review time
- Excessive costs relative to risk



Jay Naparstek

*Massachusetts Department of Environmental Protection,
2010 NEWMOA Waste Site Cleanup Program Chair*

Under many circumstances, when PCB contamination is found at a site, the requirements of the TSCA must be met. However, state staff and consultants have difficulty determining if TSCA does or does not apply. Review by the U.S. EPA TSCA Program of this question can cause project delays. Furthermore, the TSCA requirements can add significant investigation and remediation costs. These issues can contribute to the cancellation of redevelopment projects and cause abandoned properties to remain derelict.

NEWMOA organized a meeting in November of state programs and U.S. EPA Region 1 to begin a dialogue on improving the process. There was consensus at the meeting that clearer guidance and more resources from U.S. EPA were needed. Subsequently, the Regional Office hired another staff person to focus on PCB projects. In terms of guidance, state programs asked for short, clearly written fact sheets explaining how to determine if TSCA does or does not have jurisdiction; characterization requirements; and remediation requirements. These fact sheets are currently under development by U.S. EPA after some preliminary work conducted by

NEWMOA. Once they are finished, NEWMOA will coordinate with the Agency on developing training.

NEWMOA's WSC effort in 2010 illustrates the efficiency and cost-effectiveness of state programs working together to address unmet needs. Each state would spend more resources to develop training for their staff than they contribute to NEWMOA to organize the workshops regionally. Furthermore, the concerted action of all of the New England states working together through NEWMOA played a major role in focusing U.S. EPA Region 1 on the need to change their handling of sites with PCBs under TSCA. NEWMOA's ability to enhance individual state resources continues to grow in value each year.

Looking ahead to Fiscal Year 2011, the most significant issue is likely to be the impact that additional budget reductions at both the state and federal level will have. For state Waste Site Cleanup programs, funding from the federal Brownfields program is an important resource. With still deeper cuts expected overall, the efficiencies that NEWMOA

can provide become more important, and waste site cleanup programs will work through the Association to identify other common activities. For example, in 2011, state programs have asked NEWMOA to undertake efforts to educate policymakers and the public on the vital role states play in ensuring the success of Brownfield redevelopment projects and on the need to expand the resources available so that more sites can be remediated and brought back into productive use. In addition to reducing environmental and human health impacts, Brownfield redevelopment projects revitalize blighted areas and increase job opportunities. Educating policymakers and the public on the benefits of these programs may help to ensure the vital funding that supports them.



NEWMOA Funding

NEWMOA relies on dues, grants, contracts, and special contributions for funding. The first and original source is state dues. The New England states request that U.S. EPA Region 1-New England make a portion of their RCRA state hazardous waste program assistance funds available as dues and general support in the form of a grant to NEWMOA. The NEWMOA Board of Directors determines the specific amount each year in consultation with U.S. EPA Region 1-New England. New York and New Jersey elect to pay their annual dues directly to NEWMOA. IMERC-member and IC2-member states also pay annual dues directly to NEWMOA to fund those activities.

U.S. EPA grants support solid waste activities, assistance and pollution prevention projects, hazardous waste training, and participation in federal regulatory development. Grants for these activities are awarded by a combination of U.S. EPA Region 1-New England, Region 2, and Headquarters, and occasionally by other agencies and institutions.

Contributions from member states in the form of contracts make up the third source of funding. Several states contribute directly to fund projects of particular interest, as well as to support NEWMOA's mercury reduction, IMERC, IC2, oil spill cleanup, and Brownfields programs.

NEWMOA's Financial Activity

October 1, 2009 to September 30, 2010

Revenues

State Dues, Contracts, Fees, Contributions & In-Kind Services/Match	189,171
Federal Grants*	870,607
Miscellaneous	2,669
Total Revenue	<u>1,062,447</u>

Expenditures

Staff Salaries & Expenses	668,203
Travel & Meetings	105,496
Office Expenses	170,305
Contracts	116,715
Total Expenditures	<u>1,060,719</u>

Net Assets

Net Assets at Beginning of Year	315,884
Net Assets at End of Year	317,612
Net Change in Assets	<u>1,728</u>

* Federal grants include \$142,000 in state assistance allocated to NEWMOA at the request of the New England states. Federal grants also include awards to states that were provided to NEWMOA through contracts.

About NEWMOA

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

NEWMOA's Mission

NEWMOA's mission is to develop and sustain an effective partnership of states that helps achieve a clean, healthy, and sustainable environment by exploring, developing, promoting, and implementing environmentally sound solutions for:

- Reducing materials use and preventing pollution and waste,
- Properly reusing and recycling discarded materials that have value,
- Safely managing solid and hazardous wastes, and
- Remediating contaminated sites.

The group fulfills this mission by providing a variety of support services that:

- Facilitate communication and cooperation among member states, between the states and the U.S. EPA, and between the states and other stakeholders;
- Provide research on and evaluation of emerging issues, best practices, and data to help state programs maximize efficiency and effectiveness; and
- Facilitate development of regional approaches to solving critical environmental problems.





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