

October 31, 2017

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The Honorable Scott Pruitt
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460-0001

Re: EPA's draft *Strategic Plan* for FY 2018-2022
Docket ID: EPA-HQ-OA-2017-0533

Dear Administrator Pruitt,

The National Steering Committee for the network of state Small Business Ombudsmen (SBO) and Small Business Environmental Assistance Programs (SBEAPs) thanks you for the opportunity to comment on EPA's draft *Strategic Plan* for FY 2018-2022 (Docket ID: EPA-HQ-OA-2017-0533).

As state providers of technical compliance assistance for more than 25 years, our members have provided extensive, hands-on assistance in helping businesses comply with both state and federal environmental regulations. Many among this group have lengthy experience working in various state regulatory programs; additionally, most members maintain a close relationship with the regulatory programs in their states to better assist businesses. We have detailed knowledge of environmental regulations with a unique awareness of the impact of regulations on businesses nationwide. As a result, and in alignment with the Agency's goal of Cooperative Federalism, we feel the SBO/SBEAPs could play a valuable role in helping support and implement the EPA's strategic plan by providing a perspective that balances environmental stewardship while still maintaining economic feasibility for America's businesses.

The state SBO/SBEAPs were mandated by Section 507 of the 1990 Clean Air Act Amendments to provide free and confidential environmental compliance assistance to small businesses. Assistance from the state SBO/SBEAPs is the most economical solution to small businesses striving for environmental compliance and many times is their only economically feasible solution. In line with the goal of Cooperative Federalism, we agree that compliance assistance is best administered at the state level with support from the federal agency. Businesses need a complete picture of their compliance obligations. SBO/SBEAPs can work collaboratively to achieve the Agency's objective of creating consistency and certainty by outlining exactly what is expected of the regulated community to ensure good stewardship and positive environmental outcomes. Assistance in navigating both state and federal regulations is essential in providing effective technical compliance assistance. By helping businesses proactively achieve compliance and protect the environment through collaborative compliance assistance approaches, the SBO/SBEAP's provide a more effective and efficient alternative to traditional reactive enforcement approaches that often require more resources, lengthy timelines and costly enforcement actions after a violation (and possible harm to the environment) has already occurred. A strong and vibrant state SBO/SBEAP provides a valuable complement to a state's traditional enforcement programs as it allows its limited resources to be more focused.

In addition, our business clients often lack the time, funding, and organization required to have an active voice in federal and state environmental rulemaking processes and the SBO/SBEAPs have in the past and desire to continue to serve as an advocate for small businesses in the federal rulemaking process and the Agency's development of other initiatives. Early engagement of the SBO/SBEAP's in these types of efforts could result in fewer, more meaningful, and less burdensome regulations impacting the small business community.

The SBO/SBEAP model has been embraced at varying levels by states across the U.S. With limited resources, some states allocate only as many resources as minimally necessary to meet the federal mandate, thereby leaving these assistance programs with a limited ability to provide services and many to only focus on regulations specific to the mandate under the Clean Air Act Amendments. Other states have recognized the significant value in these programs and have provided additional resources, thereby enabling the programs to assist businesses with multimedia regulations.

As we work toward our shared core mission of providing Americans with clean air, land and water, it is clear that providing more resources to the state SBO/SBEAP programs to proactively collaborate with America's business community to increase compliance and protect the environment is a sound investment with a high rate of return. Yet, even programs with resources to provide comprehensive assistance (air, land and water) still have vastly less than what is truly needed to fully serve the businesses that need assistance. Further, based on the proposed budget, it is our concern that these programs may receive even fewer resources, since, although a mandate, they could be and have been viewed by some as non-essential when compared to traditional regulatory programs. The lack of dedicated federal funding and increased pressure on state budgets has left the state SBO/SBEAPs extremely vulnerable to cuts and in some states elimination at a time when more small businesses are regulated than ever before.

We contend that in times of significant regulatory change, businesses especially need free and confidential regulatory assistance. Not providing this results in increased confusion and non-compliance, costly and time-consuming enforcement, and a drain on the already limited resources of small businesses.

In closing, we thank you for your consideration of these comments. We also encourage a closer look at the value SBO/SBEAP programs provide, the model they are built around and, with some additional resources, the significant role they could play in helping the administration achieve its goal of reducing the regulatory burden on America's businesses, while working collaboratively with industry to help them protect our air, land and water by attaining and remaining in compliance.

Sincerely,



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List of enclosures: National SBO/SBEAP Informational Sheet