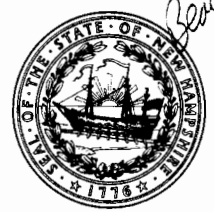




The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

September 10, 2015

Her Excellency, Governor Margaret Wood Hassan  
And the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Authorize the Department of Environmental Services (DES) to **retroactively** pay the 2016 membership dues to the Northeast Waste Management Official's Association, Interstate Mercury Education & Reduction Clearinghouse, Boston, MA (VC # 161803), in the amount of \$5,000 for the period October 1, 2015 through September 30, 2016, effective upon Governor and Council approval. 100% Hazardous Waste Clean-up Funds.

Funds to support this request are anticipated to be available in the following account in State FY 2016 upon the availability and continued appropriation of funds in the future operating budget:

	<u>FY 2016</u>
03-44-44-440010-5923-026-500251	\$ 5,000.00
Dept of Environmental Services, P2 & SBTAP, Organizational Dues	

**EXPLANATION**

This request for dues is **retroactive** because the invoice was not received in time to process it prior to the beginning of federal fiscal year 2016. The Interstate Mercury Education & Reduction Clearinghouse (IMERC) is a consortium of state mercury reduction programs operated by the Northeast Waste Management Official's Association (NEWMOA) on behalf of the member states. NEWMOA is a non-profit, non-partisan interstate waste and pollution prevention association. NEWMOA was established by the governors of the New England States as an official interstate organization in accordance with Section 1005 of the federal Resource Conservation and Recovery Act.

The purpose of IMERC is to provide:


- ongoing technical and programmatic assistance to states that have enacted mercury education and reduction legislation (RSA 149-M:51-58, in New Hampshire), and
- a single point of contact for industry and the public for information on mercury-added products and member states' mercury education and reduction programs.

Listed below are answers to standard questions required for Governor and Council organizational dues and membership approval submissions:

- **How long has this organization been in existence and how long has this agency been a member of this organization?** The organization has been in existence since 2001, and New Hampshire has been a member since 2001.
- **Is there any other organization which provides the same or similar benefits which your agency belongs to?** No, there is not. IMERC was specifically set up by the Northeast States to perform functions related to implementation of state mercury reduction laws.
- **How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?** Currently fifteen states belong to this organization (all the Northeast states and several outside the region), and all of these states have passed legislation regulating mercury-added products. DES is the sole New Hampshire state member.
- **How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc)** The dues structure is based on population – “small” states such as NH, VT & ME pay \$5,000, while “large” states such as MA, CT, NY pay \$10,000.
- **What benefit does the state receive from participating in this membership?** IMERC serves as a single point of contact for businesses subject to the provisions of NH’s and other member states’ mercury-added product laws. This system is highly efficient and saves the state from having to fund a full time position (FTE) to perform this work. It also saves businesses from having to work with individual states on compliance issues; they can simply send all their information to IMERC, where it is consolidated and distributed to the member states. IMERC has developed and implemented an electronic data submission system, allowing product manufacturers to efficiently submit their data and allowing state IMERC members to easily review the data on line. In addition, IMERC provides information & training for manufacturers on state mercury reduction laws and requirements, processes data, and issues reports as directed by state members. All of these tasks would need to be performed by state staff if IMERC did not exist.
- **Are training or educational/research materials included in the membership? If so, is the cost included? Explain in detail.** Yes, these items are included, as is the cost of the items. IMERC publishes informational web pages, fact sheets and a newsletter, and also conducts research and processes and analyzes data as directed by the state members. Such analyses include analyzing trends in the amount of mercury used in consumer products and evaluating the success of state legislative efforts.
- **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.** There is no travel specifically included in this membership fee. Meetings are conducted exclusively via conference calls and webinars.

- **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.** Stephanie D'Agostino, Supervisor of the Pollution Prevention Section, Planning, Prevention and Assistance Unit, in the Office of the Commissioner, and also Mercury Reduction Program Coordinator, is the sole NHDES representative. Stephanie is a voting member and past Chair and Vice-Chair of IMERC (Chairmanship rotates among the member states).
- **Explain in detail any negative impact to the State if the Agency did not belong to this organization.** If DES were not a member of IMERC, then a staff position would either need to be created or an existing staff person reassigned to perform the work required under state statute (RSA 149-M:51-58). IMERC performs this work (processing notifications from hundreds of manufacturers of mercury products, contacting the manufacturers if information is deficient, tracking the phase-out of mercury products and providing educational materials and a point of contact for manufacturers, environmental organizations and citizens on mercury products) on behalf of, and under the guidance of, state IMERC members.

We respectfully request your approval.

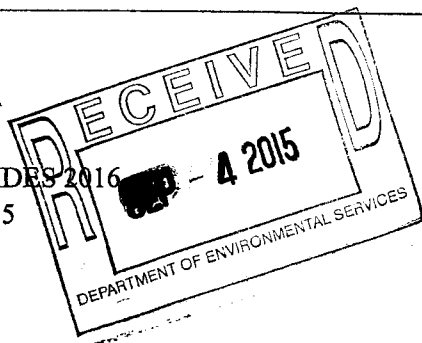


Thomas S. Burack  
Commissioner

2016 IMERC ANNUAL INVOICE

Bill To:
NH DES
Pollution Prevention Section
29 Hazen Drive. PO Box 95
Concord, NH 03302-0095
Attn: Stephanie D'Agostino

Invoice #: B250 NHDES 2016
Date: 1-Jul-15



Description

Interstate Mercury Education & Reduction (IMERC) dues for FY2016 (October 1, 2015 - September 30, 2016).

IMERC provides:

- Ongoing technical and programmatic assistance to states that have enacted mercury education and reduction legislation
A single point of contact for industry and the public for information on mercury-added products and member states' mercury education and reduction programs

IMERC facilitates deliberations that provide advice and assistance to the individual states for their decision-making. Specifically, IMERC:

- Collects and manages data submitted by manufacturers of mercury-added products, as necessary to implement the notification provisions of state mercury reduction legislation;
Facilitates interstate collaboration on the development and implementation of public education and outreach programs on mercury-added products;
Endeavors to make information on mercury-added products available to industry and the public;
Responds to public information requests for information on mercury-added products, the requirements of the member states, and the status of state implementation of their laws; and
Provides technical assistance, facilitate reviews, and make recommendations to the member states concerning
- manufacturers' applications for exemptions to the phase-out of mercury-added products;
- manufacturers' applications for alternative labeling of mercury-added products; and
- manufacturers' plans for collection and proper waste management of mercury-containing materials.

Amount Due this Invoice: \$ 5,000.00

Invoice Terms: Due upon receipt

Federal ID #: 04-2901917

Make Check Payable to : Northeast Waste Management Officials' Association (NEWMOA)

Remit To: NEWMOA
129 Portland St, 6th Floor
Boston, MA 02114-2014

For billing questions, contact Lois Makina, 617-367-8558 x312 or Lmakina@newmoa.org