



**Department of Ecology
Executive Cabinet Transition Document**

Tier 1

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**Agency Responsibilities
Organization Chart
Budget by source and program
Major Issues**



Ecology website: <http://www.ecy.wa.gov/ecyhome.html>

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Agency Responsibilities

The Department of Ecology has 10 major operating programs and executive/administrative functions that support them. In addition to the headquarters office in Lacey, there are four regional offices and three field offices where most of program activities are implemented.

Air Quality:

- Reduce Air Pollution Related Haze and Improve Views of Washington's Scenic Areas
- Maintain Efficient and Effective Industrial Permit Program for Air Quality
- Measure Air Pollution Levels and Emissions to Make Sound Policy Decisions
- Prevent Violations of Air Quality Standards
- Reduce Health and Environmental Threats from Motor Vehicle Emissions
- Reduce Health/Environmental Threats from Smoke and Dust in Eastern Washington
- Reduce Risk from Toxic Air Pollutants

Environmental Assessment Program:

- Environmental Quality Assurance and Scientific Assistance
- Persistent Bioaccumulative Toxins Strategy
- Environmental Laboratory Services
- Environmental Laboratory Accreditation
- Directed Environmental Studies for Water Quality, Water Resources, and Toxics
- Environmental Monitoring of Water Quality, Sediments, and Stream Flows

Hazardous Waste and Toxics Reduction:

- Reduce the Generation of Hazardous Waste through Technical Assistance
- Increase Safe Management of Hazardous Waste Through Technical Assistance
- Increase Compliance and Take Action on Significant Environmental Threats from Hazardous Waste
- Prevent Hazardous Waste Pollution Through Permitting, Closure, and Corrective Action
- Improve Community Access to Hazardous Waste Information and Quality Data

Nuclear Waste:

- Hanford Tank Waste Storage
- Hanford Tank Waste Disposal
- Hanford Waste Management
- Hanford Facility Transition
- Hanford Environmental Restoration

Shorelands and Environmental Assistance:

- Protect, Restore, and Manage Wetlands
- Shoreline Management and Coastal Zone Management
- Environmental Permitting Cost-Reimbursement Program
- Permitting Major Transportation Improvements
- Floodplain Management
- Padilla Bay National Estuarine Reserve
- Provide Technical and Financial Assistance to Local Watershed Planning Units
- Washington Conservation Corps (WCC)
- Water Quality Certifications
- State Environmental Policy Act (SEPA) Review

Solid Waste and Financial Assistance:

- Employing Washington Students to Prevent and Pickup Litter
- Eliminating Wastes and Managing the Garbage that is Left Over
- Funding Local Efforts to Clean Up Toxics Sites and Manage or Reduce Waste
- Partnering with Washington's 31 Largest Industrial Facilities to Limit Their Impact on Citizens and the Environment

Spill Prevention, Preparedness, and Response:

- Prevent Oil Spills
- Prepare for Oil Spills
- Respond to Oil and Chemical Spills
- Assess and Restore Natural Resource Damage from Spills

Toxics Cleanup Program:

- Clean the Worst Contaminated Sites First (Aquatic)
- Clean the Worst Contaminated Sites First (Uplands)
- Manage Underground Storage Tanks to Minimize Releases
- Services to Site Owners that Volunteer to Cleanup their Contaminated Sites

Water Quality:

- Prevent Point Source Water Pollution
- Control Stormwater Pollution
- Reduce Nonpoint Source Water Pollution
- Provide Water Quality Financial Assistance
- Cleanup Polluted Waters

Water Resources:

- Water Rights Management
- Drought and Climate Change Preparedness
- Instream Flows
- Water Efficiency
- Well Construction
- Dam Safety
- Water Resources Support to Local Watershed Management Efforts
- Water Resource Related Data and Information
- Water Right Adjudication
- Water Rights Compliance

Agency Administration:

- Executive
- Financial Services
- Administrative and Information Services
- Communication and Education
- Governmental Relations
- Employee Services
- Regional and Field Offices

Organization Chart

Department of Ecology -Executive Management



**Office Of
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**Confidential
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Regional Directors



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**Confidential
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Environmental Program Managers



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Northwest Region
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**Special Assistant
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Watershed Management
Vacant



**Special Assistant
to the Director:**
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**Solid Waste and
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Department of Ecology's 2003-05 Budget

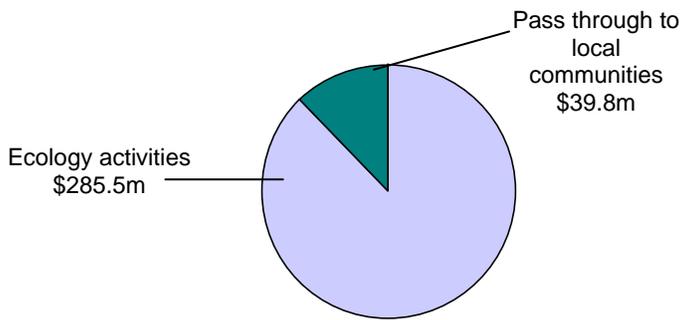
\$ in millions

The Budget for Operating the Agency	FTE annual average	GF-S	Dedicated Funds	Total
Air Program	103	18.3	21.5	39.9
Environmental Assessment Program	105	8.4	9.7	18.1
Shorelands and Environmental Assistance Program	141	9.7	32.1	41.8
Water Quality Program	198	5.4	37.9	43.3
Water Resources Program	139	19.4	12.1	31.5
Toxics Cleanup Program	139	0.0	30.5	30.5
Nuclear Waste Program	74	0.1	14.3	14.4
Hazardous Waste and Toxics Reduction	111	0.0	18.5	18.5
Solid Waste and Financial Assistance Program	93	0.3	22.7	23.0
Spills Program	66	0.0	25.3	25.3
Administration	229	10.8	28.5	39.2
Total Operating Budget	1398	\$72.3	\$253.0	\$325.3

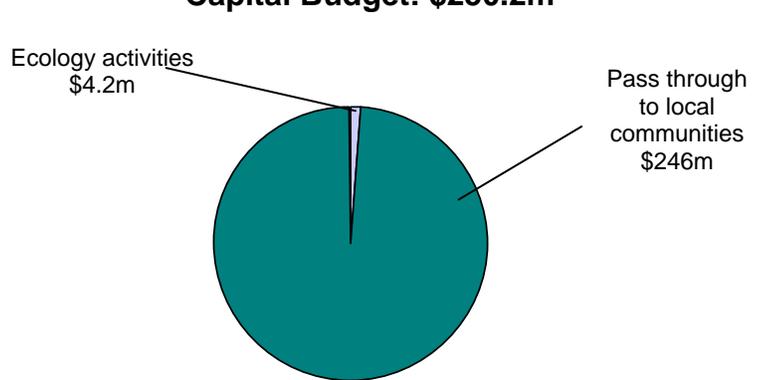
The Capital Budget for Local Environmental Infrastructure	Bonds	Dedicated Funds	Total
Ecology Activities			
Shorelands and Environmental Assistance Program			
Padilla Bay Interpretive Center	0.6	2.6	3.2
Nuclear Waste Program			
Low Level Nuclear Waste Disposal Site Closure	0.0	1.1	1.1
Pass through to local communities			
Water Quality Program			
Water Quality Grant Program	27.9	17.4	45.3
Water Quality Loan Program	0.0	125.5	125.5
Water Resources Program			
Water Purchase/Lease	2.5	3.0	5.5
Water Supply Facilities	17.6		17.6
Water Conservation	6.7		6.7
Solid Waste and Financial Assistance Program			
Local Toxics Cleanup and Prevention Grants	0.0	45.3	45.3
Total Capital Budget	\$55.3	\$194.9	\$250.2
TOTAL Combined Budget	\$127.6	\$447.9	\$575.5

Half of Ecology's current budget supports local communities' environmental activities and infrastructure

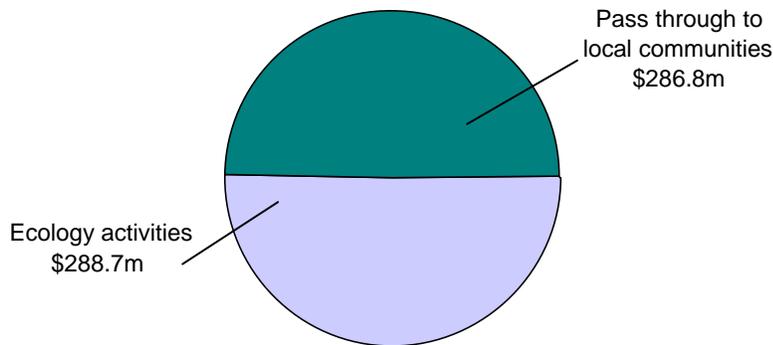
Operating Budget: \$325.3m



Capital Budget: \$250.2m

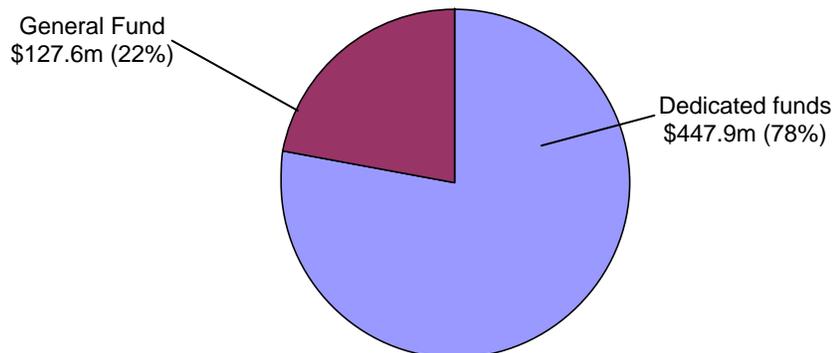


Combined Budget: \$575.5m



The majority of revenues supporting Ecology's budget comes from dedicated fees and taxes

Combined Budget: \$575.5m



Major Issues for Ecology

Hanford

The Issue

State of Washington v. Abraham: The decisions in this case will affect the state's ability to balance timely and effective cleanup at Hanford against national plans to dispose of more radioactive waste there. This is a pending suit to overturn U.S. Dept. of Energy (USDOE) decision to ship low-level and mixed low-level wastes from other sites to Hanford for disposal, and transuranic wastes (nuclear wastes containing elements like Plutonium, Neptunium and Americium) from other sites for treatment and storage. The suit challenges whether USDOE has adequately complied with the National Environmental Policy Act in making these decisions.

The Urgency

Motions for summary judgment will be heard on November 23. USDOE agrees not to ship additional wastes (with some agreed-to exceptions) until November 15 (we are seeking an extension to accommodate oral arguments). USDOE may assert the state's challenge prevents it from taking other positive actions on Hanford waste disposal (e.g., proceeding with a lined disposal facility for all low-level and mixed low-level wastes).

Significance/Controversy

Underlying issue is USDOE will not make or meet commitments to key aspects of Hanford cleanup while proposing to ship more waste from elsewhere for permanent disposal at Hanford. Importing radioactive waste is a high-profile, emotional issue. State has historically recognized that Hanford may have some role in disposing of waste from elsewhere in return for removing, treating and disposing the most-dangerous Hanford wastes elsewhere.

Key Players/Stakeholders

-U.S. Department of Energy	-State of Oregon
-Tri-Cities local governments	-Assistant AGs Joe Shorin & Andy Fitz
-Yakama Nation	-U.S. District Judge Alan McDonald
-U.S. Department of Justice	
-Activist groups: Heart of America NW, Columbia River Keepers, Government Accountability Project, Physicians for Social Responsibility, League of Women Voters	

Current Status and Timeline for Conclusion and Resolution

Cross-motions for summary judgment scheduled to be heard on November 23, 2004. If neither is granted, then a date will be set for arguments in the case. USDOE's agreement to suspend off-site shipments expires November 15. Further negotiation may be required.

Links to Web sites (additional background information)

<http://www.ecy.wa.gov/programs/nwp/index.html>

Staff Contacts

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Joe Shorin, Assistant Attorney General, Ecology Division, 360 586 6741 or josephs@atg.wa.gov

Initiative 297

The Issue

Passage of Initiative 297 is likely to generate litigation over state-federal jurisdictional issues and to re-focus Hanford cleanup efforts away from the present priorities and schedules in the Tri-Party Agreement. Specifically, it would require Ecology to prohibit import of radioactive wastes to the federal Hanford site, prohibit burial of Hanford wastes in unlined trenches, and assess higher fees on the U.S. Dept. of Energy (USDOE) to support public involvement and enhanced state oversight.

The Urgency

I-297 mandates Ecology actions within 60 days. USDOE is likely to challenge in court on federal pre-emption grounds. USDOE and/or Congress may withhold funds/support for ongoing Hanford cleanup projects (i.e., construction of tank-waste vitrification facilities or retrieval of transuranic waste wastes (nuclear wastes containing elements like Plutonium, Neptunium and Americium) for shipment off-site). Other states may also refuse to accept waste from Hanford.

Significance/Controversy

Underlying issue is that USDOE will not meet existing or make additional commitments to Hanford cleanup while proposing to ship more waste from elsewhere for permanent disposal at Hanford. Importing radioactive waste is high-profile, emotional issue. No state wants to receive radioactive waste from another state, but over the last ten to fifteen years, USDOE has developed a plan for disposal of its waste that balances legal requirements, “appropriateness” and shared impact among the states/sites. State has historically recognized that Hanford may have some role in disposing of some, mostly low level waste from elsewhere in return for removing, treating and disposing of Hanford's most dangerous high-level and transuranic wastes in other states.

Key Players/Stakeholders

- U.S. Department of Energy
- Tri-Cities local governments
- Activist groups: especially Heart of America NW, Columbia River Keepers, Government Accountability Project, Physicians for Social Responsibility, League of Women Voters
- State of Oregon
- Yakama Nation
- U.S. Environmental Protection Agency

Current Status and Timeline for Conclusion and Resolution

Certification of I-297 starts a 60-day clock toward Ecology enforcement. Ecology and the Attorney General's Office are already challenging the decision to bring more waste on NEPA grounds. A potential decision by U.S. District Court is set for November 23, 2004. Pending decision, USDOE agrees not to import off-site waste (with some agreed-to exceptions for lab samples and Navy wastes).

Links to Web sites (additional background information)

<http://www.ecy.wa.gov/programs/nwp/index.html>

Staff Contacts

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Persistent, Bioaccumulative Toxins (PBTs)

The Issue

Persistent, bioaccumulative toxins (PBTs) are a class of chemicals associated with damage to the nervous and reproductive systems of humans and other animals, and they can cause developmental and learning problems in children. PBTs are found in products we use and have accumulated in the environment. Ecology's PBT strategy is designed to address these chemicals over time through a variety of approaches.

The Urgency

Recent environmental and public-health data show increasing or elevated levels of certain PBTs (e.g., mercury, some toxic flame retardants, PCBs) in breast milk, food-chain organisms, fish and wildlife. PBTs are toxic chemicals and elements that have a demonstrated ability to move through the food chain and accumulate and magnify in humans and many animals.

Significance/Controversy

PBTs are associated with numerous toxicological, neurological and reproductive problems in humans, wildlife and fish at low concentrations. Sources range from consumer product disposal (e.g., broken mercury thermometers, disposed fluorescent light tubes), nonpoint-source emissions (e.g., outdoor burning, furniture in offices and homes, leaking electrical transformers) and traditional industrial discharges (e.g., coal combustion).

Key Players/Stakeholders

Environmental and community groups: Washington Toxics Coalition, WashPIRG, Physicians for Social Responsibility, Breast Cancer Fund, People for Puget Sound

Business/agriculture groups: Association of Washington Business, Northwest Pulp & Paper Association, Washington Friends of Farms & Forests, Far West Agribusiness, Independent Business Association, Aluminum Industry

Government: Washington Departments of Health, Labor & Industries, and Agriculture, the Puget Sound Action Team, U.S. EPA, Local governments

Current Status and Timeline for Conclusion and Resolution

The Governor issued Executive Order #004-01 with \$100,000 emergency funding, and the legislature provided \$325,000 in the 2004 supplemental budget to:

- Develop a chemical action plan (CAP) addressing toxic flame retardants (PBDEs) by December 1, 2004.
- Develop a regulation defining criteria to determine which chemicals should be classified as PBTs and a process to determine their priority for developing future action plans, by summer 2005.
- Further implementation of the existing Mercury Chemical Action Plan (from 2003).

Links to Web sites (additional background information)

- <http://www.ecy.wa.gov/programs/eap/pbt/pbtfaq.html>
- http://www.ecy.wa.gov/programs/eap/pbt/pbde/PBDE_main.htm
- <http://www.mercurymess.org>

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Ron Shultz, Governor's Policy Office, 360 902 0676 or ron.shultz@ofm.wa.gov

Columbia River Initiative

The Issue

Competition for water from the Columbia River continues to escalate. There are hundreds of pending applications for new water rights from the Columbia River, and there is little agreement on the stream flows needed to support salmon. The purpose of Columbia River Initiative is to develop a state water-management program for the Columbia River that allows the basin's economy to grow, diversify and be sustained, that reflects scientifically sound information, and that reduces the risks to fish and maintains healthy watersheds.

The Urgency

In response to conflicting rule petitions and litigation, Governor Locke called for a new state water management plan for the Columbia River mainstem that would allow water withdrawals while supporting salmon. By legal agreement, the processing of new water rights and related litigation are temporarily on hold through 2004 while the new program is put in place.

Significance/Controversy

Several river communities do not have water rights for growth or economic development. Water rights issued since 1980 are subject to interruption during periods of low river flows. Pending applications for water for agriculture could represent over 4,000 new direct jobs and over \$200 million per year in potential benefits to the state's economy. Endangered salmon in the Columbia are at risk from high temperatures, low river flows, slow river velocities and other factors.

Key Players/Stakeholders

- Federal agencies (U.S. Bureau of Reclamation, NOAA Fisheries, Bonneville Power)
- Tribal governments (Colville, Yakama, Umatilla, Nez Perce, Spokane, etc.)
- Columbia Snake River Irrigators Association and Mid-Columbia Public Utility Districts
- Environmentalists (Center for Environmental Law and Policy, American Rivers, National Wildlife Federation, and Washington Environmental Council)
- Water, Power and Dams Group (a Tri-Cities community leadership forum with cities, ports, public utilities, agriculture and economic development groups)
- Washington Water Policy Alliance (statewide water-rights group, including business, agriculture and municipalities)

Current Status and Timeline for Conclusion and Resolution

The Department of Ecology is scheduled to adopt a final rule and sign several long-term agreements to acquire water in December 2004. Full implementation will require legislative approval for additional funding in the 2005-07 Biennium.

Links to Web sites (additional background information)

<http://www.ecy.wa.gov/programs/wr/cri/crihome.html>

Staff Contacts

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