



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

January 15, 2013

Her Excellency, Maggie Hassan  
and the Honorable Council  
State House  
Concord, NH 03301

*Retroactive*

**REQUESTED ACTION**

Authorize the Department of Environmental Services to **retroactively** pay 2013 calendar year membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA (VC # 162774), in the amount of \$13,399, effective upon Governor and Council approval. 16% Federal, 84% Clean Water State Revolving Loan Funds

Funding is available in the accounts as follows:

03-44-44-442010-2002-026-500251	<u>FY 2013</u> \$ 2,184.00
Dept Environmental Services, CWSRF Administration, Organizational Dues	
03-44-44-442010-4788-026-500251	\$11,215.00
Dept. Environmental Services, CWSRF Loan Management, Organizational Dues	

**EXPLANATION**

The New England Interstate Water Pollution Control Commission (NEIWPCC) is a not-for-profit interstate agency formed by Congress that assists its seven member states, including New Hampshire, in a number of ways. NEIWPCC is unique to interstate organizations in that the relationship between Department of Environmental Services (DES) and NEIWPCC is specifically addressed in New Hampshire statutes, RSA 484:17 through 21, as part of a multi-state compact specifically focused on helping to resolve interstate water pollution issues. NEIWPCC supports the member states in many ways by coordinating activities that ensure cooperation among the states, educating the public about key water quality, drinking water, wetlands and coastal issues, supporting research projects, training environmental professionals, and providing overall leadership in water management and protection across many water-related programs. NEIWPCC dues are based on a cost sharing formula that proportions costs in accordance with each state's population and real estate valuation. This request is considered to be retroactive to the beginning of the calendar year, January 1, 2013. The bill for the calendar year 2013 dues was not received by DES in time to be processed through G&C before the start of the calendar year.

NEIWPCC serves as an important focal for the New England states and New York to leverage and articulate our common water policy concerns and positions at the national level. This provides a greater ability for us to implement strategies to move important national environmental policy issues debated in Congress such as mercury water pollution caused by Midwest power plants, water discharge permitting regulations, federal program funding, and changes to environmental laws such as the Clean Water Act and Safe Drinking Water Act. NEIWPCC also develops and carries out programs, endorsed by its Commissioners, employing work groups that frequently include technical experts from DES staff in leadership roles.

NEIWPCC activities are overseen by commissioners from each member state, including five from New Hampshire. NEIWPCC operations are managed by an Executive Director, Mr. Ronald Poltak, a New Hampshire native, who has served in this capacity for over twenty years. As established in RSA 484:19, four of New Hampshire's five Commission members are appointed by the Governor and Executive Council to four year terms and the fifth is DES Commissioner Thomas Burack. Mr. Harry Stewart, DES Water Division Director, currently serves on the NEIWPCC Executive Committee and is past Chairman of NEIWPCC.

In summary, NEIWPCC is an outstanding organization with very active participation by New Hampshire from which we gain a significant return on our investment in dues. Active support and involvement in this organization by payment of these dues is good value for the State of New Hampshire. Attached is our response to membership questions questionnaire in support of this request.

We respectfully request your approval.



Thomas S. Burack, Commissioner

Attachment

**Department of Environmental Services Response to Membership Questions in Support of a Request for Dues Authorization Approval for the New England Interstate Water Pollution Control Commission (NEIWPC), January 2013**

- **How long has this organization been in existence and how long has this agency been a member of this organization?**  
The organization was founded in 1947. DES (and previously as one of its predecessor agencies, the Water Supply and Pollution Control Commission) has been a member since the organization was founded.
- **Is there any other organization which provides the same or similar benefits which your agency belongs to?**  
No. This is the only regional organization to which DES belongs that is dedicated to supporting and providing state input on national and regional water policy issues and funding under the federal Clean Water Act, the Safe Drinking Water Act and federal Underground Storage Tank requirements.
- **How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?**  
Seven states belong to this organization, the six New England States and New York. DES is the sole New Hampshire state agency that is a member.
- **How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc)**  
State dues are assessed annual based on a longstanding formula based on state population and other size factors. New Hampshire falls into the lowest dues tier due to our relatively small size and, therefore, pays the lowest of several possible dues rates.
- **What benefit does the state receive from participating in this membership?**  
NEIWPC serves as a real time conduit for important information on federal policy and budgets as well as a vehicle for all seven member states to cross train by program comparisons to improve program management for many water programs. This organization provides real opportunity for New Hampshire to directly affect federal water pollution control policy and funding and to leverage our positions with the other states with the United States Environmental Protection Agency (EPA) in Boston. For example, several times per year, Harry Stewart, the DES Water Division Director, is provided regular direct access to the most senior water program officials at the EPA. Many other DES staff across in various water program areas also meet with their peers and EPA officials, and receive technical training from NEIWPC throughout the year. NEIWPC participation has had a net positive impact for New Hampshire for decades.
- **Are training or educational/ research materials included in the membership? If so, is the cost included? Explain in detail.**  
Yes. DES regularly receives educational/research materials, training and national water policy updates from NEIWPC and the cost is typically included, except for travel costs for occasional multi-day regional seminars, training sessions and meetings. This training is through meetings and seminars, materials available on the Commission website, documents forward by e-mails or internet links, and conference calls on specific topics concerning regional and national water policy, water quality, state program management and many water program issues. DES also receives real-time information on federal budgets and policy

changes that may require comment to EPA separately or together by the seven member states. NEIWPC staff will also provide specific policy research to DES upon request. This is all part of the service provided for payment of the annual dues.

- **Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.**

No.

- **Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.**

No travel is included. However, as a member of the NEIWPC Board and leadership team, Harry Stewart, DES Water Division Director, participates in high level meetings with EPA on regional and national water policy and funding issues. These meetings are to ensure that states issues are considered during the development of federal water policy. NEIWPC has other meetings attended by DES staff from different programs at their offices in Lowell, Massachusetts. These meetings are on many water topics including water monitoring, NPDES permits, stormwater, wetlands and drinking water. Funding for travel to these meetings is typically from federal program grants. These provide an opportunity for DES to receive updates on regional and national water policy and funding matters pertinent to New Hampshire and to give direct input to senior EPA officials.

- **Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization.)**

Harry Stewart, DES Water Division Director, is currently a voting member of the NEIWPC Commission and Executive Committee. Other Water Division employees are involved with other program committees include Sarah Pillsbury (water supply), Collis Adams (wetlands), Ted Diers (water quality and coastal), Eric Williams (nonpoint source), and Amy Smagula (exotic species) as well as Michael Juranty (underground storage tanks) of the Waste Management Division. Typically, these staff would travel to NEIWPC offices in Lowell 1 to 3 times/year for meetings with other discussions by conference call.

- **Explain in detail any negative impact to the State if the Agency did not belong to this organization.**

DES would not be as fully informed on regional and national water pollution control, water quality, drinking water and underground storage tank issues being considered by EPA and debated in Congress. DES staff would also not be as well trained on many technical, policy and procedural matters. We would not have the ability to regularly provide direct input, in close coordination with other New England water program leaders, on national water policy, legislation proposed in Congress, and the impacts of federal budget decisions on New Hampshire water pollution control programs and the loan programs that support municipal wastewater infrastructure. Membership in NEIWPC has historically enabled DES to provide significant, timely input with the other NEIWPC states on national water policy and federal grant funding to EPA. The ability to provide state-specific input, and to leverage our impact through an association that represents 7 northeastern states on the decisions of relative to complex polices and rules relative to the Clean Water Act, Safe Drinking Water and underground storage tank issues would be very substantially reduced, and this would be to the detriment of the State.



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Regional and State Initiatives  
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Informational Resources  
Training and Certification  
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Education and Outreach

December 13, 2012

**IN ACCOUNT WITH:**

The State of New Hampshire  
Department of Environmental Services  
PO Box 95, Hazen Drive  
Concord, NH 03301

Atten: Harry Stewart

**EIN #04-6004735**

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**COVERS:**

The state of New Hampshire's appropriation toward the operating expenses of the  
New England Interstate Water Pollution Control Commission for 2013

**AMOUNT DUE:**..... \$13,399.00

Ronald F. Poltak  
Executive Director

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New Hampshire  
New York  
Rhode Island  
Vermont

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